



CABINET

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To: Councillors Barkley (Deputy Leader), Bokor, Harper-Davies, Mercer, Morgan (Leader), Poland, Rollings, Smidowicz and Taylor (for attention)

All other members of the Council
(for information)

You are requested to attend the meeting of the Cabinet to be held in The Preston Room, Woodgate Chambers, Woodgate, Loughborough on Thursday, 16th January 2020 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

3rd January 2020

AGENDA

1. APOLOGIES
2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS
3. LEADER'S ANNOUNCEMENTS
4. MINUTES OF PREVIOUS MEETING

4 - 10

To approve the minutes of the previous meeting.

5. QUESTIONS UNDER CABINET PROCEDURE 10.7

The deadline for questions is noon on Wednesday, 8th January 2020.

6. INTERNAL AUDIT PLAN - RECOMMENDATION OF THE AUDIT COMMITTEE 11 - 14

A report of the Head of Strategic Support setting out the recommendation of the Audit Committee in respect of the resources available to complete the Council's Internal Audit Plan.

7. PRIVATE SECTOR LICENSING SCHEME 15 - 121

A report of the Head of Strategic and Private Sector Housing to consider proposals for Private Sector Licensing and the resources required to complete a public consultation exercise.

Key Decision

8. CHARNWOOD GRANTS STRATEGIC PARTNERS 2020/21 - 2021/22 122 - 147

A report of the Head of Neighbourhood Services to consider proposals for the Strategic Partner Grant Scheme funding for 2020/21 and 2021/22.

Key Decision

9. CORPORATE PLAN 2020 - 2024 148 - 163

A report of the Chief Executive to consider the final version of the Corporate Plan 2020 – 2024, for recommendation to Council.

Key Decision

10. MODERN SLAVERY STATEMENT 2019/20 164 - 178

A report of the Strategic Director of Corporate Services to consider a proposed Modern Slavery Statement, including the associated commitments to practical action.

Key Decision

11. DESIGN SUPPLEMENTARY PLANNING DOCUMENT 179 - 246

A report of the Head of Planning and Regeneration to consider the adoption of the Design Supplementary Planning Document, which has been prepared to support and provide guidance on the Local Plan Core Strategy policies.

Key Decision

12. SILEBY NEIGHBOURHOOD PLAN

247 - 335

A report of the Head of Planning and Regeneration to consider approval for the Sileby Neighbourhood Plan to be 'made' as part of the statutory development plan for the Neighbourhood Area.

Key Decision

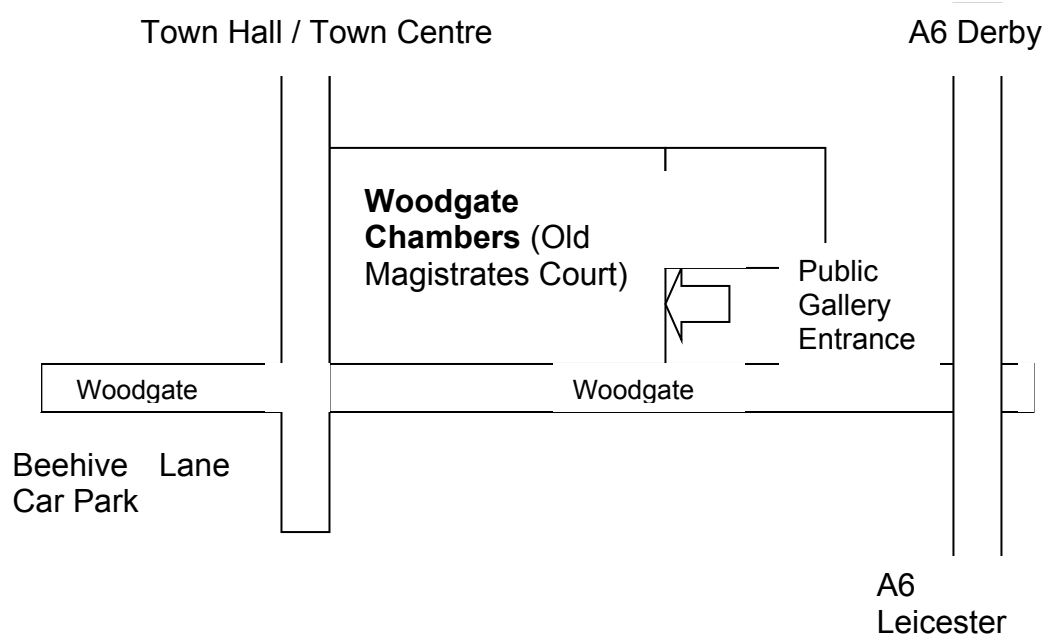
13. WRITE OFF REPORT FOR BUSINESS RATE PROPERTIES

336 - 339

A report of the Head of Customer Experience to consider the write off of irrecoverable debts in line with Financial Procedure Rules.

WHERE TO FIND WOODGATE CHAMBERS AND PUBLIC ACCESS

Woodgate Chambers
70 Woodgate
Loughborough
Leics
LE11 2TZ



CABINET 16TH DECEMBER 2019

PRESENT: The Leader (Councillor Morgan)
The Deputy Leader (Councillor Barkley)
Councillors Bokor, Mercer, Poland, Rollings,
Smidowicz and Taylor

Councillor Draycott

Chief Executive
Strategic Director of Corporate Services
Head of Strategic Support
Head of Neighbourhood Services
Head of Strategic and Private Sector Housing
Head of Finance and Property Services
Procurement Manager
Democratic Services Officer (LS)

APOLOGIES: Councillor Harper-Davies

The Leader stated that this meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

52. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

Councillor Morgan declared a personal interest in respect of references in the agenda papers to the Leicester and Leicestershire Enterprise Partnership (as a Director of the Partnership).

53. LEADER'S ANNOUNCEMENTS

The Leader made the following announcements:

Gold Award – Armed Forces Covenant Employer Recognition Scheme

“Charnwood has been working closely with Rushcliffe and Melton Councils to support serving and former Armed Forces personnel in our boroughs.

As part of this work, I am proud to say that Charnwood and Rushcliffe are the first councils in the East Midlands to receive the Gold Award in the Armed Forces Covenant Employer Recognition Scheme.

This Gold Award is the highest badge of honour for organisations which have signed the Armed Forces Covenant and shows our outstanding support for those who serve and have served.

As an employer we have introduced a guaranteed job interview scheme for veterans and raised awareness of issues facing former, Reservists and serving Armed Forces personnel and their families. We have also encouraged other organisations to sign the Armed Forces Covenant.

With partners, we are leading the way in making society a more supportive place for members of the Armed Forces community. I would like to congratulate everyone involved in this project.”

Councillor Jane Hunt

“On behalf of the Cabinet, I wish to congratulate Councillor Jane Hunt on her election as Member of Parliament for the Loughborough constituency. I hope that she finds her new role fulfilling and look forward to working with her as a Member of Parliament.”

54. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 14th November 2019 were confirmed as a correct record and signed.

55. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

56. CHARNWOOD GRANTS ROUND THREE 2019/20 COMMUNITY FACILITIES AND COMMUNITY DEVELOPMENT AND ENGAGEMENT GRANT APPLICATIONS

Considered, a report of the Head of Neighbourhood Services to consider applications received for funding in round three of the Community Facilities and Community Development and Engagement Grants schemes for 2019/20 (item 6 on the agenda filed with these minutes).

The Head of Neighbourhood Services assisted with consideration of the report.

RESOLVED

1. that the following Community Development and Engagement Grants be awarded:

- £3,500 to Age UK Leicester Shire and Rutland – Men/Women in Sheds – Greenhouse/Recycling project (to be funded through the Community Development and Engagement Environmental grant scheme);
- Up to £7,000 to Shelthorpe Community Association towards the “Creative Gardener” project;
- £5,400 to Loughborough Leggo Group towards running costs;

- Up to £5,000 to Transition Loughborough towards the “Carbon Literate Loughborough” project;
 - £10,000 to Go-Getta CIC towards their overall youth diversion provision across Charnwood (£5,000 to be funded through the Community Development and Engagement grant scheme, and £5,000 to be funded through the Loughborough Community grants scheme);
2. that the following Community Development and Engagement Grant application be deferred:
 - Without Walls Christian Fellowship - £7,822 requested – applied for funding towards the cost of a singing café;
 3. that the Head of Neighbourhood Services be given delegated authority to finalise the terms and conditions of the awarded Community Development and Engagement Grants;
 4. that approval be given to run a Round 4 in 2019/20 with a focus primarily on Environmental projects.

Reasons

1. To provide financial support to organisations which meet the criteria of the Community Development and Engagement Grants and Environmental schemes in terms of community and organisational need and to use funding provided through the Loughborough Grants scheme to support projects in Loughborough.
2. To enable further work to be undertaken with the applicant to see whether the application can be improved and strengthened.
3. To enable the grants awarded to be finalised and appropriate information to be supplied to the Council about the outcomes of the project.
4. To enable the monies received for grants for projects that deliver environmental outcomes to be spent.

57. HOMELESSNESS AND ROUGH SLEEPERS REDUCTION STRATEGY 2019-2022

Considered, a report of the Head of Strategic and Private Sector Housing to consider a Homelessness and Rough Sleepers Reduction Strategy 2019-2022 and Action Plan (item 7 on the agenda filed with these minutes).

Councillor Draycott, Vice-chair of the Scrutiny Commission, presented a report detailing the Commission’s pre-decision scrutiny of the matter and recommendation (copy filed with these minutes).

The Scrutiny Commission was thanked for its useful pre-decision scrutiny of the matter.

The Head of Strategic and Private Sector Housing assisted with consideration of the report. In particular and at the request of the Leader, she responded to the concerns of the Scrutiny Commission relating to out of hours access and the number of children in homeless households. Also, in response to a suggestion from a member of the Cabinet, the Head of Strategic and Private Sector Housing agreed to look into the possible provision of an external telephone which could be used to access the service in an emergency.

RESOLVED

1. that the Homelessness and Rough Sleepers Reduction Strategy 2019-2022 and Action Plan, attached as Appendix 1 to the report of the Head of Strategic and Private Sector Housing, be approved;
2. that delegated authority be given to the Head of Strategic and Private Sector Housing, in consultation with the Cabinet Lead Member for Housing, to update the Homelessness and Rough Sleepers Reduction Strategy Action Plan on an annual basis subject to there being no financial or human resource implications arising from the proposals;
3. that in the event of there being financial implications outside the existing approved budgets or resource implications exceeding the existing approved establishment arising from proposed revisions to the Action Plan, a further report on the proposed Action Plan be brought to Cabinet at the appropriate time;
4. that the report of the Scrutiny Commission be noted.

Reasons

1. To ensure that the Council can meet its obligations in respect of the strategic housing needs of the Borough.
2. To ensure that the Action Plan remains relevant and responsive during the lifetime of the Strategy.
3. To ensure appropriate approvals are sought before finalising changes to the Action Plan that have financial or human resource implications.
4. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

58. AMENDMENTS TO ANNUAL PROCUREMENT PLAN 2019/20

Considered, a report of the Head of Finance and Property Services to consider amendments to the Annual Procurement Plan 2019/20 (item 8 on the agenda filed with these minutes).

The Procurement Manager assisted with consideration of the report.

On behalf of the Cabinet, the Leader thanked the Procurement Manager and wished him well for his forthcoming retirement.

RESOLVED

1. that the contracts over £25,000 and up to £75,000, listed in Appendix A to the report of the Head of Finance and Property Services, be let in accordance with Contract Procedure Rules;
2. that the contracts over £75,001 and up to £500,000, listed in Appendix B to the report of the Head of Finance and Property Services, be let in accordance with Contract Procedure Rules.

Reason

1&2. To allow contracts of the Council to be let in accordance with contract procedure rules.

59. CAPITAL PLAN AMENDMENT REPORT

Considered, a report of the Head of Finance and Property Services to consider amendments to the 2019/20 Capital Plan and its financing (item 9 on the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

RESOLVED

1. that the current Capital Plan for 2019/20 - 2021/22, as amended by the changes shown in Appendix 1 to the report of the Head of Finance and Property Services, in the sum of £37,836,800 be approved;
2. that **it be recommended to Council** to add a new scheme Investment in Commercial Property for £10m to be funded as appropriate following a financing option appraisal split £5m in 2019/20 and £5m in 2020/21 approved by Cabinet on 19th September 2019, Minute 32;
3. that amendments to the Capital Programme since Cabinet 19th September 2019, Minute 30, in Appendix 1 to the report of the Head of Finance and Property Services, be noted.

Reasons

1. To enable the Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.
2. To enable the scheme budget to be available in 2019/20 and 2020/21 to allow the Investment in Commercial Property to be funded in a financially advantageous manner.

3. To note the new Capital Scheme as part of S106 Agreements implemented by Officers.

60. DRAFT GENERAL FUND AND HRA BUDGETS 2020/21

Considered, a report of the Head of Finance and Property Services to consider the projected base budget position for 2020/21, to review the savings and growth proposals put forward for the year 2020/21 and to begin a period of consultation (item 10 on the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

RESOLVED

1. that the draft General Fund and HRA Revenue Budgets for 2020/21, as set out in Tables 1 and 4 in the report of the Head of Finance and Property Services, be endorsed for consultation;
2. that the Loughborough Special Expense Budget and Levy for 2020/21, as set out in Appendix 2 to the report of the Head of Finance and Property Services, be endorsed for consultation.

Reason

- 1&2. To provide the opportunity for consultation on the 2020/21 budgets as well as potential pressures and savings.

61. DRAFT CAPITAL PLAN 2020/21 TO 2022/23

Considered, a report of the Head of Finance and Property Services to consider a draft Capital Plan 2020/21 to 2022/23 and possible sources of funding, and to begin a period of consultation (item 11 on the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

RESOLVED that the Draft Capital Plan for 2020/21 to 2022/23 for the recommended General Fund and HRA schemes in Appendix 1 to the report of the Head of Finance and Property Services be endorsed for consultation.

Reason

To enable consultation on the Draft Capital Plan, so that it can become the basis for capital spending by the Council.

NOTES:

1. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on 24th December 2019 unless called in under Scrutiny Committee Procedure Rule 11.7.
2. No reference may be made to these minutes at the Council meeting on 20th January 2020 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on 24th December 2019.
3. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.

CABINET – 16TH JANUARY 2020

Report of the Head of Strategic Support Lead Member: Cllr Poland

ITEM 6 INTERNAL AUDIT PLAN – RECOMMENDATION OF THE AUDIT COMMITTEE

Purpose of Report

To consider the recommendation of the Audit Committee relating to the Council's lack of resources to complete the Internal Audit Plan for 2018/19 (which arose during the Committee's consideration of the Internal Audit Plan progress update, see Audit Committee Minute 81, 2019/20), alongside an officer recommendation and advice in response, with a view to the Cabinet deciding if it wishes to agree the action to take.

Recommendations and Reasons

Set out below is the recommendation and reason of the Committee, followed by the officer recommendation and advice.

Audit Committee Recommendation

That the Cabinet acknowledge and respond to the concerns of the Committee relating to the lack of resources in the Council's internal audit service and the Council's ability to complete the internal audit plan for 2019/20.

Reason

The Committee had concerns about the lack of progress with the internal audit plan due to lack of resources and wished to refer the matter to the Cabinet.

Officer Recommendation

The Head of Strategic Support recommends that Cabinet note the actions that have been taken to address the resourcing issues with the Internal Audit team and that the proposed shared Internal Audit service is resigned to address the ongoing issues that have been experienced over the last 18 months to two years, and that they also determine whether there are any other steps they wish officers to take to address the concerns of the Audit Committee.

Reason

To acknowledge the actions that have been taken in response to the ongoing resourcing issues for Internal Audit, and to determine if Cabinet wish officers to take any further steps.

Response of the Head of Strategic Support to concerns raised by the Audit Committee

The Audit Committee have been kept informed of the situation regarding the resourcing of the Internal Audit service at their recent meetings. A summary of the situation is set out below:

Date	Details
Summer /Autumn of 2018	Long-term sickness within the Audit team – external resources procured to provide additional support in delivering the 2018/19 audit plan.
December 2018	Resignation of full-time Auditor
February 2019	Resignation of Audit & Risk Manager
Spring / Summer of 2019	Alternative options for future delivery of Internal Audit service identified and evaluated. In the meantime, a temporary agency appointment was made to vacant Audit & Risk Manager post (ultimately this appointment was not extended) Unsuccessful attempt to recruit a temporary agency Auditor (due to lack of suitably qualified / experience candidates) Therefore 90 days of external support was procured to assist in delivering the 2019/20 audit plan
September 2019	Cabinet report agreeing a shared Internal Audit service with North West Leicestershire and Blaby as the future preferred option to improve resilience
October 2019	Unsuccessful attempt to recruit a new Senior Auditor to allow commencement of the new shared service arrangements
November 2019	Procurement of an additional 42 days of external support to deliver the 2019/20 audit plan
November / December 2019	Further re-advertisement of the new Senior Auditor post for the shared service, with an enhanced reward package
December 2019	Further attempt to recruit a temporary agency Auditor to provide additional resources to deliver the 2019/20 audit plan (only one suitably experienced applicant identified – currently in discussions regarding potential appointment)

Cabinet will recall from the report they received at their meeting on 19th September 2019 that a proposed Internal Audit shared service with North West Leicestershire and Blaby District Councils was proposed and approved (minute reference 31). Within that report the following risk was set out:

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Recruitment difficulties for the proposed Senior Auditor post in the shared service establishment	Unlikely (2)	Significant (2)	Low (4)	If recruitment is unsuccessful the unspent staffing budget would be available to buy-in additional audit days

Cabinet will also note from the summary of the actions taken by officers set out above that, following an unsuccessful first recruitment attempt, a further 42 days of external support has been procured to assist in delivering the 2019/20 audit plan, as was included in the proposed risk management actions.

Cabinet will further note that attempts have been made to recruit temporary agency staff to further support delivery of the audit plan, but there has been a shortage of suitably qualified and experienced candidates. The Council's external auditors stated at the Audit Committee meeting on 19th November that there was currently an ongoing general shortage of experienced local government auditors, and that they had also been finding it hard to recruit over the last year or so.

The Senior Auditor position has been re-advertised with an enhanced reward package, and a verbal update will be given at the Cabinet meeting regarding the recruitment process.

In the meantime, although additional external support has been obtained and a further attempt has been made to recruit temporary agency staff, unfortunately it is unlikely that the 2019/20 Internal Audit plan will be fully completed. It is currently estimated that somewhere between 50% and 60% of the plan will be achieved, although this may increase if additional temporary staff can be recruited. The available resources are being targeted at the key financial systems and other higher risk areas within the plan.

Any audits from the 2019/20 plan that are not completed will be taken into account in developing the 2020/21 plan.

It is accepted that this is a less than ideal situation, but from the information set out in this report Cabinet will see that officers have taken steps to procure additional external support and have made attempts to recruit both temporary staff and a new Senior Auditor for the proposed shared service, but there is currently a general shortage of qualified and experienced auditors which has made this difficult.

Policy Justification and Previous Decisions

Chapter 5, section 5.5 (b) of the Constitution states that the Audit Committee can refer matters of concern to the Council, Cabinet, or appropriate committee. The Chair or Vice Chair of the Committee may address the Cabinet or a committee and the Vice-chair of the Committee may address the Council before the report is considered.

Regulation 5 of The Accounts and Audit Regulations 2015 require that '*a relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance*'.

Implementation Timetable including Future Decisions and Scrutiny

If Cabinet instruct officers to take further steps, these will be implemented as soon as is practical.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no direct financial implications.

Risk Management

There are no specific risks associated with the recommendations of the Audit Committee.

Key Decision:	No
Background Papers:	Audit Committee Minute 81, 19th November 2019
Officers to contact:	Adrian Ward Head of Strategic Support (01509) 634573 adrian.ward@charnwood.gov.uk Nadia Ansari Democratic Services Officer (01509) 634502 nadia.ansari@charnwood.gov.uk

CABINET – 16TH JANUARY 2020

Report of the Head of Strategic and Private Sector Housing Lead Member: Councillor Smidowicz and Councillor Mercer

Part A

ITEM 7 PRIVATE SECTOR LICENSING SCHEME

Purpose of Report

To consider the proposals for Private Sector Licensing and the resources required to complete a public consultation exercise.

Recommendations

That Cabinet:

1. Note the proposals for Private Sector Licensing.
2. Note the supporting evidence and risks.
3. Approve the proposal for a consultation exercise as required by Section 56(3) of the Housing Act 2004 for Additional Licensing and Section 80(9) of the Housing Act 2004 for Selective Licensing.
4. To approve a one off budget of £30,000 to be funded from the Reinvestment Reserve in 2019-2020 to undertake the consultation exercise.

Reasons

- 1.&2. To enable the Cabinet to consider the information and evidence gathered.
- 3.&4. To use the Reinvestment Reserve to fund and to commission a consultant to take forward the statutory consultation to support the implementation of an Additional and Selective Licensing Scheme.

Policy Justification and Previous Decisions

The Scrutiny Management Board considered the findings and recommendations of the Managing Student Occupancy Scrutiny Panel at its meeting held on 19th March 2014 and the Cabinet subsequently considered the report on 10th April 2014. The Board then received three reports on the implementation of decisions taken following Scrutiny recommendations. The final report, considered on 28th October 2015, showed that the implementation of all Cabinet resolutions were sufficiently complete and no further monitoring was required.

However, the Board resolved to make two further recommendations to the Cabinet (detailed in Part B of this report).

At its meeting held on 15th November 2015, having considered the report of the Scrutiny Management Board, the Cabinet resolved the following:

1. *that the Head of Strategic and Private Sector Housing further investigate the potential to implement a Loughborough Accreditation Standard in partnership with the Loughborough Students Union;*
2. *that the Head of Strategic and Private Sector Housing consider the submission from the Loughborough Student Advisory Service of complaints data from 2014/15 and evaluate this alongside the evidence that has already been collated;*
3. *that the Head of Strategic and Private Sector Housing submit a report to a future meeting of the Cabinet to provide updates on the evidence gained and the actions taken in relation to resolutions 70.1 and 70.2, above.*

Reasons

1. *If this can be achieved, it will assist in improving standards in the student Private Rented Sector, and raise awareness among students about some of the risks associated with poor housing standards.*
2. *To determine whether or not there are further options for investigation.*
3. *To enable the Cabinet to consider the evidence gained and the potential for further initiatives.*

The Cabinet meeting on the 17th January 2019 resolved:

1. That the evidence gathered to date and the impact of the implementation of the Government's expansion of the Mandatory Licensing of HMOs in the Borough be noted;
2. That further investigations being undertaken to gather evidence (as referred to in paragraph 61 of Part B of the report of the Head of Strategic and Private Sector Housing) to establish the case for the introduction of an Additional or Selective Licensing Scheme be approved;
3. That it be noted that a Borough wide Accreditation Scheme with the Students Union will not be taken forward.

Reasons

1. To enable the Cabinet to consider the evidence gained.
2. Further information and evidence is required for Cabinets consideration and the consultation process required to introduce an Additional or Selective Licensing Scheme.
3. Resources were no longer available from the Student Union to take a Scheme forward.

4. To acknowledge the work undertaken by and the views of the Overview Scrutiny Group.

This report provides an update following those decisions.

Implementation Timetable including Future Decisions and Scrutiny

If Cabinet approve the consultation exercise, a Consultant will be procured and the consultation commenced on the 3rd February 2020 for at least a 10 week period. Following the receipt of the final report from the Consultant a report will be brought back to Cabinet for a decision in May/June 2020 on whether to introduce an Additional or Selective Licensing Scheme.

Report Implications

The following implications have been identified for this report:

Financial Implications

A public consultation exercise would be required which would include:

- A dedicated web page launch
- Online questionnaire
- Street level leaflet drop to all affected properties and local businesses
- Public drop in sessions with officers in attendance to offer advice and clarification for each designated area
- A stakeholder pre launch event

The estimated consultation costs are £30,000 allocated for this piece of work to be under taken to be funded from the Reinvestment Reserve in 2019-2020.

Future costs if a scheme is approved will include the procurement of an online software system to make licence applications and additional staff required to implement and enforce any scheme.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Landlords legally challenge the decision making process to implement a licensing scheme – cost to the Council	Very Likely (4)	Major (4)	High (16)	Make sure the decision making/consultation process meets legislative requirements to not encourage a legal challenge.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
to defend and time delay.				Develop an effective Communication Strategy.
Resident and or tenant challenge the decision to implement a licensing scheme.	Unlikely (2)	Major (4)	Moderate (8)	Schemes should benefit residents and or tenants so unlikely to challenge. Make sure the decision making/consultation process meets legislative requirements.
The aims of the Scheme are not met.	Likely (3)	Serious (3)	Moderate (9)	Consultation and Communication Strategies must be effective. Commitment to the implementation of the Scheme.
The resources to run a successful scheme are more than forecasted.	Very Likely (4)	Major (4)	High (16)	This has been the experience of some LAs due to the lack of cooperation from Landlords and additional staff required to work on the issues raised.

Key Decision: Yes

Background Papers: Cabinet, 17th January 2019 – Agenda Item 8 and Minute 75.
 Overview Scrutiny Group, 14th January 2019 – Agenda Item 6B and Minute 47.
 Scrutiny Management Board, 18th March 2015 – Agenda Item 8 and Minutes 53.2 and 53.3.
 Scrutiny Management Board, 8th October 2014 – Agenda Item 8 and Minute 26.
 Cabinet, 10th April 2014 – Agenda Item 6 and Minute 120.
 Scrutiny Management Board, 19th March 2014 – Agenda Item 8 and Minute 51.
 Cabinet Report, 19th November 2015 – Referral from Scrutiny – Managing Student Occupancy Scrutiny Panel – Agenda Item 6 and Minute 24.
 Agendas and notes of the Managing Student Occupancy Scrutiny Panel meetings, available on the Council's website at:
http://www.charnwood.gov.uk/committees/managing_student_occupancy_scrutiny_panel

Officer to contact:

Alison Simmons
Head of Strategic and Private Sector Housing
01509 634780
alison.simmons@charnwood.gov.uk

Part B

Background

1. The Cabinet considered a report of the Scrutiny Management Board on 19th November 2015 when it was resolved that the Head of Strategic and Private Sector Housing should further investigate the potential to implement a Loughborough Accreditation Standard in partnership with the Loughborough Students Union; and consider the submission from the Loughborough Student Advisory Service of complaints data from 2014-2015 and evaluate this alongside the evidence that had already been collated in relation to potentially introducing an Additional or Selective Houses in Multiple Occupation (HMO) Scheme.
2. The Cabinet considered a report from the Head of Strategic and Private Sector Housing on the 17th January 2019 when it was resolved that further investigations be undertaken to gather evidence (as referred to in paragraph 61 of Part B of the report of the Head of Strategic and Private Sector Housing – see Background papers) to establish the case for the introduction of an Additional or Selective Licensing Scheme be approved.

Statutory Provisions

3. The Council has a responsibility to maintain standards in the Private Rented Sector by ensuring compliance with legislation while minimising the burden to the Council, individuals, organisations and business; which includes:
 - Building Act 1984
 - Caravan Sites and Control of Development Act 1960
 - Caravan Sites Act 1968
 - Energy Act 2013
 - Enterprise and Regulatory Reform Act 2013
 - Environmental Protection Act 1990
 - Housing Act 1985, 1996 and 2004
 - Housing and Planning Act 2016
 - Local Government (Miscellaneous Provisions) Act 1982
 - Leicestershire Act 1985
 - Mobile Homes Act 1983 and 2013
 - Prevention of Damage by Pests Act 1949
 - Public Health Acts 1875 – 1932, 1936, 1961, 1984
4. The Private Sector Housing Enforcement Policy aims to ensure:
 - Good quality, healthy housing for households renting in the private sector and to prioritise action to those homes which present the greatest risks to health and safety
 - Private housing is not left empty for an unreasonable amount of time or becomes an eyesore and nuisance to neighbouring homes
 - Houses in Multiple Occupation are safe and well managed and all relevant Management Regulations are adhered to
 - All Mobile Homes sites are safe and well managed

Private Sector Housing Licensing

5. The Housing Act 2004 requires Local Housing Authorities to licence mandatory licensable HMOs, and allows the licensing of other HMOs or privately rented housing.
6. Types of housing licensing are:
 - Mandatory Licensing
 - Additional Licensing
 - Selective Licensing

Mandatory Licensing

7. Mandatory Licensing under Part 2 of the Housing Act 2004, up until September 2018 covered HMOs of:
 - 3 or more storeys, and
 - 5 or more occupiers living in 2 or more households, and
 - 2 or more households sharing amenities (either a kitchen, living room or bathroom and toilet facilities)
8. From the 1st October 2018, Mandatory HMO Licensing was extended to include:
 - All HMOs with 5 or more occupiers living in 2 or more households regardless of the number of storeys
 - Purpose built flats where there are up to 2 flats in the block and 1 or both of the flats are occupied by 5 or more persons in 2 or more households, regardless of whether the block is above or below commercial property.

Additional Licensing

9. The Housing Act 2004 provides a power for Local Authorities to licence HMOs which are not covered by Mandatory Licensing. Part 2 of the Housing Act provides for Additional Licensing of HMOs for example, in a particular area or the whole district for those not covered by Mandatory Licensing.
10. The Act permits Additional Licensing where the Local Authority believes that a significant proportion of HMOs are being managed sufficiently ineffectively giving rise to problems for residents or the general public.

Selective Licensing

11. The Housing Act 2004 allows Local Authorities to introduce licensing for privately rented properties accommodating single households. It is intended to address the impact that poorly managed rented properties can have on the local environment and to improve housing conditions.

12. Part 3 of the Act sets out the scheme for licensing private rented properties in a Local Authority area. A Local Housing Authority can designate the whole or any part(s) of its area as being subject to Selective Licensing.
13. Where a Selective Licensing designation is made it applies to all Part 3 houses which may be houses or flats as defined by Sections 79 and 99 of the Act, which are privately rented properties in the area, subject to certain exemptions for example Registered Providers (formerly known as Housing Associations), or HMOs which are required to be licensed under Part 2 of the Act through an Additional Licensing Scheme.

Housing Act 2004

14. The Housing Act 2004 places a duty on the Council to keep housing conditions in the Borough under review and to take appropriate action where necessary. Strategic and Private Sector Housing provides advice and assistance to private sector residents regarding housing conditions and work with owner occupiers and private landlords to raise housing standards, improve energy efficiency and to bring empty homes back into use. The Service is responsible for issuing licences HMOs and take enforcement action where applicable, with the aim of ensuring that all residents have a safe and suitable home to live in regardless of tenure.
15. It is estimated that there are in the region of 2,500 HMOs within Charnwood. Of this number, there are currently 581 licensed properties under the Mandatory Licensing (as at 30th November 2019).
16. Prior to the changes to Mandatory Licensing in October 2018, there were 378 licensed HMOs. A letter was sent out to 189 properties identified as having 5 or more tenants from Professor Smith's research that could require a licence under the expansion of the mandatory licensing. The Council estimated that the number of licensed HMOs would rise to somewhere between 600 to 650 as a result.
17. From the properties identified 128 have been licensed to date or have an application pending. The remaining 61 will be visited as part of Phase 3 of the Rogue Landlords Project to establish whether they are an HMO and require a licence

Options Considered

18. A number of issues and concerns have been raised in relation to the standards, conditions and management of the private rented sector across the Borough and in particular HMOs, although predominately in Loughborough.
19. The issues and concerns include:
 - A need for a better understanding of who is living in HMOs, whether they are vulnerable people, there are safeguarding issues, and are right to rent checks being completed
 - Anti-Social Behaviour – and 'Party Houses'
 - Consequence of the introduction of the article 4 Directive is the anecdotal suggestion that landlords are leaving properties that have been granted HMO

status empty if they fail to let for the academic year rather than risk losing their status by letting to single households

- Ensuring property standards through programmed Housing Health and Safety Rating System inspections
- Checks on HMO and private sector rental management across the Borough including:
 - Common parts, ensuring gardens and external areas are being maintained
 - Maintenance of Means of Escape and Fire Alarms
 - Inspection and testing of Gas and Electrical installations
 - Clarity in terms of Property Management and Ownership
 - younger single people who cannot afford self contained accommodation maintaining the status of the property whilst providing accommodation that is in short supply, albeit for the short term.

20. The Council have considered other options to address the problems in the private rented sector before bringing the proposals for an Additional and Selective Licensing Scheme forward.
21. Alternative options considered Landlord Accreditation although this is currently a voluntary scheme would not have the required impact as a regulated scheme; Management Orders and enforcement powers despite these being powerful tools that remain available to the Council they are too narrow in addressing management standards in the private rented sector.
22. Enforcement of property standards and management orders will be used not as an alternative to licensing but as support tools as part of the Council's programme of measures to improve the social and economic conditions of the Borough.

Recommendations

23. The table below details the following Private Sector Licensing Schemes that will be consulted on based on the facts and issues raised in the Justification Reports along with the risks to the Council:

Type of Private Sector Licensing Scheme	Justification	Risks
<p>Additional Licensing – Borough Wide (Appendix 1 – Justification Report and Policy)</p>	<p>The Rogue Landlord Project has identified a significant number of HMOs in Loughborough that are not licensed under the Mandatory Scheme with Category 1 and 2 Hazards.</p> <p>Additional Licensing will extend and continue the process of upgrading of HMO rental stock in line with the Mandatory scheme.</p> <p>All HMOs will be subject to the same evaluation and improvement regime as the national scheme.</p> <p>Residents in these HMOs will be afforded the same protection as people in licensed HMOs.</p> <p>Without Additional Licensing there is significant and growing disparity in the HMO market.</p>	<p>Landlords legally challenge the decision making process to implement a licensing scheme – cost to the Council to defend and time delay.</p> <p>Relationships breakdown between the Council and Landlords.</p> <p>The resources to run a successful scheme are more than forecasted.</p>
<p>Selective Licensing – Leymington and Hastings Wards of Loughborough (Appendix 2 - Justification Report and Policy)</p>	<p>Improve property condition and management standards in the private rented sector.</p> <p>Improve the quality of our neighbourhoods to support safe, inclusive and cohesive communities.</p>	<p>Landlords legally challenge the decision making process to implement a licensing scheme – cost to the Council to defend and time delay.</p> <p>Relationships breakdown between the Council and Landlords.</p> <p>The resources to run a successful scheme are more than forecasted.</p>

24. Appendix 1 provides the Justification Report and Policy for an Additional Licensing Scheme and Appendix 2 Justification Report and Policy for a Selective Licensing Scheme.

Financial Implications

25. The financial implications for the Council are detailed below starting with the statutory consultation, staff required to implement and enforce a scheme and the purchase of new software to streamline the application process.

Consultation Costs

26. The Council will need to carry out a consultation exercise to implement the schemes detailed above. Recommendation 4 requests funding is allocated for this exercise to be completed. Estimated Consultation Costs - £30,000
27. A proposal document and all ancillary advice and documentation will need to be prepared and made available.
28. A public consultation exercise will be required including:
- A dedicated webpage launch
 - Online questionnaire
 - Street level leaflet drop to all affected properties and local businesses
 - Public drop in sessions with officers in attendance to offer advice and clarification for each designated area
 - A stakeholder pre-launch event

Implementation Costs

29. Licence fees can cover the costs of administering the licence process, inspections, granting a licence and enforcement of licence conditions. The Licence fee would be £868 for a 5 year period, an increase from the current Mandatory Licensing Scheme (£700) as the new Policies require an inspection prior to the issue of a licence and subsequent inspection during the 5 year licence period.
30. The costs of enforcement for non compliance with the Licence conditions are included in the original licence. However any action required under Part 1 of the Housing Act (the Housing, Health and Safety Rating System) will be borne by the Council and additional resources will be required.
31. Following the completion of the consultation exercise Cabinet will be presented with a fully costed scheme include staffing and the procurement of an online software system.
32. With the increase in properties to be licensed the Council will need to streamline the application process by purchasing an online software system. Estimated cost and quotes will need to be obtained to evaluate the benefits and value for money when purchasing a scheme.

Appendices

- Appendix 1 - Justification Report and Policy for an Additional Licensing Scheme
Appendix 2 - Justification Report and Policy for a Selective Licensing Scheme
Appendix 3 – Equality Impact Assessment

Additional Licensing in Charnwood Justification Report

Licensing – to provide a greater choice of safe, good quality and well managed accommodation in the Borough

23rd December 2019

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1 Introduction

Charnwood Borough Council is 1 of 7 Leicestershire districts located around the city of Leicester. It sits centrally between the 3 cities of Nottingham, Leicester and Derby. Charnwood is at the heart of the country and is well connected with excellent access to both the M1 motorway to the west and East Midlands Railway Line to the east.

The social and economic pull of Leicester City has a strong influence on the Borough, particularly in the south, which forms part of the Leicester Principal Urban Area.

In the north of the Borough, the university and market town of Loughborough together with the adjacent town of Shepshed, acts as a social and economic focus.

A string of larger villages extends southwards towards Leicester along the Soar Valley and A6 corridor. These villages act as Service Centres to the rural parts of our Borough. The large village of Anstey performs the role of a Service Centre in the south west corner of Charnwood.

To the west of the Soar Valley is the Charnwood Forest, which stretches to the west towards Coalville. The Forest is recognised as a Regional Park, providing a focus for leisure and conservation activity. To the north east of the Soar Valley are the Wolds, a rural area with strong links with Nottinghamshire and the City of Nottingham. The Wreake Valley is a rural area that stretches eastwards towards Melton and is home to a number of our villages. South of the Wreake Valley is High Leicestershire, a predominately rural area with strong links to Leicester City and Harborough.

At the time of the 2011 census the Private Rented Sector made up 14.1% of households in Charnwood compared to 11.8% who were renting social housing.

In Charnwood, there has been substantial growth in the Private Rented Sector. In 2012, the Private Rented Sector accounted for 17.79% of the total housing stock in Charnwood. Over a 5 year period (2012-2013 to 2016-2017) there was an average increase per year of 2.13% (ONS, 2017 (b)). Although the available data is only based on a 5 year period, assuming the same level of growth, it is estimated that the Private Rented Sector has increased to 20.14% in 2018-2019.

The concerns raised in relation to HMOs across the Borough, although predominately in Loughborough, include:

A need for a better understanding of who is living in HMOs, whether they are vulnerable people, there are safeguarding issues, and are right to rent checks being completed

Ensuring property standards through programmed Housing Health and Safety Rating System inspections

Checks on HMO property management across the Borough including:

- Common parts, ensuring gardens and external areas are being maintained
- Maintenance of Means of Escape and Fire Alarms
- Inspection and testing of Gas and Electrical installations

- Clarity in terms of Property Management and Ownership
- Anti-Social Behaviour – and ‘Party Houses’

One consequence of the introduction of the article 4 Directive is the anecdotal suggestion that landlords are leaving properties that have been granted HMO status empty if they fail to let for the academic year rather than risk losing their status by letting to single households.

The Council produced a Housing Strategy which recognises the concerns about the impact of student housing the Council and has completed an evidence gathering phase to establish that there are sufficient grounds to launch a consultation on the introduction of a Borough wide Additional Licensing Scheme.

The evidence gathering has included all complaints received by the Council and partners, research carried out by Professor Smith and the Rogue Landlord Project.

DRAFT

2 Supporting Information

National Picture

The Office for National Statistics (ONS) projections indicates that:

- In mid 2018, the population of the UK reached an estimated 66.4 million.
- The UK population's growth rate in mid 2017 and mid 2018, at 0.6%, was slower than any year since mid 2004.
- Long term international migration to and from the UK has remained broadly stable since the end of 2016 and has continued to be the main driver of the UK's population growth.
- In 50 years' time, there is projected to be an additional 8.2 million people aged 65 years and over in the UK, a population roughly the size of present day London.
- After decades of improvement to life expectancy, the latest figures show a slowdown in improvement, life expectancy at birth remained at 79.2 years for males and 82.9 years for females in 2015 to 2017.

As the UK's population grows, so does the number of families and households. In 2018, the number of households in the UK was 27.6 million, representing an increase of 7% from 2008 (25.9 million).

In 2018, there were 19.1 million families living in the UK, which shows an increase of 8% from 2008 (17.7 million), there were:

- 12.8 million married couples or civil partnership families (67%)
- 3.4 million cohabiting couple families (18%)
- 2.9 million lone parent families (15%)

Cohabiting couple families are the fastest growing family type; since 2008, there have been an additional 700,000 cohabiting couple families (a growth rate of 25.8% over this period). Meanwhile, more young adults are living with the parents 50% of young people left the parental home was 23.

Cohabiting couple families are the fastest growing family type; since 2008, there have been an additional 700,000 cohabiting couple families (a growth rate of 25.8% over this period). Meanwhile, more young adults are living with their parents. In 2018, the first age at which more than 50% of young people left the parental home was 23. Two decades earlier, more than 50% of 21 year olds had already left home. Young men aged 20 to 34 years old living in the UK are more likely than young women to be living with their parents (31% and 20% respectively).

In addition, there are increases in the numbers of people who are living alone between 2008 and 2018; there has been a 6% increase (from 7.5 million to 8.0 million). This increase was driven primarily by the increase in the number of older men living alone; a 55% increase for men aged 65 to 74 years and a 20% increase for men aged 75 years and over. In 2018, nearly half of those living alone (48%) were aged 65 years and over, and more than one out of every four (27%) were aged 75 years and over.

The English Housing Survey 2016-2017 (EHS) reported, that the Private Rented Sector has now grown to 20%, up from 19% in 2013-2014 and 11% in 2003 and that a larger proportion of 25 to 34 year olds now rent their home.

Rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the Private Rented Sector, over the last decade or so the increase in the proportion of such households in the Private Rented Sector has been particularly pronounced. In 2006-2007, 27% of those aged 25 to 34 lived in the Private Rented Sector.*

By 2016-2017 this had increased to 46%. Over the same period, the proportion of 25 to 34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25 to 34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-2013. As with those aged 35 to 44, the proportion of 25 to 34 year olds in the social rented sector did not change”.

In 2016-2017, 5% of households in the PRS (231,000) were living in overcrowded accommodation. The rental market has changed considerably.

After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40. Currently average rents average £675.

Local Context

Charnwood Borough Council is 1 of 7 Leicestershire districts located around the city of Leicester. It sits centrally between the 3 cities of Nottingham, Leicester and Derby.

Charnwood is at the heart of the country and is well connected with excellent access to both the M1 motorway to the west and East Midlands Railway Line to the east.

The population of the Borough is increasing and Charnwood has a very high population density. This is increasing pressure on community services and facilities, and housing provision in the Borough.

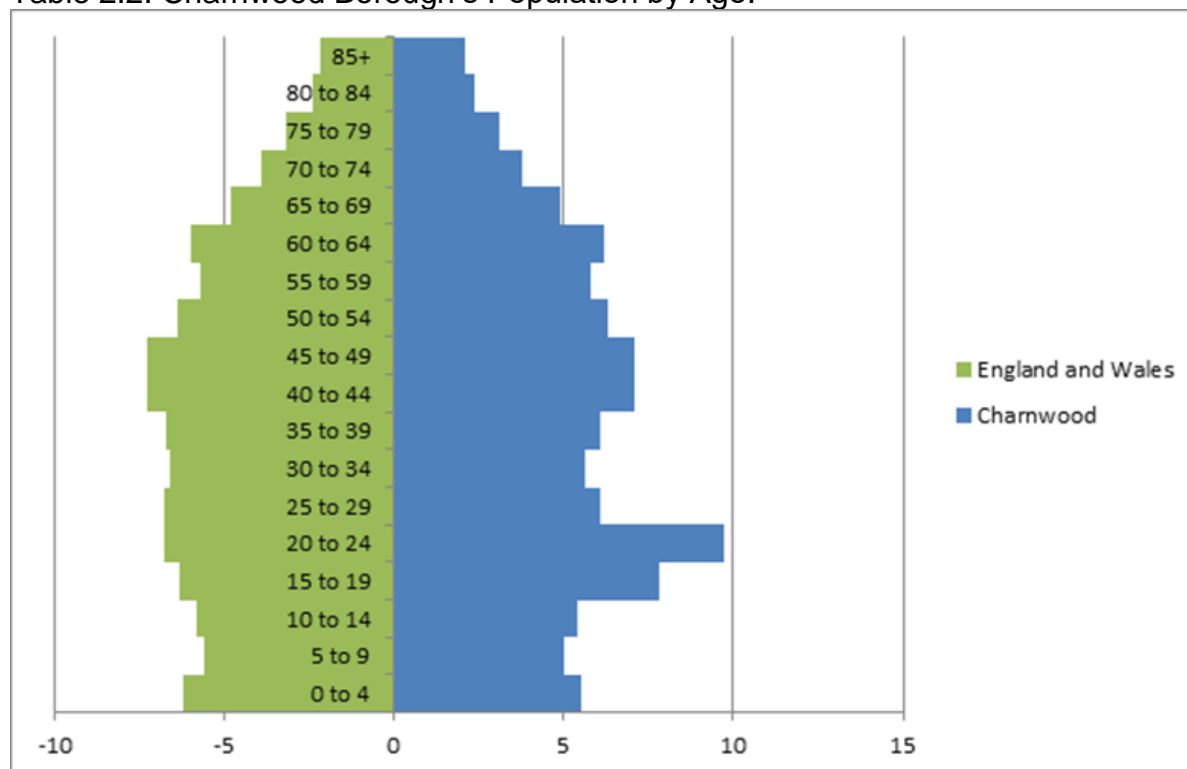
The 4 tables below provide details of the increase in population, age, projected growth and proportion comparisons with Leicestershire, East Midlands and England and Wales:

Table 2.1: Charnwood Borough Population increases from 1981–2031:

Year	1981	1991	2001	2011	2016	2021	2031
Population	132,170	141,759	153,428	166,100	179,400	188,250	207,000

Source: 2011 Census

Table 2.2: Charnwood Borough's Population by Age:



Source: 2011 Census

Table 2.3: Population and projected growth:

All persons by Age	
Age	2011 census estimates
0-4	9,100
5-9	8,300
10-14	8,900
15-19	12,900
20-24	16,100
25-29	10,100
30-34	9,300
35-39	10,100
40-44	11,800
45-49	11,800
50-54	10,500
55-59	9,600
60-64	10,300
65-69	8,100
70-74	6,300
75-79	5,200
80-84	4,000
85+	3,700
Total	166,100

Please note that numbers may not add up to the displayed totals due to rounding

Source Office for National Statistics

Source: 2011 Census

Table 2.4: Population and projected growth

All Persons – Proportion Comparisons				
Age	Charnwood	Leicestershire	East Midlands	England and Wales
0-4	5.5%	5.5%	6%	6.2%
5-9	5.0%	5.4%	5.5%	5.6%
10-14	5.4%	5.9%	5.8%	5.8%
15-19	7.8%	6.7%	6.5%	6.3%
20-24	9.7%	6.3%	6.8%	6.8%
25-29	6.1%	5.4%	6.1%	6.8%
30-34	5.6%	5.4%	5.9%	6.6%
35-39	6.1%	6.4%	6.4%	6.7%
40-44	7.1%	7.7%	7.4%	7.3%
45-49	7.1%	7.8%	7.5%	7.3%
50-54	6.3%	6.8%	6.6%	6.4%
55-59	5.8%	6.2%	6.0%	5.7%
60-64	6.2%	6.8%	6.4%	6.0%
65-69	4.9%	5.3%	5.1%	4.8%
70-74	3.8%	4.2%	4.0%	3.9%
75-79	3.1%	3.4%	3.2%	3.2%
80-84	2.4%	2.6%	2.4%	2.4%
85+	2.2%	2.3%	2.2%	2.2%
Total	166,100	650,500	4,533,200	56,075,900

Source: 2011 Census

The challenges facing Charnwood

- A growing population, set to be 194,600 by 2028 (ONS Population Projections), with a need for 18,394 homes by 2036 (Draft Local Plan 2019)
- Deprived communities: 5 of Leicestershire's 10 most deprived neighbourhoods fall within Charnwood, with pockets of deprivation in Loughborough, Thurmaston, Syston, and Mountsorrel. This is reflected in lower than average incomes, poor health and lower levels of educational attained.
- Housing market pressure: because of population growth, smaller households, occupying larger homes, and a lack of available properties for new households to move into. There will be a need for specialist housing such as homes for the elderly and students. House prices remain out of reach for many people.

Migration

The Borough has experienced high levels of migration into certain wards and as a result, has seen further demand on already stretched public services. This has in turn placed extra pressure on the housing sector and the likelihood is that a large number of migrants will seek affordable accommodation in HMOs across the Borough.

A licensing scheme can be introduced to preserve or improve the economic conditions of areas to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions.

The tables below provide data from the ONS 2011 Census on migration in and out of the Borough:

Net migration is the balance between immigration (those entering the UK for a year or more) and emigration (those leaving the UK for a year or more).

Table 2.5: Migration in and out of the Borough

	Charnwood	Leicestershire	UK
Long term international net migration per 1,000 residents population, 2016	7.4	3.1	5.1

Source: 2011 Census

The 2011 Census tells us that 6.25% of the people living in Charnwood were born outside the UK. Overall for the UK the proportion of people born outside the UK was 13%. People move in and out of the Borough every year including students.

Table: 2.6: Overseas Students at Loughborough University:

Total Students 2017	Total EU Students 2017	Total International Students (Non-EU) 2017	Total Oversea Students 2017
14,696	3,830	2,574	6,404
Main non UKEU countries of origin: China including Hong Kong (47%), India (6%), Nigeria(5%), Singapore (4%), Malaysia (3%), United Arab Emirates			

Table 2.7: Migration by Tenure

Wholly moving households: Inflow: Lived elsewhere one year ago outside the UK	Tenures	Charnwood	East Midlands	UK
	Total	223	5,746	122,203
	Owned or shared ownership	44	1,466	26,020
	Social Rented	23	344	7,463
	Private Rented	163	3,936	88,720
% migrant households in Private Rented Property		73%	68.5%	72 %

Source: 2011 Census

Strategic Context

The Housing Act 2004, Section 57 (2) states that before making a designation the authority must ensure that any exercise of the power is consistent with the Authority's overall Housing Strategy.

Corporate Plan (Provisional pending Cabinet approval March 2020)

Charnwood is a Borough for innovation and growth, delivering high quality living in urban and rural settings, with a range of jobs and services to suit all skills and abilities and meet the needs of our diverse community.

With a highly acclaimed university, a thriving market town and a network of vibrant villages, and within easy reach of national and international markets, Charnwood provides everything a business needs to succeed.

At the forefront of technology while protecting our beautiful environment for future generations, Charnwood is a Borough of contrasts, and provides a world of opportunity.

The Council's Corporate Themes:

- Caring for the environment
- Healthy communities
- Your Council

Housing Strategy 2014-2019

The Council produced a Housing Strategy which recognises the concerns about the impact of student housing the Council and has completed an evidence gathering phase to establish that there are sufficient grounds to launch a consultation on the introduction of a Borough wide Additional Licensing Scheme.

The evidence gathering has included all complaints received by the Council and partners, research carried out by Professor Smith and the Rogue Landlord Project.

Housing in Charnwood

There is a housing shortage in Charnwood with a particular need for 2 bedroom properties. Affordability is a major concern issue. House prices in Charnwood have substantially increased over the last 3 years compared to that of neighbouring authorities with an average increase of 6.23% for the period December 2016 to August 2019. With an increase during December 2016 to December 2017 of 6.8%, December 2017 to December 2018 7.6% and August 2018 to August 2019 4.3% (HM Land Registry - 2019).

The table below details the number of dwellings in the Borough broken down into the household space and accommodation type:

Table 2.8 Dwellings, Household space and accommodation type:

Dwelling Type	Value
All categories: Dwelling type	69,220
Unshared dwelling	69,195
Shared dwelling	25
All categories: Household spaces	69,305
Household spaces with at least one usual resident	66,516
Household spaces with no usual residents	2,789
Whole house or bungalow: Detached	21,025
Whole house or bungalow: Semi-detached	26,657
Whole house or bungalow: Terraced (including end-terrace)	12,991
Flat, maisonette or apartment: Purpose-built block of flats or tenement	6,822
Flat, maisonette or apartment: Part of a converted or shared house (including bedsits)	866
Flat, maisonette or apartment: In a commercial building	631
Caravan or other mobile or temporary structure	313

Source: 2011 Census

There are an additional 5,930 homes required to meet the housing needs for the Borough up to 2036 once commitments are taken into account.

Table 2.9: Details the amount of homes required and how many of the homes already planned for and committed are expected to be delivered by 2036.

Housing Needs and Supply 2019-2036	Homes
Local Housing Needs (1,082 per annum)	18,394
Housing Supply	
• North East of Leicester Sustainable Urban Extension	3,325
• West of Loughborough Sustainable Urban Extension	3,200
• North of Birstall Sustainable Urban Extension	1,950
• Other Planning Permissions at the 31 st March 2019	3,949
• Saved Charnwood Local plan 2004 Allocation	40
Supply Sub total	14,464
To be found	5,930

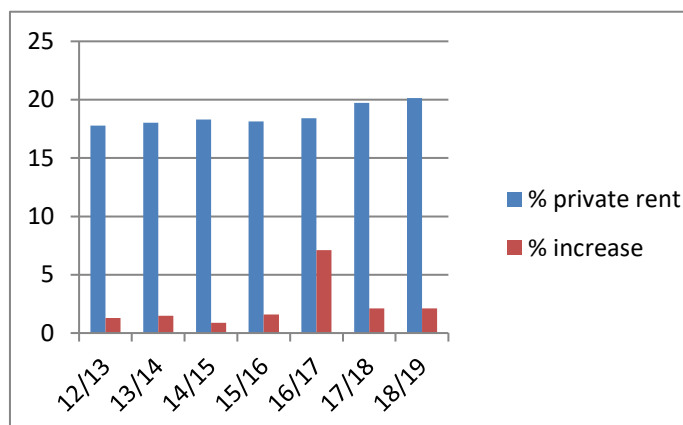
Source: Draft Charnwood Local Plan 2019-2036

Private Rented Sector Housing

In Charnwood, there has been substantial growth in the Private Rented Sector. In 2012, the Private rented Sector accounted for 17.79% of the total housing stock in Charnwood. Over a 5 year period (2012-2013 to 2016-2017) there was an average increase per year of 2.13% (ONS, 2017 (b)). Although the available data is only based on a 5 year period, assuming the same level of growth, it is estimated that the Private Rented Sector has increased to 20.14% in 2018-2019. Additionally, over the same 5 year period the owner occupied averages at 68.61%.

According to the VOA (2019) the average private rental price was £369

Table 2.10: Average Private Rental Price



Source: VOA 2019

The 2011 Census provides dataset population of all full time students in Charnwood that are aged 18 or over living in households. In 2011 there were 10,087 full time students living in household and these are broken down to 3,236 as owned outright or with a mortgage, loan or shared ownership; 654 in social rent; 5,898 in the Private Rented Sector and 299 in other private rent or living rent free (ONS, 2011).

Mandatory Licensing of HMOs

Under the Housing Act 2004 certain types of HMO have to be licensed. For these HMOs there is an obligation on the landlord to apply to the Council, where the HMO is located, for a licence. The Council has a statutory duty to manage and administer the applications for licences.

Licensable HMOs are those with 5 or more residents living as 2 or more households that share some facilities. The total number of licensable HMOs in Charnwood as per the public register of Licensable Houses in Multiple Occupation as at the 30th November 2019 stands at 581. 338 are for HMOs with 3 or more storeys and 243 are for HMOs with fewer than 3 storeys.

The database records 2,432 HMO properties in Charnwood. Perhaps unsurprisingly, a large proportion of HMOs are concentrated in wards closest to Loughborough University and Loughborough College such as Loughborough Southfields (21.8%) and Loughborough Storer (19.8%).

However, as Table 2.10 indicates HMOs are not confined to Loughborough wards but are distributed throughout the Borough. As the Study confirms, the student HMO market is increasingly 'wrapped' around the north, east and south edges of Loughborough University campus, and to a lesser extent, Loughborough College. The non student HMO market is most marked in the wards of east Loughborough, and, to a lesser extent, in some outlying towns and villages.

Table 2.11: HMOs by Ward 2018

Ward	Number	% of Properties in Ward
Loughborough Southfields	531	22%
Loughborough Storer	483	20%
Loughborough Ashby	181	7%
Loughborough Lemyngton	174	7%
Loughborough Hastings	127	5%
Loughborough Nanpantan	97	4%
Loughborough Shelthorpe	75	3%
Thurmaston	59	2%
Loughborough Garendon	55	2%
Loughborough Outwoods	54	2%
Loughborough Dishley and Hathern	49	2%
Syston West	48	2%
Sileby	48	2%
Mountsorrel	44	2%
Quorn and Mountsorrel Castle	43	2%
Anstey	38	2%
Barrow and Sileby West	37	2%
Birstall Wanlip	37	2%
Shepshed West	35	1%
Syston East	32	1%
Rothley and Thurmaston	29	1%
Shepshed East	25	1%
Birstall Watermead	23	1%
Wreake Villages	21	1%
East Goscote	22	1%
Forest Bradgate	17	1%
The Wolds	14	1%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Table 2.11 shows the type of HMO in the Borough. Just under a third (31%) of HMOs are categorised as terraced dwellings, whilst just over a quarter (26%) are categorised as

'HMOs – not further divided (into bedsits)'. Around a sixth (17%) are categorised as semi detached and around a tenth (12%) as detached. Fewer proportions are categorised as 'dwellings' (7%), flats or apartments (5%), or other (2%).

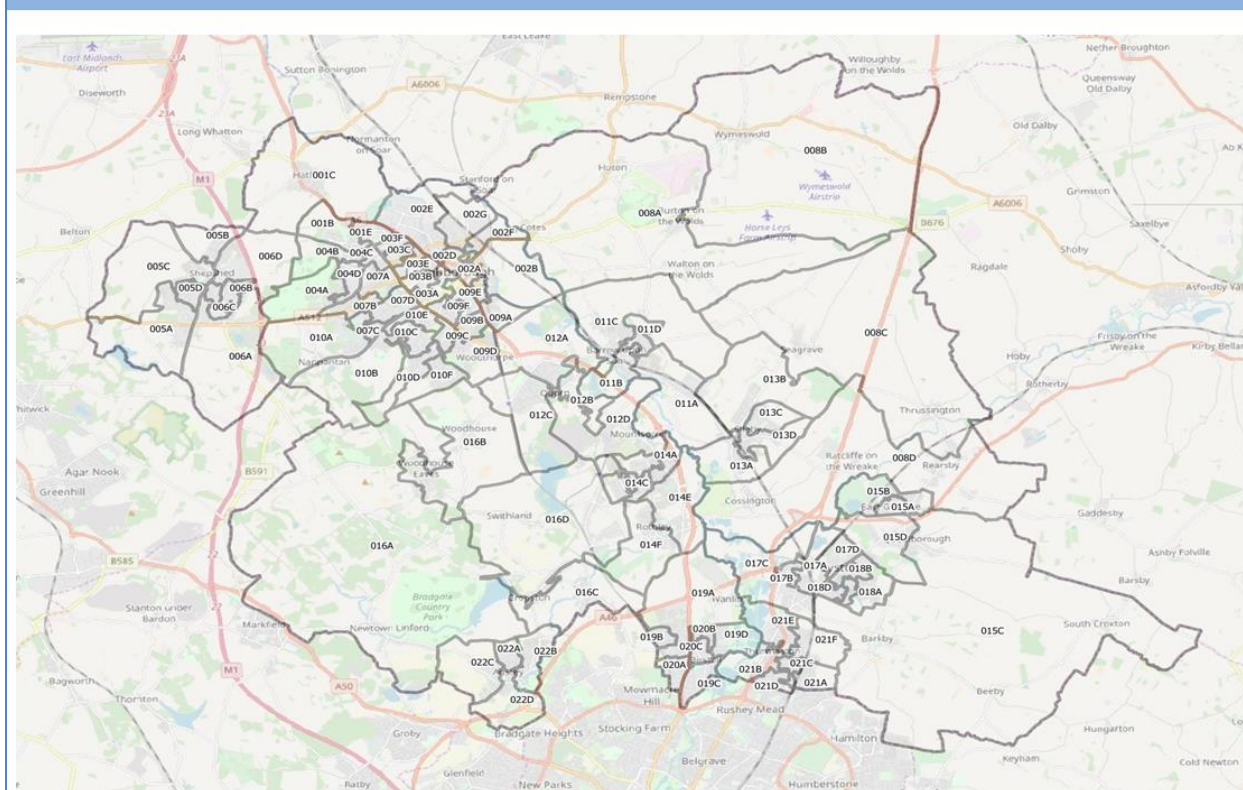
Table 2.12: HMO by Property Type

Property Type	Number	%
Terraced Dwelling	767	31%
HMO - Not Further Divided (into bedsits)	642	26%
Semi Detached Dwelling	412	17%
Detached Dwelling	297	12%
Dwelling	159	7%
Flat or Apartment	121	5%
Other	44	2%
Total	2,442	100%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

It is possible to determine the concentration of HMOs in Charnwood at smaller spatial levels than wards. Lower Super Output Areas (LSOA) are geographical units used by the Office for National Statistics (ONS) to analyse census data. LSOAs usually contain between 400 and 1,200 households equating to a population of between 1,000 and 3,000 people. Charnwood Borough contains 99 LSOAs. The smaller sized LSOAs are clustered around more densely populated areas such as Loughborough whilst the larger sized HMOs are concentrated in more rural areas (see Figure 3.1).

Figure 3.1: Charnwood LSOAs



Source: RRR Consultancy Ltd HMO Assessment Report July 2019

The proportion of HMOs in each LSOA is calculated by comparing the number of residential properties with the number of HMOs as determined by the HiMOG database. The distribution of HMOs by LSOA within the Borough is very uneven. As can be seen by Table 2.13 almost all LSOAs contained fewer than 10% HMOs, whilst only 6 contain over 10%. The exceptions containing over 10% HMOs are listed in Table 2.14. All 6 LSOAs are located in Loughborough.

Table 2.13: HMOs by LSOA summary

	Number	%
0-10%	93	94%
10-20%	2	2%
20-30%	0	0%
30-40%	3	3%
40%+	1	1%
Total	99	100%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Table 2.14: LSOAs with over 10% proportion of HMOs

LSOA	Area	%
003E	Oxford St, Loughborough	44.39%
003B	William St/Radmoor Rd, Loughborough	36.64%
003A	Frederick St, Loughborough	33.97%
003D	Cumberland Rd, Loughborough	31.17%
007A	Ashby Rd (south), Loughborough	14.27%
007B	Ashby Rd (north), Loughborough	13.38%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Complaints about HMOs

Following the Cabinet resolution 13 of Minute 120 (2013-2014) data has been collected for HMO complaints from the following sources:

- Planning and Regeneration
- Strategic and Private Sector Housing
- Neighbourhood Services
- Regulatory Services
- Cleansing and Open Spaces
- Loughborough University

The table below provides the data that has been collected from 2013-2014 to 2018-2019 (the data is provided in Academic years from the 1st August to 31st July of each year):

Table 2.15: Complaints Data

Complaint Type	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Accumulations of waste	60	44	41	17	28	0
Noise (including music, banging, shouting etc)	14 *	239**	281**	217 **	335**	358
Untidy gardens	2	18	3	3	1	30
Side waste/bins	45	60	31	39	0	0
Housing Standards/Disrepair	10	16	18	17	13	12
Unauthorised Change of Use	35	36	35	18	4	28
Suspected Licensable HMO	1	6	15	4	8	17
Total	167	419	424	315	389	445

Source: Charnwood Borough Council recorded complaints received

* The figures for 2013-2014 may not include all noise complaints received as data is not available.

** Includes data from Environmental Protection and Community Safety. NB Community Safety data relates to properties occupied by students – which are assumed to be HMOs (having 3 or more unrelated students).

The data submitted has been reviewed to understand the reporting mechanisms and how complaints are categorised and dealt with.

Across the Council there are a number of systems that complaints are recorded on, including Civica Flare, Northgate M3 and Sentinel (the Police data management system).

The complaints are categorised into low, medium and high priority and the actions that are taken are consistent across the Services, detailed in the table below:

Table 2.16: Category of Complaint

Categorisation	Actions Taken
Low	Informal Discussions Warning Letters
Medium	Notices served
High	Court action taken

Source: Charnwood Borough Council

Loughborough Student Advisory Service (LSAS) Complaints Data

Following receipt of the Loughborough Student Advisory Services complaints data for the last 5 years, an evaluation of the submission was undertaken with the Council data and a comparison made with the previous years.

These complaints are in addition to those received by the Council (detailed in Table 2.15) although some may be duplicates of the ones received by the Council. Details of the submissions are presented in the table below:

Table 2.17: Complaint Type - Loughborough

Complaint Type	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Environmental Issues	1	1	2	2	1	0
Anti-Social Behaviour	5	7	2	1	1	2
Disrepair	29	36	61	72	46	38
Private Rented Sector	6	3	6	8	1	2
Total	45	47	71	83	49	42

HMO Enforcement Action

The Council has a Corporate Enforcement Policy and the Service areas have Policies and legislation which are used to take enforcement action detailed in the table below:

Table 2.18: Enforcement Legislation and Council Policy

	Service Area	Legislation	Council Policies
1	Strategic and Private Sector Housing	Housing Act 2004 Including Management Regulations and HMO Licensing Crime and Anti- Social Behaviour Act 2014 Environmental Protection Act 1990	Private Sector Housing Enforcement Policy 2018

2	Regulatory Services	Environmental Protection Act 1990 Prevention of Damage by Pests Act 1949 Anti-social Behaviour, Crime and Policing Act 2014 Building Act 1984 Local Government Miscellaneous Provisions Act 1976 Clean Neighbourhoods and Environment Act 2005	Regulatory Services Enforcement Policy
3	Development Control	Town and Country Planning Act 1990	Planning Enforcement Plan
4	Community Safety	Crime and Anti-Social Behaviour Act 2014	Community Safety Partnership

The table below provides the details of the enforcement action taken by the Strategic and Private Sector Housing Service by year between 2014 and November 2019 and then whether this action was associated with an HMO (licensed or not) and the outcomes of the action taken.

Table 2.19: Enforcement Action Taken

Year	Total Number of Properties where Enforcement Action was Taken	Non - Licensed HMO	Licensed HMO	Details of HMO related issues, action taken and outcomes
2014	5	1	0	NLHMO - Hazards: Fire separation. Action: Improvement Notice. Outcome: Complied with.
2015	16	1	1	NLHMO - Hazards: Fire, Falls on stairs. Action: Prohibition Notice/Improvement Notice. Outcome: Complied with LHMO - Hazards: Falls on stairs. Action: Improvement Notice. Outcome: Complied with.
2016	15	1	0	NLHMO - Hazards: Excess cold, Excess heat, Overcrowding. Action: Improvement Notice. Outcome: Complied with.
2017	23	1	1	NLHMO - Hazards: Excess cold, electrics, damp and mould. Action: Improvement Notice. Outcome: Property vacant. LHMO - Hazards: Falls on stairs. Action: Improvement Notice. Outcome: Property vacant, currently being renovated.

2018	19	5	1	NLHMO - Hazards: Fire Safety and Electrics. Action: Improvement Notice. Outcome: Complied with LHMO - Hazards: Defective Heating. Action: Abatement Notice. Outcome: Complied with +4 x non-licensed licensable HMOs. Action: Prosecution: Outcome: £80k fine (2019)
2019 (to 5/11/19)	11	1	1	NLHMO: - Hazards: Fire, Excess Cold, Falls between Levels, Damp and Mould, Electrical Hazards. Action: Improvement Notice. Outcome: Ongoing LHMO - Hazards: Falls on Stairs, Falls between Levels, Electrical Hazards. Action: Suspended Improvement Notice. Outcome: Complied.
Total	89	10	4	

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3 Professor Smith's Research

Following a report of the Council's Scrutiny Panel which looked at the issues and concerns of HMOs, a piece of work was commissioned and carried out by Professor Darren Smith and PhD student Andreas Culora, of Loughborough University, to look at various data sources to build a better picture of the HMOs in Charnwood.

The study has looked purely at HMOs as a property where there are 3 or more unrelated people who are not living together as a family but are sharing basic amenities. The study identified the following:

- 2,509 HMOs in the Borough
- 1,853 HMOs in Loughborough
- 656 additional HMOs in the Borough
- 3.9% of all residential properties in Charnwood are HMOs

The study suggested that the traditionally student HMO market focused in Loughborough is changing, with the non student HMO market having a growing presence in the town and other parts of the Borough including vulnerable low income groups within it.

4 Rogue Landlord Project

Charnwood Borough Council were successful with a bid of £65,000 for the Rogue Landlords Enforcement Grant which has enabled the Council to continue the work of Professor Smith.

The aims of the bid were:

- The Council continue their research to identify Rogue Landlords across the Borough and take the appropriate action.
- Reviewing the current Policy approaches to managing the negative impacts both poor housing and management can have on the Residents of the Borough.
- Providing a recommended approach to managing the proportion of Houses in Multiple Occupation in the Borough to inform the Local Plan preparation.

The funding was used across 2 Service Areas, Strategic and Private Sector Housing and Planning and Regeneration.

Strategic and Private Sector Housing Outcomes

The Council have undertaken extensive research to understand our local rental market and the services local High Street Lettings Agents currently offer to Landlords. This has enabled the Council to identify services Lettings Agents are offering to Landlords and Tenants, their fees and charges and identify potential gaps in the local market. The Council wished to obtain further intelligence on the housing stock, tenants and the owners of properties building on the work undertaken by Professor Smith.

The Council went to the market to recruit 2 Technical Officers to take the survey work forward but there were no available Officers. A decision was therefore made to split the work into two, with the initial research of the designated areas carried out by BMG Research conducting face to face surveys. A survey form was designed for tenants, owners and businesses and the areas to survey were agreed with the Lead Member for Regulatory Services.

The areas to be surveyed were chosen based on the data from Professor Smith's research where the highest number of HMOs were located and the most deprived wards in the Borough, detailed below:

- Hastings
- Leymington
- Shelthorpe
- Garendon
- Outwoods
- Nanpantan

Following receipt of the Outcome report this work was followed up by a Technical inspection of the properties of those identified either in poor condition and or management.

Phase 1

In February 2019, the Council commissioned BMG Research to carry out face to face surveys to obtain further intelligence on the housing stock, tenants and the owners of properties and to identify Rogue Landlords across the Borough.

The research helped to review the current Policy approach to managing the negative impacts of both poor housing and management can have on the residents of the Borough. The findings are helping the Council to provide a recommended approach to managing the proportion of Houses in Multiple Occupation in the Borough to inform the Local Plan preparation.

Methodology

A face to face survey was conducted amongst 1,093 addresses. Surveys were made for tenants, business owners and landlords. In total, 499 questionnaires were conducted, representing a response rate of 47% against the sample. In regards to tenure breakdown, 475 tenants, 16 business owners and 8 landlords completed a survey.

In addition the Council received a data base of residents (176) that felt there property was in poor condition and those that wanted to continue to participate in the research.

Visits were made to the properties and the findings from the 19 that were inspected were:

- 9 of the properties 5 Category 1 hazards identified these were referred further investigation and 7 category 2 hazards
- 10 properties had no hazards present

Over 7% of the sample access was refused by the tenant and an additional 15% where there was no access; namely 2 attempts were made to visit the property in question but there was no reply.

During the investigation 6% were identified as empty homes and 3% mandatory licensed HMO.

Phase 2

The second phase of visits was driven by the data from Professor Smith's research for the same 6 areas above for a property with 3 or 4 surnames in residence.

The findings of the 398 visits are detailed in the table below:

Table 4.1: HMO Property Visits

Status	Hastings	Leymington	Shelthorpe	Garendon	Outwoods	Nanpanton	Total
Owner Occupier	40	33	28	24	20	14	159
Private Rented - Single Family Dwellings	21	37	14	11	8	11	102
Licensed HMO	1	4	3	0	3	2	13
Non licensable HMO - inspected	1	5	0	12	0	8	26
Unoccupied HMO accommodation	0	0	0	0	0	0	0
Vacant	2	5	1	0	2	7	17
2 nd Visit No Access	1	2	0	0	0	0	3
3 rd Visit No Access	8	26	4	1	4	7	50
Refused Access	5	5	3	3	1	10	27
To inspect	1	0	0	0	0	0	1
Total	80	117	53	51	38	59	398

Source: Rogue Landlord Project

Health and Housing Standards Rating System (HHSRS)

HHSRS was introduced by the Housing Act 2004 and has been in force since April 2006. It is the system for assessing and enforcing housing standards in England and Wales.

The HHSRS is a risk based assessment tool, which is used by Private Sector Housing Officers to assess the risk (the likelihood and severity) of a hazard in residential housing to the health and safety of occupants or visitors. The HHSRS is tenure neutral; it can be used to assess hazards in public and private and housing.

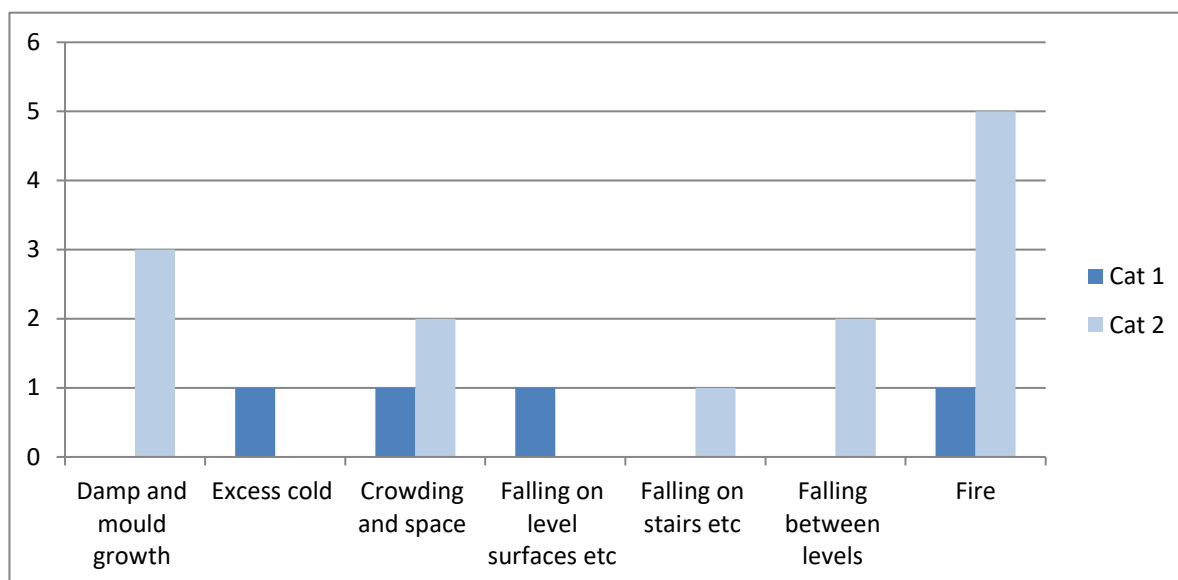
Out of the 26 non licensable HMOs inspected there were 17 hazards found, some properties having numerous hazards present. Over a third of the hazards relate to fire

safety followed by a fifth being damp and mould and almost a quarter of all hazards identified are Category 1.

Section 5 of the Housing Act 2004 requires the Council to take enforcement action and the provision stipulates what action can be taken.

The hazards are detailed in the table below:

Table 4.2: Hazards in HMOs



Due to the nature and the risk to the health and safety of the occupants all Category 1 hazards and high scoring Category 2 hazards were referred to Private Sector Housing to consider what, if any, enforcement act to take to reduce or remove those hazards identified during this study.

Non Decent Homes

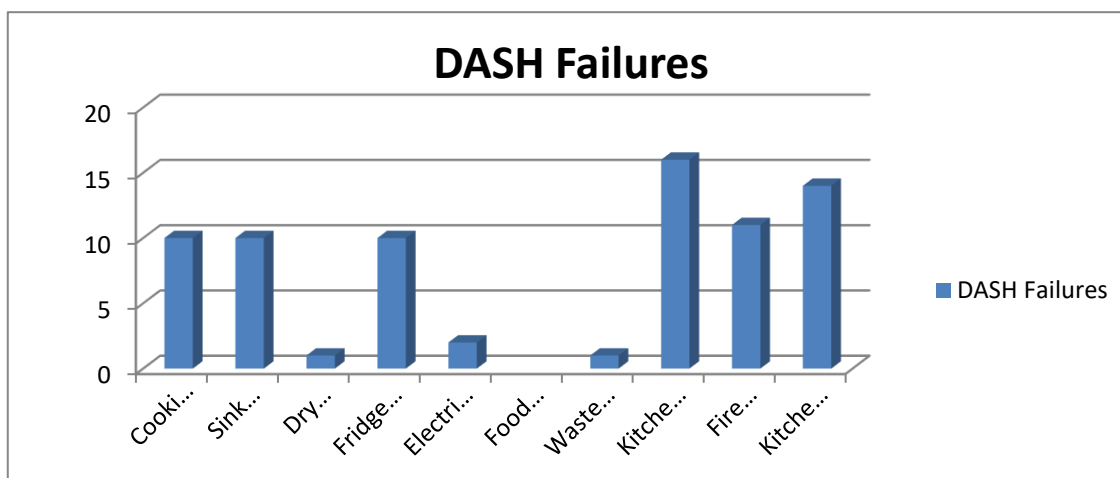
Delivering decent homes is a commitment in the national strategy for neighbourhood renewal and has a key role to play in narrowing the gap between deprived neighbourhoods and the rest of the country.

For a property to meet the Decent Homes Standard it must meet the following:

- No category 1 hazard (automatic failure) or
- Lack 3 or more of the following:
 - be in a reasonable state of repair,
 - have reasonably modern facilities and services and
 - provide reasonable degree of thermal comfort (DCLG, 2006).

Out of the sample of non licensable HMOs inspected 88.8% passed the Decent Homes Standard, with just over 11% failing which were due to Category 1 hazards being present.

Table 4.3: DASH Failures



Only 7.4% of those non licensable HMO's inspected passed the DASH standard, with over 92% was failing to meet the standard and 74 failures being noted. The largest failures relate to fire doors, fire blankets and ventilation.

There is a direct correlation between both the HHSRS and DASH failures. The majority of the failures have been linked with fire safety measures and lack of prevention measures. Certain aspects of fire safety provision in the Private Rented Sector and HMOs in the study area could be considered as requiring improvement.

Phase 3

The last phase of the project includes visits to properties identified through the Planning and Regeneration aspect of the Project, (detailed in the next Section of the report):

The Planning RRR Consultancy Ltd report Appendix 2 provided a list of streets (27) were respondents to their survey suggested there were a high numbers of HMOs in addition to 61 properties (31 streets) identified from Professor Smith database that may require a licence under the expansion of the HMO Mandatory Licensing scheme and had not applied for a licence

Phase 3 is still being completed and the results detailed below are those available at the time of writing this report:

Visits have been made to 30 non licensable HMOs (3 or 4 persons in the properties) over 4 streets within 0.5 mile radius. The findings from the visits are:

- 6 Category 1 Hazards, 3 of which were for falls with stairs
- 24 Category 2 Hazards, of which 11 were for damp and mould
- 2 properties passed the DASH standard
- 6 failing the Decent Homes Standard

Summary of the findings

Work continues on Phase 3 of the Project although from the data analysed to date it indicates that there are a large number of HMOs not currently covered by the Mandatory HMO Licensing Scheme that do not meet the property standards that the Council would expect.

Planning and Regeneration Outcomes

Planning appointed consultants to assess the current pattern of HMO concentration in the Borough, assess the positive and negative impacts HMOs have on a community and review the effectiveness of the current policy approach to managing the proportion of HMOs in light of those impacts. This included analysis of the existing quantitative evidence available as well as the collection of qualitative evidence sought through site visits and stakeholder engagement with HMO providers, users, residents and agencies.

The Council is preparing a new Local Plan for Charnwood for the period to 2036, and as part of this is seeking to have a positive strategy for the provision of HMO's within the Borough. The purpose of the Study is to review the current planning policies to consider whether they provide the most appropriate basis for assessing the concentration of HMOs in an area.

There are concerns often raised about whether the current 20% threshold is too high and leads to new areas having issues associated with concentrations of HMOs.

Some of the problems identified are outside the scope of the Planning System. However, the issues of community balance, the under and over use of some service and community facilities and the structural change in the composition of the community are important to create sustainable communities.

Evidence to support assertions of anti-social behaviour and environmental problems are critical to determining planning decisions for the Council and through appeals, with Planning Inspectors expecting to see supporting information.

The final HMO Assessment Report prepared by RRR Consultancy recommendations:

- Reduce the threshold to 10%
- Keep the 100m radius but consider expanding it to a minimum number of properties where natural or built features e.g. roads/ivers significantly impact the number of properties included.
- Consider the issue of population density, practical solution to this would be to take account of number of large HMOs in the radius
- Threshold should remain one factor considered in determining applications
- Sandwiching of properties between two HMOs should be avoided
- Continue to apply the threshold only to Loughborough, evidence identifies only small proportions of HMOs outside the town
- PBSA should be defined as '...predominantly larger scale residential accommodation specifically for occupation by students. This may include new build development or

the conversion of existing premises (e.g. large office blocks). It includes accommodation developed by Universities and by the private sector”.

- Extensions to HMOs should be included in the policy with clear policy approach.

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5 Crime Rates

When considering whether areas suffer from high levels of crime a local authority may have regard to a number of factors:

- Whether the area as displayed a noticeable increase in crime over a relative short period
- Whether the crime rate in the area is significantly higher than in other parts of the Local Authority Area Or that the crime rate is higher than the national average
- The impact of crime in the areas affects the local community

Licensing should be part of the wider strategy to address crime in the designated area and can only be made if a high proportion of properties in that area are privately rented.

The Local Authority should consider:

- Whether the criminal activities impact on some people living in privately rented accommodation as well as other living in the areas and businesses
- The nature of the criminal activity e.g. theft, burglary, arson, criminal damage, graffiti
- Whether some of the criminal activity is the responsibility of some people living in privately rented accommodation

Table 5.1: Crime Rate for England

Crime rate per thousand population for England 2018/2019 by region	
North East	110.3
Yorkshire and the Humber	108
North West	105.4
London	98
West Midlands	80.8
South East	78.9
East of England	78.1
East Midlands	78.2
South West	67.8

Table 5.2: Crime Rate for East Midlands

Crime rate per thousand population for East Midlands 2018/2019 by County	
Derbyshire	58.4
Leicestershire	83.53
Lincolnshire	70.7
Northamptonshire	82.0
Nottinghamshire	93.2

In the year ending March 2019, the crime rate in Charnwood was lower than average for the Leicestershire Police Force Area, but was higher than the other District and Boroughs in Leicestershire.

Table 5.3: Crime Rate for Leicestershire

Crime rate per thousand population for Leicestershire Police Force 2018/2019 by Area	
Rutland	41.26
Harborough	49.69
Blaby	59.41

Melton	59.51
Hinckley and Bosworth	61.54
North West Leicestershire	64.03
Oadby and Wigston	64.81
Charnwood	73.48
Leicester	121.76
Force average	83.53

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6 Anti Social Behaviour

A key issue commonly associated with HMOs is antisocial behaviour (ASB). Data indicates that there were 1,495 instances of ASB recorded in the Borough between January 2013 and December 2018.

Table 6.1: ASB by Ward 2018

	Number	%
Loughborough Southfields	430	29%
Loughborough Storer	123	8%
Quorn and Mountsorrel Castle	112	8%
Loughborough Lemyngton Loughborough	75	5%
Hastings	71	5%
Forest Bradgate	62	4%
Loughborough Nanpantan	61	4%
Syston West	60	4%
Loughborough Dishley and Hathern	54	4%
Loughborough Ashby	46	3%
Loughborough Shelthorpe	43	3%
Sileby	42	3%
Mountsorrel Syston East	34	2%
Anstey	34	2%
Loughborough Outwoods	33	2%
Loughborough Garendon	33	2%
Thurmaston	22	2%
Barrow and Sileby West	21	1%
Shepshed West	20	1%
Birstall Watermead	19	1%
Birstall	17	1%
Wanlip	14	1%
Rothley and Thurmaston	11	1%
Wreake Villages	9	1%
Queniborough	7	1%
The Wolds	6	0%
Shepshed East	4	0%
East Goscote	3	0%
Unknown	29	2%
Total	1,495	100%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

By far the largest proportion (29%) of recorded ASB incidents occurred in the Loughborough Southfields ward.

Table 6.2: Type of ASB 2018

	Number	%
Noise	766	37%
Nuisance	377	18%
Rowdy behaviour	260	12%
Drug misuse	148	7%
Intimidation/harassment	143	7%
Begging	135	6%
Vehicle nuisance	88	4%
Litter/rubbish	67	3%
Criminal damage/vandalism	57	3%
Other	44	3%
Total	2,085	100%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Table 6.2 shows the type of ASB incident recorded between January 2013 and December 2018 in the Borough. In total, there were 2,085 different types of ASB recorded (each incident could record more than one type of ASB). The most common type of ASB incident was 'noise' (37%), followed by 'nuisance' (18%), and 'rowdy behaviour' (12%). Smaller proportions of ASB incidents were recorded in relation to 'drug misuse' (7%), 'intimidation/harassment' (7%), 'begging' (6%), 'vehicle nuisance' (4%), 'litter/rubbish' (3%), 'criminal damage/vandalism' (3%), or 'other' (3%).

One method of determining the strength of the relationship between areas with high proportions of HMOs with numbers of ASB incidents is to undertake a 'correlation'. Correlation is a statistical measure that indicates the extent to which two or more variables fluctuate together. A positive correlation indicates the extent to which those variables increase or decrease in parallel; a negative correlation indicates the extent to which one variable increases as the other decreases.

Table 6.3:HMOs/ASB by Ward

	HMOs	ASB
	HMOs	ASB
Anstey	43	33
Barrow and Sileby West	38	20
Birstall Wanlip	37	14
Birstall Watermead	25	17
East Goscote	21	3
Forest Bradgate	22	62
Loughborough Ashby	181	46
Loughborough Dishley and Hathern	49	54
Loughborough Garendon	55	22
Loughborough Hastings	127	71
Loughborough Lemyngton	174	75
Loughborough Nanpantan	97	61
Loughborough Outwoods	54	33
Loughborough Shelthorpe	75	43
Loughborough Southfields	531	430
Loughborough Storer	483	123
Mountsorrel	44	34
Queniborough	14	7
Quorn and Mountsorrel Castle	44	112
Rothley and Thurstaston	32	11
Shepshed East	29	4
Shepshed West	37	19
Sileby	48	42
Syston East Syston	35	34
West	48	60
The Wolds	17	6
Thurmaston	59	21
Wreake Villages	23	9
Total	2,442	1,466

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Table 6.3 shows the number of HMOs in each ward compared to the number of ASB incidents recorded in each ward between January 2013 and December 2018 (excluding the 29 ASB incidents whose location was unknown). Although Loughborough contains around 35% of all households in the Borough, almost two thirds (64%) of all recorded ASB incidents occurred in the 10 Loughborough wards.

Undertaking a statistical correlation on the 2 columns ie undertaking a statistical test to determine the relationship between the 2 factors produces a measure of 0.84. This indicates a very strong positive relationship between the 2 columns ie the number of HMOs in any one particular ward increases, the number of ASB incidents increases. Although it cannot be proven that a high number of HMOs in any one particular area causes high number ASB incidents, it can be stated that statistically, there is a very strong relationship between the number of HMOs in each ward and the number of ASB incidents.

7 Option Appraisal

The Council has been looking for effective means of assisting and encouraging improvements in the quality of HMOs through their day to day service delivery, research projects and a number of Scrutiny Panels for many years. The HMO sector is a substantial element of the private rental market for the Borough.

These informal approaches met with a degree of success but the scope of such intervention is very limited. The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let across the Borough. Licensing encourages a positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions.

The Council have considered other options to address the problems in the Private Rented Sector before bringing the proposals for an Additional Licensing Scheme forward.

Alternative options considered Landlord Accreditation although this is currently a voluntary scheme would not have the required impact as a regulated scheme; Management Orders and enforcement powers despite these being powerful tools that remain available to the Council they are too narrow in addressing management standards in the Private Rented Sector.

Enforcement of property standards and management orders will be used not as an alternative to licensing but as support tools as part of the Council's programme of measures to improve the social and economic conditions of the Borough.

Additional Licensing of HMO

The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let in Charnwood. Licensing encourages a positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions.

The Housing Act 2004 provides a power for Local Authorities to licence HMOs which are not covered by Mandatory Licensing. Part 2 of the Housing Act provides for Additional Licensing of HMOs for example, in a particular area or the whole district for those not covered by Mandatory Licensing.

The Act permits Additional Licensing where the Local Authority believes that a significant proportion of HMOs are being managed sufficiently ineffectively giving rise to problems for residents or the general public.

An Additional Licensing scheme should only be considered if the Council believes a significant proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, problems for the occupants or for members of the public.

Section 56(3) of the Housing Act 2004 states that prior to designating areas subject to licensing the Local Authority must:

Take reasonable steps to consult persons who are likely to be affected by the designation, and consider any representations made in accordance with the consultation and not withdrawn.

The Council must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

An Additional Licensing Scheme would not apply to any HMO to which the national mandatory scheme applies. The proposed designation would not apply to any building which is an HMO as defined in S257 of the Housing Act 2004, relating to certain converted blocks of flats.

Additional Licensing could impose the following:

- Requirement for particular types of HMO, or HMOs within a particular area to be licensed.
- Property to be licensed is assessed as to its suitability for multiple occupation.
- Licence holder will undergo a fit and proper person test and the management arrangements will be reviewed for suitability.
- Licence will include conditions requiring supporting documents to be provided, such as gas and electrical certificates, fire alarm test reports etc., at appropriate intervals or upon demand.
- Licence may include conditions for regulating the management, use and occupation of the house concerned, its condition and contents. For example, requiring the landlord to take reasonable and practical steps to prevent or reduce anti-social behaviour by person occupying it.
- A licence may not include conditions imposing restrictions or obligations on a particular person other than the licence holder, or requiring any alteration in the terms of any tenancy or licence under which a person occupies the house.

Additional Licensing would require all private landlords with HMOs in designated areas of the Borough to apply for a licence for each property before they can be let to tenants. In order to become a licence holder a landlord would have to meet certain standards.

What is a House in Multiple Occupation (HMO)

An HMO is a building or part of a building which is occupied as a main residence by 3 or more people who form more than 1 household. There are 2 types of HMOs under the Housing Act 2004:

Section 254 HMOs – this includes buildings containing bedsits and/or non self-contained flats, shared houses and hostels.

Section 257 HMOs – these are buildings that have been converted into self-contained flats but where the conversion works did not meet the 1991 Building Regulations (if converted before June 1992) or subsequent regulations at the time of the conversion.

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8 Proposed Additional Licensing Scheme

The Council are proposing to introduce a Borough wide Additional Licensing Scheme:



The table below provides details of the justification and risk associated with the implementation of the proposed Additional Licensing Scheme across the Borough:

Type of Private Sector Licensing Scheme	Justification	Risks
Additional Licensing – Borough Wide	<p>The Rogue Landlord Project has identified a significant number of HMOs in Loughborough that are not licensed under the Mandatory Scheme with Category 1 and 2 Hazards.</p> <p>Additional Licensing will extend and continue the process of upgrading of HMO rental stock in line with the Mandatory scheme.</p> <p>All HMOs will be subject to the same evaluation and improvement regime as the national scheme.</p> <p>Residents in will be afforded the</p>	<p>Landlords legally challenge the decision making process to implement a licensing scheme – cost to the Council to defend and time delay.</p> <p>Relationships breakdown between the Council and Landlords.</p> <p>The resources to run a successful scheme are more than forecasted.</p>

	<p>same protection as people in licensed HMOs.</p> <p>Without Additional Licensing there is significant and growing disparity in HMO market.</p>	
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Consultation Period

The formal consultation on the proposal to declare Charnwood Borough as an area for Additional Licensing.

The scheme will cover all HMOs, irrespective of the number of stories that are occupied by 3 or 4 unrelated persons and all Section 257 HMOs (buildings converted into self contained flats) where the building is wholly occupied by tenants.

The consultation period will be at least 10 weeks.

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HMO Licensing Policy

11th December 2019

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Introduction

Licensing of Houses in Multiple Occupation (HMO)

The Housing Act 2004 requires Local Housing Authorities to licence mandatory licensable HMOs, and allows the licensing of other HMOs through an additional licences.

Types of housing licensing are:

- Mandatory Licensing
- Additional Licensing

Under Housing Legislation, an HMO is an entire house or flat that is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.

For a property to be classed as a HMO, it must be used as the tenants only or main residence and it should be used solely or mainly to house tenants.

Mandatory Licensing

Mandatory Licensing under Part 2 of the Housing Act 2004, broadly speaking requires an HMO occupied by 5 or more persons in 2 or more households, sharing an amenity regardless of the number of storeys, to be licensed.

Prior to the 1st October 2018, only HMOs of 3 or more storeys, occupied by 5 or more persons in 2 or more households required a licence.

Additional Licensing

The Housing Act 2004 provides a power for Local Authorities to licence HMOs which are not covered by Mandatory Licensing. Part 2 of the Housing Act provides for Additional Licensing of HMOs for example, in a particular area or the whole borough for those not covered by Mandatory Licensing.

The Act permits Additional Licensing of HMOs covers those HMOs that are not licensed under the Mandatory Scheme but where the Council has used its power to subject HMOs across the Borough to Additional Licensing.

This Policy sets out the structure of the scheme and the fees and charges and criteria Charnwood Borough Council will apply to all licences in relation to the Mandatory and Additional HMO Licensing schemes.

Houses in Multiple Occupation (HMOs) Licensing

The Council has a responsibility under Section 55 of the Housing Act 2004 to secure the licensing of all Mandatory HMOs and has been implementing its scheme in response to this duty.

On the (Date to be confirmed) Charnwood Borough Council designated the whole of the Borough subject to Additional Licensing in respect of the following types of HMOs:

- HMOs of any size of building that are occupied by 3 or 4 persons; and
- Section 257 HMOs where all of the self contained flats are let and occupied by tenants.

Licence Fee

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may cover all costs incurred by the Council in carrying out its function.

In developing the Council's fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) v Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

A fee is charged for each individual HMO that is required to be licensed under the Housing Act 2004.

The judgements in *Hemming* and *Gaskin*, requires the overall licence fee to be paid in 2 stages, has therefore had the effect the fee for a Licence under Part 2 of the 2004 Act must be levied in 2 separate parts.

The first element of the licence fee is for the assessment and processing of the application to the point of issuing the decision and where applicable the licence. The first element of the fee must be paid at the time of the HMO licence application submission.

The second element of the HMO licence fee is for the property compliance inspection, management assessment and associated communications. The second element of the fee will only be applicable in respect of applications where a decision is reached to grant the licence and a draft licence is issued.

The request for payment of the second element of the licence fee will be issued with the draft licence and the fee must be paid within the timescales specified.

Charnwood Borough Council works in partnership with the Decent and Safe Homes (DASH) Landlord Accreditation Scheme. Dash promotes good housing so that Tenants of DASH Accredited Landlords can expect:

- responsible Landlords with better housing standards
- quick repairs and maintenance
- fair tenancy agreements

Landlords benefit from a market advantage, resource materials and training, as well as inclusion on the DASH register of accredited landlords.

A reduced initial HMO licensing fee is offered to DASH Accredited Landlords (as detailed in the following table).

The table below details the breakdown of the licence fees:

Description	Fee	Comments
Basic Licence Application Fee	1 st payment £563 2 nd payment £305 Total Payment £868	Fee for a new licence or a renewal application submitted after the expiry date of the previous licence 1 st payment on application 2 nd payment due when draft licence issued
Basic Licence Application Fee - DASH Accredited Licence Holder	1 st payment £563 2 nd payment £220 Total Payment £783	Fee for a new licence or a renewal application submitted after the expiry date of the previous licence for a DASH Accredited Licence Holder 1 st payment on application 2 nd payment due when draft licence issued
Renewal Licence Application Fee	1 st payment £563 2 nd payment £220 Total Payment £783	Where the application is received by the Council prior to the expiry of the existing licence 1 st payment on application 2 nd payment due when draft licence issued
Additional Fees	£10 per additional room	Fee per additional bedroom over 6 bedrooms applies to all applications Payment due when the draft licence is issued

Part 1 Housing Act 2004	Current hourly officer rate (with on-costs) for all stages of enforcement as detailed in section 49 of the Housing Act 2004	Not all costs can be recovered from the licence fee. Under Part 1 of the Housing Act 2004 the Council can charge for relevant costs linked to enforcement work.
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Under Section 67 (5) of the Housing Act 2004 the Council has the power to impose a restriction/obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage 2 fee in advance of the licence being issued, this will required as part of the application process.

The Council will attach a condition to all HMO licenses requiring this obligation to be met ie to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non compliance of the licence condition associated with the making of the Stage 2 payment.

Applicants will be entitled to a refund of licence fee payments in the following situations:

- on review of an application it is decided that the property does not need a licence at the time of application (for example, it falls under one of the exemptions);
- a duplicate application is made;

Fees are not connected to the length of a licence. If a licence is no longer required the licence holder must request a revocation to cancel the licence before it expires, the Council will not give a refund for any unused time.

Refunds will not be provided in the following situations the:

- property needs to be licensed at the time of application;
- property is subsequently sold at any point during the application process;
- Council refuses the application and does not grant a licence;
- application is withdrawn at any point during the application process;
- Council revokes (takes away) the licence;
- Council varies the licence and reduces the amount of time it remains operationally valid;
- the property is refused planning permission.

Processing the Licence Application

Under the Housing Act 2004 the Council can either grant or refuse a licence. In determining whether to grant or refuse a licence the Council must satisfy itself of the following that:

- the proposed licence and manager of the HMO is a fit and proper person and the most appropriate person to hold the licence; and
- there are satisfactory management arrangements in place or that such arrangements can be put in place by the imposition of conditions in the licence.

Test for Fitness – Satisfactory Management Arrangements

The Council must be satisfied that “the proposed management arrangements are satisfactory” before granting a HMO licence. Those arrangements include (but are not limited to) consideration of whether the:

- persons proposed to be involved in the management of the premises has a sufficient level of competence to be involved;
- persons proposed to be involved with the management of the premises are actually involved in the management;
- persons are ‘fit and proper’ (which is discussed above) and the proposed management structures and funding arrangements are suitable.

If the Council has concerns about the competencies and structures in place to manage the HMO then conditions can be imposed on the licence to ensure that the necessary arrangements are in place. However, if such conditions will still not be possible or practical to impose then it may be necessary to refuse to grant a licence.

It is for a Council to determine whether a person has sufficient competence to be involved in the management of HMOs and, of course, the level of competence required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant’s experience and track record of managing HMOs and, in particular where he or she is the existing manager, the premises to which the application relates. In most cases landlords who are members of an accreditation scheme will be regarded as having the necessary competence to be involved in the management of the premises because, at least such organisations can be called upon for advice and assistance where necessary.

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day to day operation management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the Council may take account of the following evidence of systems:

1. In place that are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance;
2. Dealing with:
 - emergency repairs and other issues
 - routine repairs and maintenance to the premises and its curtilage
 - cyclical maintenance
 - management and the provision of services (if any) to the building and its curtilage
 - management of tenancies or occupants
 - management of the behaviour of tenants, occupants and their visitors to the premises
 - neighbourhood issues (including disputes)
3. Structures for engagement with the Local Authority, Police and other agencies, where appropriate

The Council must be satisfied that the financial arrangements relating to the property are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out his obligations under the licence and his or her general management functions.

The Council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support this decision.

Unannounced visits of licensed properties will therefore be undertaken during the licence period to check for compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004. Breach of any such legislation is a strict offence for which further action will be taken.

Fit and Proper Person Test

The Council must be satisfied that the Licence applicant and the manager are fit and proper persons to hold a Licence or to manage a HMO.

This requirement is to ensure that those responsible for operating the licence and managing the HMO are of sufficient integrity and good character to be involved in the management of the particular residential premises to which the application relates and as such they do not pose a risk to the health, safety or welfare of persons occupying and visiting the HMO.

When considering whether a person is 'fit and proper' the Council will have regard to any misdemeanors (wrong doings) of the relevant person concerned. This is evidence that the person has:

- committed any offence involving fraud or other dishonesty, violence or drugs and sexual offences listed in the Sexual Offences Act 2003, Schedule 3;
- been involved with any unlawful discrimination on the grounds of sex, race, ethnic or national origins or disability, in connection with the carrying out of business;
- contravened any provision of Housing, Public Health or Landlord and Tenant law (including Part 3 of the Immigration Act 2016); or acted otherwise than in accordance with an approved code of practice.

The above list is not exhaustive and the Council can and will consider whether a relevant person has committed other relevant misdemeanors, for example, discrimination under Regulation 5 of the Equality Act (Sexual Orientation) Regulations 2007. A relevant person will not be deemed unfit, simply because of poor management, although this is highly relevant to determining any question of suitability or competence.

The Council does not have a blanket policy with its consideration of factors under a fit and proper person test. Each case will be considered on its own merits and regard will be had to information provided/omitted from an application form; historical information already held by Charnwood Borough Council relating to the premises and or any relevant person connected with the licence application.

When making an application for a licence the applicant must provide details of the following in relation to him/herself and the proposed manager (if the applicant is not to be the licence holder):

- unspent convictions;
- findings from a court/tribunal that the person has practiced unlawful discrimination;
- judgements entered against that person in relation to a contravention of housing or landlord and tenant law (and, in so far it relates to the Housing or Landlord and Tenant law, any contravention of any enactment relating to public or environmental health);
- any control order made in respect of any HMO under his/her management or ownership or any former HMO he/she owned or managed);
- any enforcement action in respect of any house or HMO under his/her management or ownership and any former HMO or house he/she owned or managed) under the Housing Health and Safety rating system in Part 1 of the Housing Act 2004 so far as that enforcement action related to a Category 1 hazard;
- details of any refusal to grant a licence, or details of the revocation of a licence granted for non-compliance of a condition or conditions in respect of any house or HMO under his/her management or ownership;
- any interim or final management orders made by an LHA in respect of any house or HMO under his management and any former HMO or house he owned or managed).

An applicant for a licence must disclose any misdemeanors which relate to themselves, the proposed manager and any other relevant person, if any.

The Council has to be satisfied that it has sufficient information (supplied in connection with the application) to make a determination, it may require the applicant to provide further details and/or undertake their own further enquiries with other relevant Council departments (Licensing, Planning, Building Control, Council Tax and Housing Benefit) and external bodies as it deems necessary, including for example Disclosure and Barring Service checks (DBS).

The signing of the licence application form will be taken as an agreement to any such action and the sharing of information between other Local Authorities for all relevant persons associated with the property and application.

The Council can request information on criminal convictions where applicable, a Police National Computer (PNC) check will be requested where there is sufficient evidence that this is deemed necessary.

Consideration of 'persons associated or formerly associated' with the proposed licence holder or manager

If there is evidence that a person associated, or formally associated, with the person proposed to be the licence holder or manager of the HMO, has committed any misdemeanors, that evidence may be taken into account in determining the proposed licence holder's or manager's fitness (even if that person has himself or herself an unblemished record).

The purpose of this requirement is to ensure that only fit and proper persons hold licenses or are in any way involved in the management of licensed HMOs. It would not be appropriate for a licence to be granted to someone, or for someone to be the manager of a property, if that person was merely acting as a 'front' for someone else who, if he or she were not unfit, would be entitled to be the manager or licence holder.

An example might be that of a husband and wife, where the husband is the landlord (or indeed both he and his partner are joint landlords), but only the wife has applied for the licence. If there is evidence that the husband has committed misdemeanors and those misdemeanors are relevant to the wife's management of the property or licence then the Council may refuse to grant her a licence.

Likewise if a landlord with an unsatisfactory record nominated a "manager" who had a clean record, but had acted for him whilst the misdemeanors were committed, the Council may consider the managing agent by association to be unfit too.

Issuing a Licence

All HMOs subject to licensing will be inspected prior to the issuing of a draft licence to ensure that the HMO is reasonably suitable for occupation by the number of people being requested on the licence application and to ensure that there are satisfactory management arrangements in place.

All HMOs will remain subject to further inspections during the lifetime of the licence to check compliance with licence conditions, management responsibilities and minimum standards.

In certain cases the Council may decide to carry out such inspections without prior notice being given to the owner, licence holder and/or manager. This is consistent with the powers set out in Section 239 of the Housing Act 2004.

Failing to comply with any conditions on a licence is an offence under Section 72(3) of the Housing Act 2004 and, if found guilty the licence holder could face a prosecution or issued with a Civil Penalty of up to £30,000.

Where the inspection has been pre arranged then all applicants will be required to provide access to all rooms in the HMO at a suitably arranged appointment.

All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date and you must notify the Strategic and Private Sector Housing service of any change in details. The Council will not be held responsible for any delay in communication if it is as a result of any contact information changing.

A draft licence with conditions will be issued based on the findings from this inspection. The draft licence (known as an Intention Notice) will be emailed to all relevant persons and other interested parties for consultation.

The relevant persons will have an opportunity to make any representations, which will be considered by the Private Sector Housing Manager.

When this process is complete a full licence with the conditions (known as the Decision Notice) will be issued and will be emailed to all relevant persons and other interested parties for consultation.

If the licence holder is still dissatisfied with the conditions of the licence, they have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the Licence.

Renewal Applications

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to "renewal applications", which reduces the burden on landlords applying for the renewal of a licence.

In the case of renewal applications and applicant must provide a complete application form and sign the declarations provided.

It is important to note that the regulations define a "renewal application" as "*an application for a licence under section 87 of the Act where, at the time the*

application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house”.

The effect of this part of the Regulations is that order for the Council to treat any application as a “renewal” the application must be made during the active period of the current licence. If a renewal application is received on or after expiry of the current licence then the application will be treated as a new application and the appropriate fees above will apply.

Application for a revocation or variation of a licence

If circumstances regarding the HMO change during the licence period, for example a change in the number of letting units, the licence holder must notify the Property Licensing Team directly so the licence can be re-assessed and varied if the HMO is considered suitable to accommodate the variation request.

Similarly, if the HMO is no longer going to be occupied as a HMO or the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to refund of the original payment.

Fire risk assessments for licensed HMOs

Having a fire risk assessment for a licensed HMO is a legal requirement under the Regulatory Reform (Fire Safety) Order 2005, which is enforced by East Midlands Fire and Rescue Authority.

The duty is placed on the ‘responsible person’ who could be the landlord/licence holder or an agent with full management control. The assessment must be ‘suitable and sufficient’, and assistance from an appropriately competent person should be sought as necessary to achieve this.

The Council will accept a signed self-certification forms declaring that a suitable and sufficient fire risk assessment is in place for the HMO; however the Council may request and audit the fire risk assessment and other records at any time during the lifetime of the licence. If any documents requested cannot be provided within 7 days of the request, the Council may revoke the licence.

The acceptance of a fire risk assessment/self-declaration does not protect the responsible person from any action required by East Midlands Fire and Rescue Authority.

Further information and guidance on completing a fire risk assessment is available from the [Chief Fire Officers Association](#) and the [Gov.uk website](#).

Will tacit consent apply?

The Council has taken into consideration the recent High Court decision in the case of *R(Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin) when deciding whether tacit consent applies.

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full and that regulators should set out how long it will take to carry out

a licensing approval process and if they do not meet that timeline then approval (tacit consent) should happen automatically.

On receipt of a valid application the Council will aim to provide a decision as soon as is reasonably practicable, however each case will require different processes to be completed, for example if an inspection of the HMO is necessary then the Council will be required to complete this before issuing you with a decision. Therefore this could extend the time it takes to process your application.

The Council's aim to process all valid applications and provide the relevant persons with a decision within 120 days of receipt.

If a decision about a licence application has not been received within this period then tacit approval may apply but the proposed licence holder should not assume they will automatically have been granted a licence.

As mentioned the target completion period for issuing a decision and a licence is subject to many factors and as such applicants should check with the Council on the status of their application.

Public Registers

A register of HMO Licenses is available online and details of this can be obtained by sending a formal, written request to the Property Licensing team.

Appeals

If an application for a HMO Licence is refused, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber - Residential Property). The details of this will be provided with the Decision Notice.

Selective Licensing in Charnwood Justification Report

Licensing – to provide a greater choice of safe, good quality and well managed accommodation in the Borough

23rd December 2019

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Introduction

Charnwood Borough Council is 1 of 7 Leicestershire districts located around the city of Leicester. It sits centrally between the three cities of Nottingham, Leicester and Derby. Charnwood is at the heart of the country and is well connected with excellent access to both the M1 motorway to the west and East Midlands Railway Line to the east.

The social and economic pull of Leicester City has a strong influence on the Borough, particularly in the south, which forms part of the Leicester Principal Urban Area. In the north of the Borough, the university and market town of Loughborough together with the adjacent town of Shepshed, acts as a social and economic focus. A string of larger villages extends southwards towards Leicester along the Soar Valley and A6 corridor. These villages act as Service Centres to the rural parts of our Borough. The large village of Anstey performs the role of a Service Centre in the south west corner of Charnwood.

To the west of the Soar Valley is the Charnwood Forest, which stretches to the west towards Coalville. The Forest is recognised as a Regional Park, providing a focus for leisure and conservation activity. To the north east of the Soar Valley are the Wolds, a rural area with strong links with Nottinghamshire and the City of Nottingham. The Wreake Valley is a rural area that stretches eastwards towards Melton and is home to a number of our villages. South of the Wreake Valley is High Leicestershire, a predominately rural area with strong links to Leicester City and the district of Harborough.

At the time of the 2011 census, the Private Rented Sector made up 14.1% of households in Charnwood compared to 11.8% who were renting social housing.

In Charnwood, there has been substantial growth in the Private Rented Sector. In 2012, the Private rented Sector accounted for 17.79% of the total housing stock in Charnwood. Over a 5 year period (2012-2013 to 2016-2017) there was an average increase per year of 2.13% (ONS, 2017 (b)). Although the available data is only based on a 5 year period, assuming the same level of growth, it is estimated that the Private Rented Sector has increased to 20.14% in 2018-2019.

Charnwood is divided into 28 Wards:

The Council produced a Housing Strategy which recognises the concerns about the impact of student housing the Council and has completed an evidence gathering phase to establish that there are sufficient grounds to launch a consultation on the introduction of a Selective Licensing Scheme in 2 wards.

The evidence gathering has included all complaints received by the Council and partners, research carried out by Professor Smith and the Rogue Landlord Project.

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2 Supporting Information

National Picture

The Office for National Statistics (ONS) projections indicates that:

- In mid 2018, the population of the UK reached an estimated 66.4 million.
- The UK population's growth rate in mid 2017 and mid 2018, at 0.6%, was slower than any year since mid2004.
- Long term international migration to and from the UK has remained broadly stable since the end of 2016 and has continued to be the main driver of the UK's population growth.
- In 50 years' time, there is projected to be an additional 8.2 million people aged 65 years and over in the UK, a population roughly the size of present day London.
- After decades of improvement to life expectancy, the latest figures show a slowdown in improvement, life expectancy at birth remained at 79.2 years for males and 82.9 years for females in 2015 to 2017.

As the UK's population grows, so does the number of families and households. In 2018, the number of households in the UK was 27.6 million, representing an increase of 7% from 2008 (25.9 million).

In 2018, there were 19.1 million families living in the UK, which shows an increase of 8% from 2008 (17.7 million), there were:

- 12.8 million married couples or civil partnership families (67%)
- 3.4 million cohabiting couple families (18%)
- 2.9 million lone parent families (15%)

Cohabiting couple families are the fastest growing family type; since 2008, there have been an additional 700,000 cohabiting couple families (a growth rate of 25.8% over this period). Meanwhile, more young adults are living with the parents 50% of young people left the parental home was 23.

Cohabiting couple families are the fastest growing family type; since 2008, there have been an additional 700,000 cohabiting couple families (a growth rate of 25.8% over this period). Meanwhile, more young adults are living with their parents. In 2018, the first age at which more than 50% of young people left the parental home was 23. Two decades earlier, more than 50% of 21-year-olds had already left home. Young men aged 20 to 34 years old living in the UK are more likely than young women to be living with their parents (31% and 20% respectively).

In addition, there are increases in the numbers of people who are living alone between 2008 and 2018; there has been a 6% increase (from 7.5 million to 8.0 million). This increase was driven primarily by the increase in the number of older men living alone; a 55% increase for men aged 65 to 74 years and a 20% increase for men aged 75 years and over. In 2018, nearly half of those living alone (48%) were aged 65 years and over, and more than one out of every four (27%) were aged 75 years and over.

The English Housing Survey 2016-2017 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-2014 and 11% in 2003 and that a larger proportion of 25 to 34 year-olds now rent their home.

Rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the Private Rented Sector, over the last decade or so the increase in the proportion of such households in the Private Rented Sector has been particularly pronounced. In 2006-2007, 27% of those aged 25 to 34 lived in the Private Rented Sector.*

By 2016-2017 this had increased to 46%. Over the same period, the proportion of 25 to 34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25 to 34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-2013. As with those aged 35 to 44, the proportion of 25 to 34 year olds in the social rented sector did not change”.

In 2016-2017, 5% of households in the PRS (231,000) were living in overcrowded accommodation. The rental market has changed considerably.

After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40. Currently average rents average £675.

Local Context

Charnwood Borough Council is 1 of 7 Leicestershire districts located around the city of Leicester. It sits centrally between the 3 cities of Nottingham, Leicester and Derby.

Charnwood is at the heart of the country and is well connected with excellent access to both the M1 motorway to the west and East Midlands Railway Line to the east.

The population of the Borough is increasing and Charnwood has a very high population density. This is increasing pressure on community services and facilities, and housing provision in the Borough.

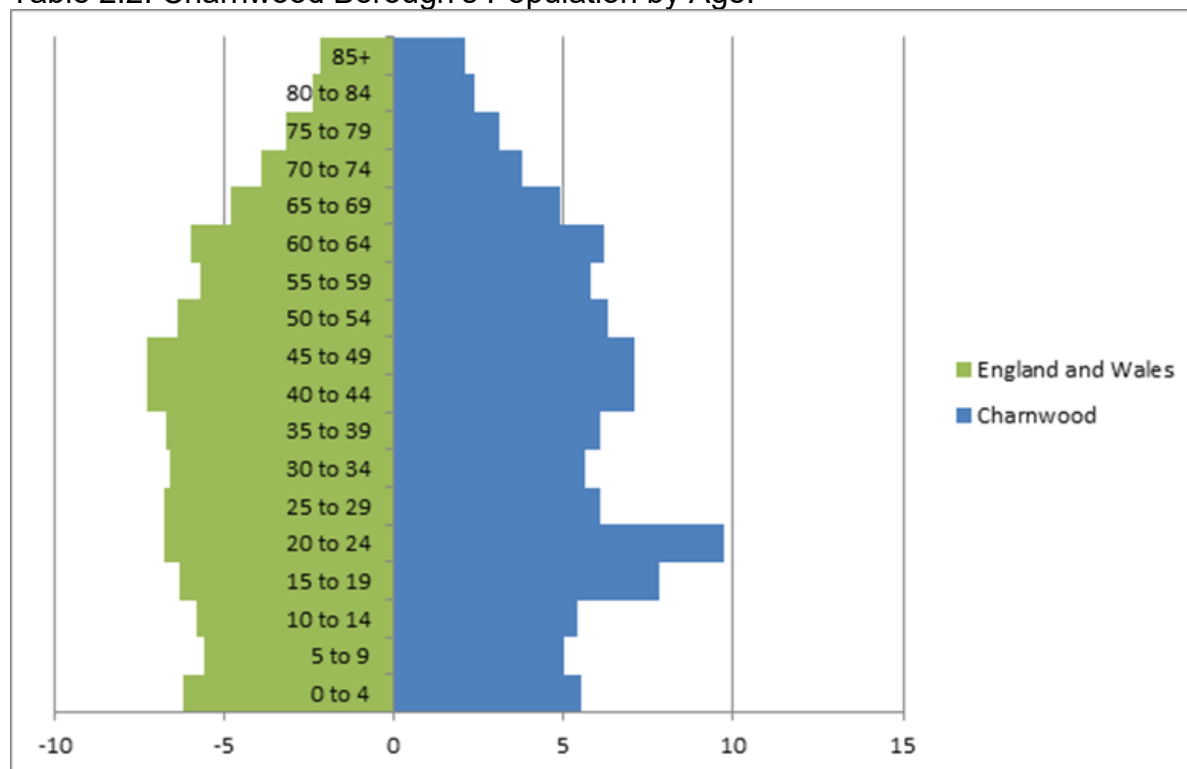
The 4 tables below provide details of the increase in population, age, projected growth and proportion comparisons with Leicestershire, East Midlands and England and Wales:

Table 2.1: Charnwood Borough Population increases from 1981 – 2031:

Year	1981	1991	2001	2011	2016	2021	2031
Population	132,170	141,759	153,428	166,100	179,400	188,250	207,000

Source: 2011 Census

Table 2.2: Charnwood Borough's Population by Age:



Source: 2011 Census

Table 2.3: Population and projected growth:

All persons by Age	
Age	2011 census estimates
0-4	9,100
5-9	8,300
10-14	8,900
15-19	12,900
20-24	16,100
25-29	10,100
30-34	9,300
35-39	10,100
40-44	11,800
45-49	11,800
50-54	10,500
55-59	9,600
60-64	10,300
65-69	8,100
70-74	6,300
75-79	5,200
80-84	4,000
85+	3,700
Total	166,100

Please note that numbers may not add up to the displayed totals due to rounding

Source Office for National Statistics

Source: 2011 Census

Table 2.4: Population and projected growth

All Persons – Proportion Comparisons				
Age	Charnwood	Leicestershire	East Midlands	England and Wales
0-4	5.5%	5.5%	6%	6.2%
5-9	5.0%	5.4%	5.5%	5.6%
10-14	5.4%	5.9%	5.8%	5.8%
15-19	7.8%	6.7%	6.5%	6.3%
20-24	9.7%	6.3%	6.8%	6.8%
25-29	6.1%	5.4%	6.1%	6.8%
30-34	5.6%	5.4%	5.9%	6.6%
35-39	6.1%	6.4%	6.4%	6.7%
40-44	7.1%	7.7%	7.4%	7.3%
45-49	7.1%	7.8%	7.5%	7.3%
50-54	6.3%	6.8%	6.6%	6.4%
55-59	5.8%	6.2%	6.0%	5.7%
60-64	6.2%	6.8%	6.4%	6.0%
65-69	4.9%	5.3%	5.1%	4.8%
70-74	3.8%	4.2%	4.0%	3.9%
75-79	3.1%	3.4%	3.2%	3.2%
80-84	2.4%	2.6%	2.4%	2.4%
85+	2.2%	2.3%	2.2%	2.2%
Total	166,100	650,500	4,533,200	56,075,900

Source: 2011 Census

The challenges facing Charnwood

- A growing population, set to be 194,600 by 2028 (ONS Population Projections), with a need for 18,394 homes by 2036 (Draft Local Plan 2019)
- Deprived communities: 5 of Leicestershire's 10 most deprived neighbourhoods fall within Charnwood, with pockets of deprivation in Loughborough, Thurmaston, Syston, and Mountsorrel. This is reflected in lower than average incomes, poor health and lower levels of educational attained.
- Housing market pressure: because of population growth, smaller households, occupying larger homes, and a lack of available properties for new households to move into. There will be a need for specialist housing such as homes for the elderly and students. House prices remain out of reach for many people.

Migration

The Borough has experienced high levels of migration into certain wards and as a result, has seen further demand on already stretched public services. This has in turn placed extra pressure on the housing sector and the likelihood is that a large number of migrants will seek affordable accommodation in HMOs across the Borough.

A licensing scheme can be made to preserve or improve the economic conditions of areas to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions.

The tables below provide data from the ONS 2011 Census on migration in and out of the Borough:

Net migration is the balance between immigration (those entering the UK for a year or more) and emigration (those leaving the UK for a year or more).

Table 2.5: Migration in and out of the Borough

	Charnwood	Leicestershire	UK
Long term international net migration per 1,000 residents population, 2016	7.4	3.1	5.1

Source: 2011 Census

The 2011 Census tells us that 6.25% of the people living in Charnwood were born outside the UK. Overall for the UK the proportion of people born outside the UK was 13%. People move in and out of the Borough every year including students.

Table: 2.6: Overseas Students at Loughborough University:

Total Students 2017	Total EU Students 2017	Total International Students (Non-EU) 2017	Total Oversea Students 2017
14,696	3,830	2,574	6,404
Main non UKEU countries of origin: China including Hong Kong (47%), India (6%), Nigeria(5%), Singapore (4%), Malaysia (3%), United Arab Emirates			

Table 2.7: Migration by Tenure

Wholly moving households: Inflow: Lived elsewhere one year ago outside the UK	Tenures	Charnwood	East Midlands	UK
	Total	223	5746	122,203
	Owned or shared ownership	44	1466	26,020
	Social Rented	23	344	7,463
	Private Rented	163	3936	88,720
% migrant households in Private Rented Property		73%	68.5%	72 %

Source: 2011 Census

Strategic Context

The Housing Act 2004, Section 57 (2) states that before making a designation the authority must ensure that any exercise of the power is consistent with the Authority's overall Housing Strategy.

Corporate Plan (Provisional pending Cabinet approval March 2020)

Charnwood is a Borough for innovation and growth, delivering high quality living in urban and rural settings, with a range of jobs and services to suit all skills and abilities and meet the needs of our diverse community.

With a highly acclaimed university, a thriving market town and a network of vibrant villages, and within easy reach of national and international markets, Charnwood provides everything a business needs to succeed.

At the forefront of technology while protecting our beautiful environment for future generations, Charnwood is a Borough of contrasts, and provides a world of opportunity. The Council's Corporate Themes:

- Caring for the environment
- Healthy communities
- Your Council

Housing Strategy 2014-2019

The Council produced a Housing Strategy which recognises the concerns about the impact of student housing the Council and has completed an evidence gathering phase to establish that there are sufficient grounds to launch a consultation on the introduction of a Borough wide Selective Licensing Scheme.

The evidence gathering has included all complaints received by the Council and partners, research carried out by Professor Smith and the Rogue Landlord Project.

Housing in Charnwood

There is a housing shortage in Charnwood with a particular need for 2 bedroom properties.

Affordability is a major concern issue. House prices in Charnwood have substantially increased over the last 3 years compared to that of neighbouring authorities with an average increase of 6.23% for the period December 2016 to August 2019. With an increase during December 2016 to December 2017 of 6.8%, December 2017 to December 2018 7.6% and August 2018 to August 2019 4.3% (HM Land Registry - 2019).

Table 2.8: House Prices by Ward

Ward	House Prices Year Ending March 2019
Anstey	£229,975
Barrow and Sileby West	£243,000
Birstall Wanlip	£229,950
Birstall Watermead	£210,000
East Goscote	£213,750
Forest Bradgate	£370,000
Loughborough Ashby	£150,000
Loughborough Dishley and Hathern	£185,000
Loughborough Garendon	£176,000

Loughborough Hastings	£159,000
Loughborough Lemyngton	£132,000
Loughborough Nanpantan	£235,000
Loughborough Outwoods	£239,950
Loughborough Shelthorpe	£239,875
Loughborough Southfields	£206,500
Loughborough Storer	£142,500
Mountsorrel	£202,500
Queniborough	£313,500
Quorn and Mountsorrel Castle	£272,475
Rothley and Thurcaston	£289,500
Shepshed East	£184,950
Shepshed West	£183,500
Sileby	£189,500
Syston East	£220,000
Syston West	£185,000
The Wolds	£385,000
Thurmaston	£182,000
Wreake Villages	£385,000

Source: Office National Statistics

The table below details the number of dwellings in the Borough broken down into the household space and accommodation type:

Table 2.9: Dwellings, Household space and accommodation type:

Dwelling Type	Value
All categories: Dwelling type	69,220
Unshared dwelling	69,195
Shared dwelling	25
All categories: Household spaces	69,305
Household spaces with at least one usual resident	66,516
Household spaces with no usual residents	2,789
Whole house or bungalow: Detached	21,025
Whole house or bungalow: Semi-detached	26,657
Whole house or bungalow: Terraced (including end-terrace)	12,991
Flat, maisonette or apartment: Purpose-built block of flats or tenement	6,822
Flat, maisonette or apartment: Part of a converted or shared house (including bed-sits)	866
Flat, maisonette or apartment: In a commercial building	631
Caravan or other mobile or temporary structure	313

Source: 2011 Census

Table 2.10: Details the amount of homes required and how many of the homes already planned for and committed are expected to be delivered by 2036.

Housing Needs and Supply 2019-2036	Homes
Local Housing Needs (1,082 per annum)	18,394
Housing Supply	
• North East of Leicester Sustainable Urban Extension	3,325
• West of Loughborough Sustainable Urban Extension	3,200
• North of Birstall Sustainable Urban Extension	1,950
• Other Planning Permissions at the 31 st March 2019	3,949
• Saved Charnwood Local plan 2004 Allocation	40
Supply Sub total	14,464
To be found	5,930

Source: Draft Charnwood Local Plan 2019-2036

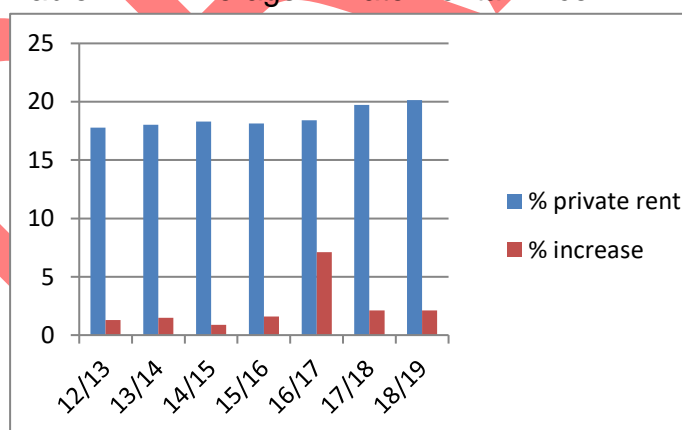
There are an additional 5,930 homes required to meet the housing needs for the Borough up to 2036 once commitments are taken into account.

The Private Rented Sector

In Charnwood, there has been substantial growth in the Private Rented Sector. In 2012, the Private rented Sector accounted for 17.79% of the total housing stock in Charnwood. Over a 5 year period (2012-2013 to 2016-2017) there was an average increase per year of 2.13% (ONS, 2017 (b)). Although the available data is only based on a 5 year period, assuming the same level of growth, it is estimated that the Private Rented Sector has increased to 20.14% in 2018-2019. Additionally, over the same 5 year period the owner occupied averages at 68.61%.

According to the VOA (2019) the average private rental price was £369

Table 2.11: Average Private Rental Price



Source: VOA 2019

The 2011 Census provides dataset population of all full time students in Charnwood that are aged 18 or over living in households. In 2011 there were 10,087 full time students living in household and these are broken down to 3,236 as owned outright or with a mortgage, loan or shared ownership; 654 in social rent; 5,898 in the Private Rented Sector and 299 in other private rent or living rent free (ONS, 2011)

Ward Profiles

In Charnwood there has been a substantial growth in the Private Rented Sector. Over a 5 year period (2012-2017) there has been an average increase of 2.13% (ONS, 2017(b))

Although the available data only is based on a 5 year period one can expect the same level of growth: therefore it is estimated that the Private Rented Sector will be 20.14% based on the average growth, over the 5 year period.

Charnwood is divided into 28 wards; the focus to date has been on the 6 wards that have been included in the Rogue Landlord Project.

The Council were successful with a bid of £65,000 for the Rogue Landlords Enforcement Grant. The Grant has enabled the Council to continue to research and identify Rogue Landlords across the Borough, review current Policy approaches to managing the impact of negative housing and management.

The 6 areas chosen to continue the research based on data held by the Council and the most deprived wards in the Borough are detailed in Table 2.12 below.

Table 2.12: Ward Profile Tenure

Ward	ONS Census Date	Owner Occupied	Social Housing (Council/Housing Association)	Private Rented Sector – 2011 Census
Loughborough Garendon	2011	72.3% (1,837)	12.2% (309)	14.5% (368)
Loughborough Hastings	2011	43.1% (1,185)	34.6% (952)	19.4% (535)
Loughborough Lemyngton	2011	49.1% (1,327)	19.2% (518)	28.8% (778)
Loughborough Nanpantan	2011	82.6% (1,282)	4.2% (65)	12.4% (192)
Loughborough Outwoods	2011	91.6% (2,041)	0.5% (12)	6.8% (151)
Loughborough Shelthorpe	2011	65% (1,832)	21.9% (617)	11.1% (314)

Source: 2011 Census

Crime Rates

When considering whether areas suffer from high levels of crime a Local Authority may have regard to a number of factors:

- Whether the area as displayed a noticeable increase in crime over a relative short period
- Whether the crime rate in the area is significantly higher than in other parts of the Local Authority Area Or that the crime rate is higher than the national average
- The impact of crime in the areas affects the local community

Licensing should be part of the wider strategy to address crime in the designated area and can only be made if a high proportion of properties in that area are privately rented.

The Local Authority should consider:

- Whether the criminal activities impact on some people living in privately rented accommodation as well as other living in the areas and businesses
- The nature of the criminal activity e.g. theft, burglary, arson, criminal damage, graffiti
- Whether some of the criminal activity is the responsibility of some people living in privately rented accommodation

Table 2.13: Crime Rate for England

Crime rate per thousand population for England 2018/2019 by region	
North East	110.3
Yorkshire and the Humber	108
North West	105.4
London	98
West Midlands	80.8
South East	78.9
East of England	78.1
East Midlands	78.2
South West	67.8

Table 2.14: Crime Rate for East Midlands

Crime rate per thousand population for East Midlands 2018/2019 by County	
Derbyshire	58.4
Leicestershire	83.53
Lincolnshire	70.7
Northamptonshire	82.0
Nottinghamshire	93.2

Table 2.15: Crime Rate for Leicestershire

Crime rate per thousand population for Leicestershire Police Force 2018/2019 by Area	
Rutland	41.26
Harborough	49.69
Blaby	59.41
Melton	59.51
Hinckley and Bosworth	61.54
North West Leicestershire	64.03

Oadby and Wigston	64.81
Charnwood	73.48
Leicester	121.76
Force average	83.53

In the year ending March 2019, the crime rate in Charnwood was lower than average for the Leicestershire Police Force Area, but was higher than the other District and Boroughs in Leicestershire.

DRAFT

Anti Social Behaviour

From the data collected Table 2.16 shows that there were 1,495 instances of anti social behaviour recorded in the Borough between January 2013 and December 2018.

The 2 tables below provide the details of ASB by Wards and incidents (each incident could record more than one type of ASB):

Table 2.16: ASB by Ward 2018

	Number	% of Properties
Loughborough Southfields	430	29%
Loughborough Storer	123	8%
Quorn and Mountsorrel Castle	112	8%
Loughborough Lemyngton	75	5%
Loughborough Hastings	71	5%
Forest Bradgate	62	4%
Loughborough Nanpantan	61	4%
Syston West	60	4%
Loughborough Dishley and Hathern	54	4%
Loughborough Ashby	46	3%
Loughborough Shelthorpe	43	3%
Sileby	42	3%
Mountsorrel Syston East	34	2%
Anstey	34	2%
Loughborough Outwoods	33	2%
Loughborough Garendon	33	2%
Thurmaston	22	2%
Barrow and Sileby West	21	1%
Shepshed West	20	1%
Birstall Watermead	19	1%
Birstall	17	1%
Wanlip	14	1%
Rothley and Thurcaston	11	1%
Wreake Villages	9	1%
Queniborough	7	1%
The Wolds	6	0%
Shepshed East	4	0%
East Goscote	3	0%
Unknown	29	2%
Total	1,495	100%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Table 2.17: Type of ASB 2018

	Number	%
Noise	766	37%
Nuisance	377	18%
Rowdy behaviour	260	12%
Drug misuse	148	7%
Intimidation/harassment	143	7%
Begging	135	6%
Vehicle nuisance	88	4%
Litter/rubbish	67	3%
Criminal damage/vandalism	57	3%
Other	44	3%
Total	2,085	100%

Source: RRR Consultancy Ltd HMO Assessment Report July 2019

Table 2.17 shows the type of ASB incident recorded between January 2013 and December 2018 in the Borough. In total, there were 2,085 different types of ASB recorded (each incident could record more than one type of ASB). The most common type of ASB incident was 'noise' (37%), followed by 'nuisance' (18%), and 'rowdy behaviour' (12%). Smaller proportions of ASB incidents were recorded in relation to 'drug misuse' (7%), 'intimidation/harassment' (7%), 'begging' (6%), 'vehicle nuisance' (4%), 'litter/rubbish' (3%), 'criminal damage/vandalism' (3%), or 'other' (3%).

Proportion of Families on Low Incomes

According to the End Child Poverty Coalition in Charnwood there are an estimated 14% of children in poverty in the area before housing costs are included. The estimate after housing costs increases to 24%.

Households are living in poverty if their household income (adjusted to account for household size) is less than 60% of the average.

Property Conditions

Local Authorities have an obligation under the Housing Act 2004 to keep housing conditions on their area under review. This includes all tenures of housing, not just stock that may be owned by the Local Authority.

Houses are more than physical structures providing shelter; it supports the health and well-being of the occupants. It is clear that housing conditions can influence our physical health. A risk based evaluation tool, the Housing Health and Safety Rating System (HHSRS) is utilised to identify and protect against potential risks and hazards to health and safety from deficiencies identified within the dwelling.

Enforcement Action

The Council has a Corporate Enforcement Policy and the Service areas have Policies and legislation, which are used to take enforcement action detailed in the table below:

Table 2.18: Enforcement Legislation and Council Policy

	Service Area	Legislation	Council Policies
1	Strategic and Private Sector Housing	Housing Act 2004 Including Management Regulations and HMO Licensing Crime and Anti- Social Behaviour Act 2014 Environmental Protection Act 1990	Private Sector Housing Enforcement Policy 2018
2	Regulatory Services	Environmental Protection Act 1990 Prevention of Damage by Pests Act 1949 Anti-social Behaviour, Crime and Policing Act 2014 Building Act 1984 Local Government Miscellaneous Provisions Act 1976 Clean Neighbourhoods and Environment Act 2005	Regulatory Services Enforcement Policy
3	Development Control	Town and Country Planning Act 1990	Planning Enforcement Plan
4	Community Safety	Crime and Anti-Social Behaviour Act 2014	Community Safety Partnership

The table below provides the details of the enforcement action taken by the Strategic and Private Sector Housing Service by year between 2014 and November 2019 and the outcomes of the action taken.

Table 2.19: Enforcement Action Taken

Year	Total Number of Properties where Enforcement Action was Taken	Details of issues, action taken and outcomes
2014	5	Hazards: Fire separation. Action: Improvement Notice. Outcome: Complied with.

2015	16	Hazards: Fire, Falls on stairs. Action: Prohibition Notice/Improvement Notice. Outcome: Complied with Licensed HMO (1) - Hazards: Falls on stairs. Action: Improvement Notice. Outcome: Complied with.
2016	15	Hazards: Excess cold, Excess heat, Overcrowding. Action: Improvement Notice. Outcome: Complied with.
2017	23	Hazards: Excess cold, electrics, damp and mould. Action: Improvement Notice. Outcome: Property vacant. Licensed HMO (1) - Hazards: Falls on stairs. Action: Improvement Notice. Outcome: Property vacant, currently being renovated.
2018	19	Hazards: Fire Safety and Electrics. Action: Improvement Notice. Outcome: Complied with Licensed HMO (1) - Hazards: Defective Heating. Action: Abatement Notice. Outcome: Complied with +4 x non-licensed licensable HMOs. Action: Prosecution: Outcome: £80k fine (2019)
2019 (to 5/11/19)	11	Hazards: Fire, Excess Cold, Falls between Levels, Damp and Mould, Electrical Hazards. Action: Improvement Notice. Outcome: Ongoing Licensed HMO (1) - Hazards: Falls on Stairs, Falls between Levels, Electrical Hazards. Action: Suspended Improvement Notice. Outcome: Complied.
Total	89	

Non Decent Homes

Delivering decent homes is a commitment in the national strategy for neighbourhood renewal and has a key role to play in narrowing the gap between deprived neighbourhoods and the rest of the country.

The Decent Homes Standard is a minimum standard under which all homes must be free from any hazard that poses a serious threat to health or safety; be in a reasonable state of repair; have modern facilities; and have adequate levels of thermal comfort.

Phase 2 Rogue Landlord Project

The second phase of visits was driven by the data from Professor Smith's research for the same 6 areas above for a property with 3 or 4 surnames in residence.

The findings of the 398 visits are detailed in the table below:

Table 2.20: Property Visits

Status	Hastings	Leymington	Shelthorpe	Garendon	Outwoods	Nanpanton	Total
Owner Occupier	40	33	28	24	20	14	159
Private Rented - Single Family	21	37	14	11	8	11	102

Dwellings							
Licenced HMO	1	4	3	0	3	2	13
Non licensable HMO – inspected	1	5	0	12	0	8	26
Unoccupied HMO accommodation	0	0	0	0	0	0	0
Vacant	2	5	1	0	2	7	17
2 nd Visit No Access	1	2	0	0	0	0	3
3 rd Visit No Access	8	26	4	1	4	7	50
Refused Access	5	5	3	3	1	10	27
To inspect	1	0	0	0	0	0	1
Total	80	117	53	51	38	59	398

Source: Rogue Landlord Project

Health and Housing Standards Rating System (HHSRS)

HHSRS was introduced by the Housing Act 2004 and has been in force since April 2006. It is the system for assessing and enforcing housing standards in England and Wales.

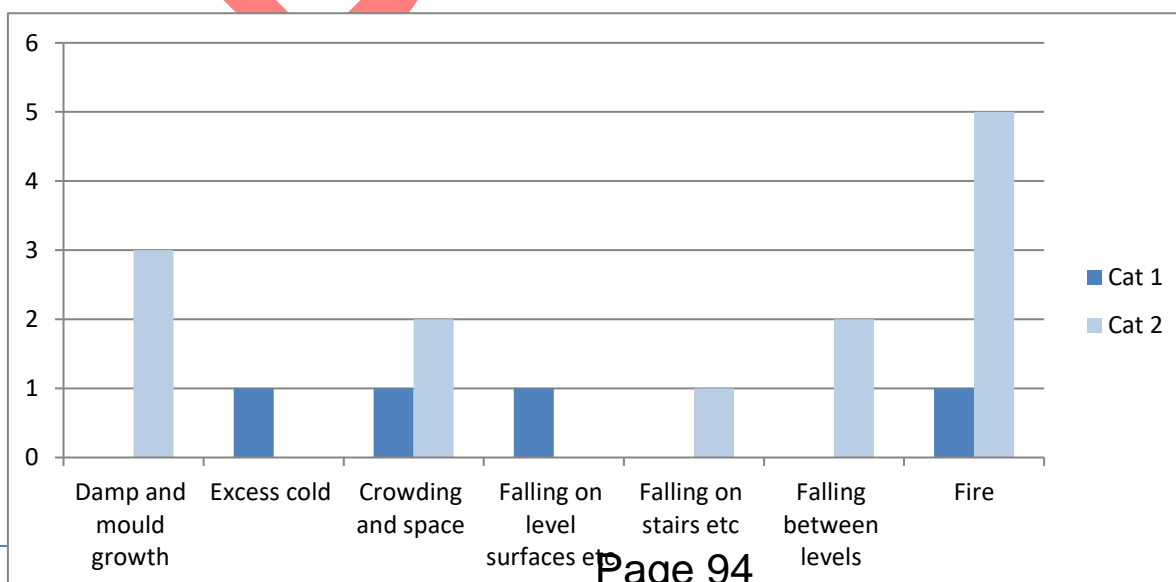
The HHSRS is a risk based assessment tool, which is used by Private Sector Housing Officers to assess the risk (the likelihood and severity) of a hazard in residential housing to the health and safety of occupants or visitors. The HHSRS is tenure neutral; it can be used to assess hazards in public and private and housing.

Out of the 26 non-licensable HMOs inspected there were 17 hazards found, some properties having numerous hazards present. Over a third of the hazards relate to fire safety followed by a fifth being damp and mould and almost a quarter of all hazards identified are Category 1.

Section 5 of the Housing Act 2004 requires the Council to take enforcement action and the provision stipulates what action can be taken.

The hazards are detailed in the table below:

Table 2.21: Hazards in HMOs



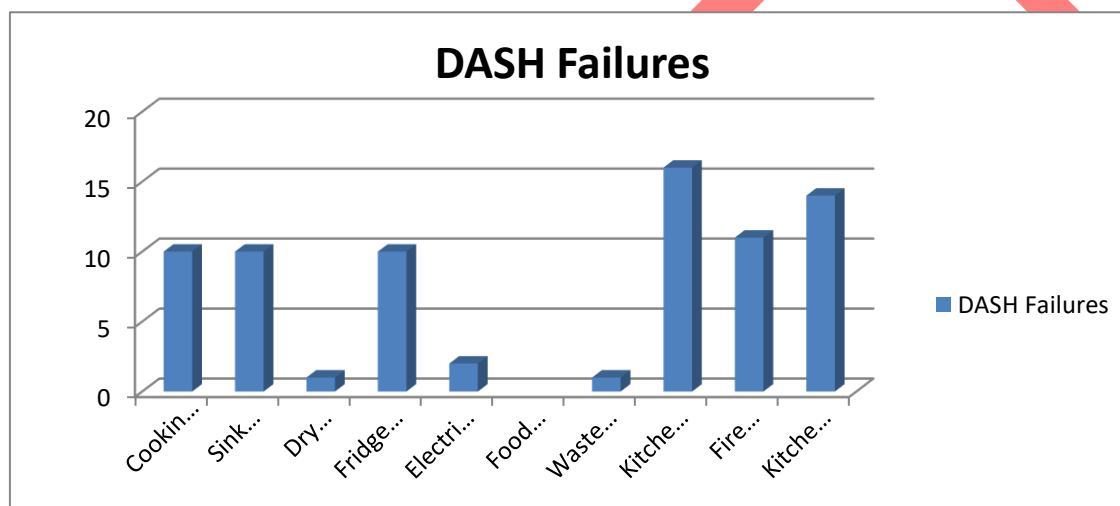
Due to the nature and the risk to the health and safety of residents all Category 1 hazards and high scoring Category 2 hazards were referred to the Private Sector Housing to consider what, if any, enforcement act to take to reduce or removed those hazards identified during this study.

Decent Homes Standard

For a property to meet the Decent Homes Standard it must meet the following: No category 1 hazard (automatic failure) or lack 3 or more of the following: be in a reasonable state of repair, have reasonably modern facilities and services and Provide reasonable degree of thermal comfort (DCLG, 2006).

Out of the sample of properties inspected 88.8% of them passed the Decent Homes Standard, with just over 11% failing which were due to Category 1 hazards being present.

Table 2.22: DASH Failures



Only 7.4% of those inspected passed the DASH standard, with over 92% was failing to meet the standard with 74 failures being noted. The largest failures relate to fire doors, fire blankets and ventilation.

There is a direct correlation between both the HHSRS and DASH failures. The majority of the failures have been linked with fire safety measures and lack of prevention measures.

Table 2.23 details the number of properties across the 6 designated areas that are not HMOs covered by Mandatory Licensing. Based on the findings of the 26 properties inspected with 17 hazards, if the 226 properties detailed below were inspected the Council would expect to find 147 hazards.

This therefore highlights that fire safety provision in the Private Rented Sector in the study area requires improvement to maintain resident's safety.

Table 2.23 Private Sector Properties (not including Mandatory Licensed HMOs)

Status	Hastings	Leymington	Shelthorpe	Garendon	Outwoods	Nanpanton	Total
Private Rented - Single Family Dwellings	21	37	14	11	8	11	102
Non licensable HMO – inspected	1	5	0	12	0	8	26
Vacant	2	5	1	0	2	7	17
2 nd Visit No Access	1	2	0	0	0	0	3
3 rd Visit No Access	8	26	4	1	4	7	50
Refused Access	5	5	3	3	1	10	27
To inspect	1	0	0	0	0	0	1
Total	39	80	22	27	15	43	226

The 2 wards Leymington and Hastings (119 properties) raise particular concerns in relation to the number of private rented single family dwelling within their areas and the number of properties that the Council were unable to gain access to or refused access (55 properties).

Fuel Poverty

Fuel Poverty is closely linked to property condition and the energy efficiency of a property. Fuel Poverty in England is currently measured using the Low Income High Costs (LIHC) indicator. Under the LIHC indicator, a household is considered to be fuel poor if:

- they have required fuel costs that are above average
- were they to spend that amount, they would be left with a residual income below the official poverty line

There are 3 important elements in determining whether a household is fuel poor:

- household income
- household energy requirements
- fuel prices

The average fuel poverty gap (the amount needed to meet the fuel poverty threshold) in England is estimated at £326 (latest Government statistics).

The proportion of households in England in fuel poverty is estimated at 11.1%, the table below provides details of the proportion of households in fuel poverty in Charnwood compared to the County, the East Midlands and England.

At the time of the last Census in 2011, there were 69,220 households in Charnwood.

Table 2.24: % of Households in Fuel Poverty

Area	% households in Fuel Poverty
Charnwood	10.8%
Leicestershire	10.1%
East Midlands	11.7%
England	11.1%

Table 2.25: Tenure Split

Charnwood Households tenures			
Registered Provider	Local Authority	Private Rent	Owner Occupier
4%	8%	14%	74%
2,769 households	5,538 households	9,690 households	5,1223 households

Table 2.26: Provides estimates of the number of households experiencing fuel poverty in Charnwood:

Charnwood Households in Fuel Poverty			
Registered Provider	Local Authority	Private Rent	Owner Occupier
11%	13%	20%	7%
305 households	720 households	1,357 households	3,586 households

Charnwood's proportion of households is below the regional and national figure, but higher than average for the County.

Levels of Deprivation

In deciding whether the wards in Charnwood are suffering from high levels of deprivation the Council has used the English Indices of Deprivation 2015, which are provided by the Department of Communities and Local Government, compared to other similar neighbourhoods within the region.

The data measures overall multiple deprivation experienced by households living in geographical areas at Local Super Output Areas (LSOA). Each LSOA in England is ranked according to its level of deprivation relative to that of other areas.

There are multiple categories that make up the overall deprivation level. Charnwood ranks as the 237th most deprived Local Authority in England. The proportion of Charnwood LSOA that are amongst the most deprived 10% in England, Charnwood is the 171st most deprived Local Authority in England.

Table 2.27: Figures of Multiple Deprivation

Loughborough Ward	Ranking *	Overall	Income Deprivation	Employment	Health	Education	Barriers to Services	Living Environment	Crime
Garendon 004A	30,754	93%	90%	90%	90%	91%	44%	84%	65%
004B	31,109	94%	94%	81%	90%	78%	71%	90%	65%
004C	9,006	27%	25%	35%	17%	35%	29%	60%	11%
004D	26,146	79%	69%	81%	80%	53%	46%	83%	61%
Hastings 002A	432	1%	2%	4%	2%	4%	42%	23%	0%
002B	6,471	19%	14%	21%	33%	26%	39%	26%	9%
002C	5,671	17%	15%	14%	25%	31%	61%	20%	6%
009A	21,608	65%	65%	55%	70%	64%	51%	37%	59%
Lemyngton 002D	9,168	27%	39%	41%	53%	50%	63%	5%	0%
002E	16,519	50%	57%	54%	51%	27%	47%	23%	64%
002F	6,519	19%	16%	28%	23%	35%	54%	4%	14%
002G	8,559	26%	22%	23%	35%	26%	37%	39%	17%
Nanpantan 007C	32,279	98%	95%	98%	95%	89%	50%	87%	89%
007D	31,252	95%	99%	99%	94%	94%	33%	67%	77%
010A	32,667	99%	95%	93%	92%	97%	79%	91%	88%
Outwoods 010B	29,428	89%	92%	84%	65%	97%	80%	88%	31%
010C	31,904	97%	95%	88%	92%	95%	52%	92%	76%
010D	28,605	87%	94%	75%	85%	76%	46%	85%	48%
010E	30,345	92%	94%	89%	80%	93%	58%	44%	82%
Shelthorpe 009B	7,038	21%	16%	22%	22%	14%	43%	74%	16%
009C	13,484	41%	31%	39%	49%	25%	69%	43%	41%
009D	7,184	21%	17%	28%	51%	13%	14%	65%	11%
010F	31,431	95%	96%	95%	88%	95%	37%	98%	66%

Source Data from the latest Index of Deprivation (IMD) 2015 * Ranking out of 32,844 where 1 is the most deprived and 32,844 is the least deprived

%, eg 80% equals better than 80% of areas in England

Table 2.28: Number of Workless Households – ONS (Nomis)

Number of Families on Low Incomes ONS January-December 2018			
	Charnwood	East Midlands	Great Britain
Number of workless households	114,000	224,000	2,919,800
% of households that are workless	19.4%	14.7%	14.3%
Number of children in workless households	#	97,100	1,125,900
% of children in households that are workless	#	10.7%	10.3%

Sample size too small for reliable estimate

3 Option Appraisal

The Council has been looking for effective means of assisting and encouraging improvements in the quality of Private Rented Sector through their day to day service delivery, research projects and a number of Scrutiny Panels for many years.

The Council have considered other options to address the problems in the Private Rented Sector before bringing the proposals for a Selective Licensing Scheme forward.

Alternative options considered Landlord Accreditation although this is currently a voluntary scheme would not have the required impact as a regulated scheme; Management Orders and enforcement powers despite these being powerful tools that remain available to the Council they are too narrow in addressing management standards in the Private Rented Sector.

Enforcement of property standards and management orders will be used not as an alternative to licensing but as support tools as part of the Council's programme of measures to improve the social and economic conditions of the Borough.

Selective Licensing

The Housing Act 2004 allows Local Authorities to introduce licensing for privately rented properties accommodating single households. It is intended to address the impact that poorly managed rented properties can have on the local environment and to improve housing conditions.

Part 3 of the Housing Act 2004 sets out the scheme for licensing private rented properties in a Local Authority area. Under section 80 of this Act, a Local Housing Authority can designate the whole or any part(s) of its area as being subject to Selective Licensing.

Where a Selective Licensing designation is made it applies to all Part 3 Houses which may be houses or flats as defined by sections 79 and 99 of The Housing Act 2004 which are privately rented property in the area, subject to certain exemptions for example Registered Social Landlords, or HMOs which are required to be licensed under Part 2 of the Act through an Additional Licensing Scheme.

The Council can designate the whole or any part or parts of its area as subject to Selective Licensing.

The purpose of such a scheme is to improve standards of property management in the Private Rented Sector. If a landlord rents out property in a Selective Licensing area they will need to obtain a licence from the Council, subject to certain exemptions.

The licence will require landlords to manage their properties in accordance with conditions that the Council specifies; failure to do so could lead to enforcement action.

Selective Licence will not be required for the following properties:

- Houses of Multiple Occupation (HMOs) which are required to be licensed (Mandatory) under Part 2 of the Housing Act 2004;

- properties subject to a “temporary exemption notice”;
- properties subject to a Management Order;
- properties which are occupied under a tenancy or licence which has been granted by a non-profit registered provider of social housing;
- properties which are occupied under a tenancy or licence which has been granted by a profit-making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008);
- properties which are occupied under a tenancy or licence which have been granted by a body which is registered as a social landlord under Part 1 of the Housing Act 1996;
- properties let under tenancies or licences described as ‘exempt’ from the requirement to be licensed by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370.

At the end of the 5 years, the scheme must be reviewed.

A licence would normally be valid up to the expiry of the scheme. Every licence will have a set of conditions which the licence holder would be required to comply with.

There are mandatory conditions, which the Council must include in the licence. In addition, the Council has the discretion to add other conditions to the licence in relation to the general management of the house. These can include conditions relating to the use and occupation of the house, and measures to deal with anti-social behaviour of the actual tenants or those visiting the property.

However, the conditions imposed must be ones which relate to the residential use of the property; they cannot, for example, place responsibilities on landlords to act where tenants may be committing crimes unrelated to their occupation of the property.

Methodology

A Selective Licensing designation may be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:

- low housing demand (or is likely to become such an area)
- significant and persistent problem caused by anti-social behaviour
- poor property conditions
- high levels of migration
- high levels of deprivation
- high levels of crime

In considering whether to designate an area for Selective Licensing on the above grounds, the Council may only make a designation if the area has a high proportion of property in the Private Rented Sector; those properties must be occupied either under assured tenancies or licences to occupy.

Non statutory guidance issued by the Department for Communities and Local Government in March 2015 (‘The Government guidance’) advises that a local housing authority may only

make a designation if the area has a high proportion of property in the Private Rented Sector compared to the national average.

When considering whether to make a Selective Licensing designation a Local Housing Authority must first identify the objective/s that a designation will help to achieve, it must identify whether the area is suffering problems (providing evidence of these problems) that are attributable to any of the above criteria for making a designation and what it expects the designation to achieve.

It should only be used where existing measures alone are not sufficient to tackle the underlying housing problems of a specific area. It must consider whether there are any other courses of action available that would achieve the same objective/s as the proposed scheme without the need for the designation to be made.

Local Authorities should carefully consider any potential negative economic impact that licensing may have in their area and some of the other possible effects of the designation (and to include any risk assessment they may have carried out).

The Council must not make a particular designation unless:

- they have considered whether there are any other courses of action available to them that might provide an effective method of achieving the objective/s that the designation would be intended to achieve, and
- they consider that making the designation will significantly assist them to achieve the objective/s (whether or not they take any other course of action as well).

The Council must decide what other measures they or other persons together with the Local Authority will take together with the Selective Licensing scheme to eliminate or mitigate the problems identified in the area and how they will work together.

The Council will have to show how such a designation will be part of the overall strategic borough wide approach and how it fits with existing policies on:

- Homelessness
- Empty Homes
- Regeneration
- Anti social behaviour associated with privately renting tenants

From the 1st April 2015, Councils need to apply to the Secretary of State for Communities and Local Government (Secretary of State) for confirmation of any scheme(s) which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the Local Authority area.

Under these new arrangements, if a Council makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation.

However, if the Council makes one or more designations that are in force partly concurrent to an existing scheme, and cumulatively all the designations cover more than 20% of the area or the private rented stock, those new designations will need to be submitted to the Secretary of State for approval. If 2 new designations account for more than 20% of the area or private rented stock when added together, they would both need to be submitted to the Secretary of State for approval.

A Selective Licence would be granted with a set of conditions that must be observed. Failing to adhere to any licence condition is a criminal offence and may result in prosecution and an unlimited fine if found guilty.

These conditions ensure the property is managed correctly, complaints of anti-social behaviour are dealt with appropriately and in a timely manner, gas and electrical certificates are supplied to the Licensing team and smoke alarms are kept in working order, amongst other things.

Landlords cannot be held responsible for the actions of their tenants, but they can, more often than not, have some influence on the behaviour of their tenants. The Council believes that a good landlord would, once they became aware a tenant of theirs was engaged in unacceptable activities that had a detrimental effect on neighbours, try to take some steps to resolve the situation.

4 Selective Licensing is being proposed

The Council are proposing to introduce Selective Licensing in the Hastings and Leymington Wards of Loughborough.



Leymington Ward



Hastings Ward

The table below provides details of the justification and risk associated with the implementation of the proposed Selective Licensing Schemes in the 2 wards.

Table 4.1: Justification and Risk

Selective Licensing Scheme	Justification	Risks
Wards Leymington and Hastings	<p>Improve property condition and management standards in the Private Rented Sector.</p> <p>Improve the quality of our neighbourhoods to support safe, inclusive and cohesive communities.</p>	<p>Landlords legally challenge the decision making process to implement a licensing scheme – cost to the Council to defend and time delay.</p> <p>Relationships breakdown between the Council and Landlords.</p> <p>The resources to run a successful scheme are more than forecasted.</p>

Consultation Period

The formal consultation on the proposal to declare the 2 wards an area for Selective Licensing.

The scheme will cover all Private Sector Rented properties other than those licensed through the Mandatory HMOs Licensing Scheme or the proposed Borough Wide Additional Licensing Scheme for HMOs.

The consultation period will be at least 12 weeks.

Selective Licensing Policy

11th December 2019

DRAFT

Introduction

Under Section 80 of the Housing Act 2004 Charnwood Borough Council has the power to designate areas of the Borough subject to Selective Licensing of certain types of rented houses.

The Council has exercised this power and designated the following areas of the Borough as subject to Selective Licensing.



Lemyngton Ward



Hastings Ward

Selective Licensing covers all private rented houses within the designated areas and all licence applications are to be accompanied with a fee determined by the Council.

Once a licence is issued it is not transferable.

This document sets out the structure of the scheme and the fees and charges and criteria Charnwood Borough Council will apply to all licenses in relation to its Selective Licensing schemes.

Selective Licensing

Under the “Charnwood Borough Council, Leymington and Hastings Ward Designation for Selective Licensing 2019” which will come into force on the (Date to be confirmed), most privately rented homes in the Borough are required to have a property licence.

The Council has exercised its powers to charge under Section 87(3) and (7) of the Housing Act 2004 and does so taking into account the Provision of Services Regulations 2009, which themselves implement the EU Services Directive.

Under Part 3 of the Housing Act 2004, a house is required to be licensed if the whole of it is occupied under:

- a single non exempt tenancy or licence; or
- 2 or more non exempt tenancies or licenses in respect of different separate dwellings within the building.

In the event that a building has multiple dwellings contained within it the Council will require a separate application and fee for each of the dwellings within the building.

The Council will consider each application and will take the following factors into account before deciding to issue a multi property licence or not each of the dwellings:

- are separate dwellings (usually self contained flat,) which are contiguous to one another in the same building;
- are occupied under non exempt tenancies; and
- within the same building are within common ownership and management control.

Where the Council is satisfied that individual property licenses should be granted, it will give notice of this to the applicant and every relevant person. There is a right to appeal this decision to the First Tier Tribunal (Residential Property Chamber), notwithstanding the grant of these licenses.

Licence Fee

Section 87 of the Housing Act 2004 permits the Council to require any application for a licence under Part 3 is accompanied by a licence fee and that this fee may cover all costs incurred by the Council in carrying out its function.

In developing the Councils fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) V Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

The judgements in *Hemming* and *Gaskin*, requires the overall licence fee to be paid in 2 stages, has therefore had the effect the fee for a Selective Licence under Part 3 of the 2004 Act must be levied in 2 separate parts.

The first element of the licence fee is for the assessment and processing of the application to the point of issuing the decision and where applicable the licence. The first element of the fee must be paid at the time of the licence application submission.

The second element of the licence fee is for the property compliance inspection, management assessment and associated communications. The second element of the fee will only be applicable in respect of applications where a decision is reached to grant the licence and a draft licence is issued.

The request for payment of the second element of the licence fee will be issued with the draft licence and the fee must be paid within the timescales specified.

Charnwood Borough Council works in partnership with the Decent and Safe Homes (DASH) Landlord Accreditation Scheme. Dash promotes good housing so that Tenants of DASH Accredited Landlords can expect:

- responsible Landlords with better housing standards
- quick repairs and maintenance
- fair tenancy agreements

Landlords benefit from a market advantage, resource materials and training, as well as inclusion on the DASH register of accredited landlords.

A reduced initial licensing fee is offered to DASH Accredited Landlords (as detailed in the following table).

The table below details the breakdown of the licence fees:

Description	Fee	Comments
Basic Licence Application Fee	1 st payment £563 2 nd payment £305 Total Payment £868	Fee for a new licence or a renewal application submitted after the expiry date of the previous licence 1 st payment on application 2 nd payment due when draft licence issued
Basic Licence Application Fee - DASH Accredited Licence Holder	1 st payment £563 2 nd payment £220 Total Payment £783	Fee for a new licence or a renewal application submitted after the expiry date of the previous licence for a DASH Accredited Licence Holder 1 st payment on application 2 nd payment due when draft licence issued
Renewal Licence Application Fee	1 st payment £563 2 nd payment £220 Total Payment £783	Where the application is received by the Council prior to the expiry of the existing licence 1 st payment on application 2 nd payment due when draft licence issued
Additional Fees	£10 per additional room	Fee per additional bedroom over 6 bedrooms applies to all applications Payment due when the draft licence is issued
Part 1 Housing Act 2004	Current hourly officer rate (with on-costs) for all stages of enforcement as detailed in section 49 of the Housing Act 2004	Not all costs can be recovered from the licence fee. Under Part 1 of the Housing Act 2004 the Council can charge for relevant costs linked to enforcement work.

Under Section 90 (6) of the Housing Act 2004 the Council has the power to impose a restriction/obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage

2 fee in advance of the licence being issued, this will required as part of the application process.

The Council will attach a condition to all licenses requiring this obligation to be met ie to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

Applicants will be entitled to a refund of licence fee payments in the following situations:

- on review of an application it is decided that the property does not need a licence at the time of application (for example, it falls under one of the exemptions);
- a duplicate application is made;

Fees are not connected to the length of a licence. If a licence is no longer required the licence holder must request a revocation to cancel the licence before it expires, the Council will not give a refund for any unused time.

Refunds will not be provided in the following situations the:

- property needs to be licensed at the time of application;
- property is subsequently sold at any point during the application process;
- Council refuses the application and does not grant a licence;
- application is withdrawn at any point during the application process;
- Council revokes (takes away) the licence;
- Council varies the licence and reduces the amount of time it remains operationally valid;
- the property is refused planning permission.

Processing the Licence Application

Under the Housing Act 2004 the Council can either grant or refuse a licence. In determining whether to grant or refuse a licence the Council must satisfy itself of the following that:

- the proposed licence and manager of the property is a fit and proper person and the most appropriate person to hold the licence; and
- there are satisfactory management arrangements in place or that such arrangements can be put in place by the imposition of conditions in the licence.

Test for Fitness and Satisfactory Management Arrangements

The Council must be satisfied that “the proposed management arrangements are satisfactory” before granting a licence. These arrangements include (but are not limited to) consideration of whether the:

- persons proposed to be involved in the management of the premises has a sufficient level of competence to be involved;
- persons proposed to be involved with the management of the premises are actually involved in the management;
- persons are ‘fit and proper’ (which is discussed above) and the proposed management structures and funding arrangements are suitable.

If the Council has concerns about the competencies and structures in place to manage then conditions can be imposed on the licence to ensure that the necessary arrangements are in place. However, if such conditions will still not be possible or practical to impose then it may be necessary to refuse to grant a licence.

It is for a Council to determine whether a person has sufficient competence to be involved in the management of the property and the level of competence required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant’s experience and track record of managing the property and, in particular where he or she is the existing manager, the premises to which the application relates. In most cases landlords who are members of an Accreditation Scheme will be regarded as having the necessary competence to be involved in the management of the premises because, at least such organisations can be called upon for advice and assistance where necessary.

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day to day operation management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the Council may take account of the following evidence of systems:

1. In place that are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance;
2. Dealing with:
 - emergency repairs and other issues
 - routine repairs and maintenance to the premises and its curtilage
 - cyclical maintenance
 - management and the provision of services (if any) to the building and its curtilage
 - management of tenancies or occupants
 - management of the behaviour of tenants, occupants and their visitors to the premises
 - neighbourhood issues (including disputes)
3. Structures for engagement with the Local Authority, Police and other agencies, where appropriate

The Council must be satisfied that the financial arrangements relating to the property are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out his obligations under the licence and his or her general management functions.

The Council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support this decision.

Unannounced visits of licensed properties will therefore be undertaken during the licence period to check for compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004. Breach of any such legislation is a strict offence for which further action will be taken.

Fit and Proper Person Test

The Council must be satisfied that the proposed licence holder and manager of the property are fit and proper persons to hold a Licence or to manage the property.

This requirement is to ensure that those responsible for operating the licence and managing the property are of sufficient integrity and good character to be involved in the management of the particular residential premises to which the application relates and as such they do not pose a risk to the health, safety or welfare of persons occupying and visiting the property.

When considering whether a person is 'fit and proper' the Council will have regard to any misdemeanors (wrong doings) of the relevant person concerned. This is evidence that the person has:

- committed any offence involving fraud or other dishonesty, violence or drugs and sexual offences listed in the Sexual Offences Act 2003, Schedule 3;
- been involved with any unlawful discrimination on the grounds of sex, race, ethnic or national origins or disability, in connection with the carrying out of business;
- contravened any provision of Housing, Public Health or Landlord and Tenant law (including Part 3 of the Immigration Act 2016); or acted otherwise than in accordance with an approved code of practice.

The above list is not exhaustive and the Council can and will consider whether a relevant person has committed other relevant misdemeanors, for example, discrimination under Regulation 5 of the Equality Act (Sexual Orientation) Regulations 2007. A relevant person will not be deemed unfit, simply because of poor management, although this is highly relevant to determining any question of suitability or competence.

The Council does not have a blanket policy with its consideration of factors under a fit and proper person test. Each case will be considered on its own merits and regard will be had to information provided/omitted from an application form; historical information already held by Charnwood Borough Council relating to the premises and or any relevant person connected with the licence application.

When making an application for a licence the applicant must provide details of the following in relation to him/herself and the proposed manager (if the applicant is not to be the licence holder):

- unspent convictions;
- findings from a Court/Tribunal that the person has practiced unlawful discrimination;
- judgements entered against that person in relation to a contravention of housing or landlord and tenant law (and, in so far it relates to the Housing or Landlord and Tenant law, any contravention of any enactment relating to public or environmental health);
- any control order made in respect of any HMO under his/her management or ownership or any former HMO he/she owned or managed);
- any enforcement action in respect of any house or HMO under his/her management or ownership and any former HMO or house he/she owned or managed) under the Housing Health and Safety rating system in Part 1 of the Housing Act 2004 so far as that enforcement action related to a Category 1 hazard;
- details of any refusal to grant a licence, or details of the revocation of a licence granted for non-compliance of a condition or conditions in respect of any house or HMO under his/her management or ownership;
- any interim or final management orders made by an LHA in respect of any house or HMO under his management and any former HMO or house he owned or managed).

An applicant for a licence must disclose any misdemeanors which relate to themselves, the proposed manager and any other relevant person, if any.

The Council has to be satisfied that it has sufficient information (supplied in connection with the application) to make a determination, it may require the applicant to provide further details and/or undertake their own further enquiries with other relevant Council departments (Licensing, Planning, Building Control, Council Tax and Housing Benefit) and external bodies as it deems necessary, including for example Disclosure and Barring Service checks (DBS).

The signing of the Licence application form will be taken as an agreement to any such action and the sharing of information between other Local Authorities for all relevant persons associated with the property and application.

The Council can request information on criminal convictions where applicable, a Police National Computer (PNC) check will be requested where there is sufficient evidence that this is deemed necessary..

Consideration of 'persons associated or formerly associated' with the proposed licence holder or manager

If there is evidence that a person associated, or formally associated, with the person proposed to be the licence holder or manager of the property has committed any misdemeanors, that evidence may be taken into account in determining the proposed licence holder's or manager's fitness (even if that person has himself or herself an unblemished record).

The purpose of this requirement is to ensure that only fit and proper persons hold licenses or are in any way involved in the management of licensed property. It would not be appropriate for a licence to be granted to someone, or for someone to be the manager of a property, if that person was merely acting as a 'front' for someone else who, if he or she were not unfit, would be entitled to be the manager or licence holder.

An example might be that of a husband and wife, where the husband is the landlord (or indeed both he and his partner are joint landlords), but only the wife has applied for the licence. If there is evidence that the husband has committed misdemeanors and those misdemeanors are relevant to the wife's management of the property or licence then the Council may refuse to grant her a licence.

Likewise if a landlord with an unsatisfactory record nominated a "manager" who had a clean record, but had acted for him whilst the misdemeanors were committed, the Council may consider the managing agent by association to be unfit too.

Issuing a Licence

All properties subject to licensing will be inspected prior to the issuing of a draft licence to ensure that the property meets the required standards and that there are satisfactory management arrangements in place.

In certain cases the Council may decide to carry out such inspections without prior notice being given to the owner, licence holder and/or manager. This is consistent with the powers set out in Section 239 of the Housing Act 2004.

Failing to comply with any conditions on a licence is an offence under Section 72(3) of the Housing Act 2004 and, if found guilty the licence holder could face a prosecution or issued with a Civil Penalty of up to £30,000.

Where the inspection has been pre arranged then the applicant will be required to provide access to the property at a suitably arranged appointment.

All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date and you must notify the Strategic and Private Sector Housing service of any change in details. The Council will not be held responsible for any delay in communication if it is as a result of any contact information changing.

A draft licence with conditions will be issued based on the findings from this inspection. The draft licence (known as an Intention Notice) will be emailed to all relevant persons and other interested parties for consultation.

The relevant persons will have an opportunity to make any representations, which will be considered by the Private Sector Housing Manager.

When this process is complete a full licence with the conditions (known as the Decision Notice) will be issued and will be emailed to all relevant persons and other interested parties for consultation.

If the licence holder is still dissatisfied with the conditions of the licence, they have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the Licence.

Renewal Applications

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to "renewal applications", which reduces the burden on landlords applying for the renewal of a licence.

In the case of renewal applications and applicant must provide a complete application form and sign the declarations provided.

It is important to note that the regulations define a “renewal application” as “*an application for a licence under Section 87 of the Act where, at the time the application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house.*”

The effect of this part of the Regulations is that order for the Council to treat any application as a “renewal” the application must be made during the active period of the current licence. If a renewal application is received on or after expiry of the current licence then the application will be treated as a new application and the appropriate fees above will apply.

Application for a revocation or variation of a licence

If circumstances regarding the HMO change during the licence period, for example a change in the number of letting units, the licence holder must notify the Strategic and Private Sector Housing service directly so the licence can be re-assessed and varied if the property is considered suitable to accommodate the variation request.

Similarly, if the property is no longer going to be occupied as a rented property the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to refund of the original payment.

Will tacit consent apply?

The Council has taken into consideration the recent High Court decision in the case of *R(Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin) when deciding whether tacit consent applies.

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full and that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval (tacit consent) should happen automatically.

On receipt of a valid application the Council will aim to provide a decision as soon as is reasonably practicable, however each case will require different processes to be completed, for example if an inspection of the property is necessary then the Council will be required to complete this before issuing you with a decision. Therefore this could extend the time it takes to process your application.

The Council’s aim to process all valid applications and provide the relevant persons with a decision within 120 days of receipt.

If a decision about a licence application has not been received within this period then tacit approval may apply but the proposed licence holder should not assume they will automatically have been granted a licence.

As mentioned the target completion period for issuing a decision and a licence is subject to many factors and as such applicants should check with the Council on the status of their application.

Public registers

A register of property Licenses is available online and details of this can be obtained by sending a formal, written request to the Strategic and Private Sector Housing service.

Appeals

If an application for a property licence is refused, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber - Residential Property). The details of this will be provided with the Decision Notice.

DRAFT

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

Legislation- Equality Duty

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ☐ Eliminate discrimination, harassment and victimisation
- ☐ Advance Equality of Opportunity
- ☐ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

Step 1 – Introductory information

Title of the policy	Private Sector Licensing
Name of lead officer and others undertaking this assessment	Alison Simmons
Date EIA started	7 th October 2019
Date EIA completed	20 th December 2019

Step 2 – Overview of policy/function being assessed:

Outline: What is the purpose of this policy? (Specify aims and objectives)

The Policies are for Houses in Multiple Occupation (HMO) and Selective Licensing set out the way in which the Council intends to implement and secure effective compliance with the Policies and relevant private sector housing legislation.

The HMO and Selective Licensing Policies aims to ensure:

- Good quality, healthy housing for households renting in the Private Sector and to prioritise action to those homes which present the greatest risks to Health and Safety
- Houses in Multiple Occupation are safe and well managed and all relevant Management Regulations are adhered to

What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?

The Policies are designed to:

- Support Officers of the Council in implementing the Policies appropriately and applying the relevant enforcement legislation
- Inform Owner Occupiers, Private Sector Landlords and Registered Providers (RPs) as to the Council's approach to licensing the private rented sector and housing enforcement

The intended outcome is to ensure there is a provision of good quality, healthy housing and to prioritise action to those homes which present the greatest risks to Health and Safety.

Which groups have been consulted as part of the creation or review of the policy?

Following approval by Cabinet, the Policies will be consulted on in accordance with the Housing Act 2004 Part 2 and Part 3 requirements.

Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Based in the 2011 Census there are approximately 66,600 households in the Borough of Charnwood.

Breakdown by Tenure:

- 47,900 (72%) – Owner Occupiers
- 500 (1%) - Part owned and part rented (shared ownership)
- 7,900 (12%) - Social rented
- 9,400 (14%) - Private rented
- 800 (1%) – Living rent free

What does this information / data tell you about diverse groups? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The Policies have not been consulted or implemented. Therefore, there is no information or data to consider.

Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

Following approval by Cabinet, the Policies will be consulted on in accordance with the Housing Act 2004 Part 2 and Part 3 requirements.

Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	
Disability (Physical, visual, hearing, learning disabilities, mental health)	
Gender Reassignment (Transgender)	
Race	
Religion or Belief (Includes no belief)	
Sex (Gender)	
Sexual Orientation	

Other protected groups (Pregnancy & maternity, marriage & civil partnership)	
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

The outcome of this EIA will be monitored and reviewed alongside the Policies.

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.

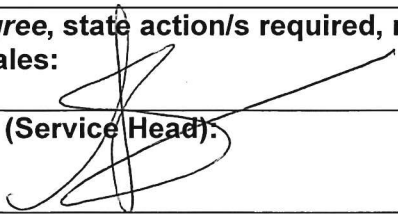
Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan: The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan			
Reference Number	Action	Responsible Officer	Target Date

Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	X	
Service users	X	
Partners and stakeholders	X	
Others	X	
To ensure ease of access, what other communication needs/concerns are there?		

Step 9- Conclusion (to be completed and signed by the Service Head)

Please delete as appropriate
I agree / disagree with this assessment / action plan
If disagree , state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Service Head): 
Date: 19th December 2019

Please send completed & signed assessment to Suzanne Kinder for publishing.

CABINET – 16TH JANUARY 2020

Report of the Head of Neighbourhood Services Lead Member: Cllr Deborah Taylor

Part A

ITEM 8 CHARNWOOD GRANTS STRATEGIC PARTNERS 2020/21 – 2021/22

Purpose of Report

To put forward proposals for the Strategic Partner Grant Scheme funding for 2020/21 and 2021/22.

Recommendations

1. That the following Strategic Partner Grants be approved, subject to budget approval:

Organisation	Amount Awarded 2020/21 (Year 1)	Amount Awarded 2021/22 (Year 2)
Charnwood Citizens Advice Bureau*	Up to £90,928	Up to £90,928
Clockwise Credit Union	£8,298	£8,298
Equality Action	£20,978	£20,978
Fearon Hall Community Association	£30,489	£30,489
Gorse Covert Community Association	£20,432	£20,432
John Storer Charnwood	£86,656	£86,656
Shepshed Volunteer Centre (John Storer Charnwood)	£9,781	£9,781
Living Without Abuse	£17,165	£17,165
Syston Volunteer Centre**	£9,781	£9,781

*Charnwood CAB funding includes £62,428 for the CAB element and up to £28,500 for Specialist Money Management and Debt Advice (SMMDA) element

**Funding approved in principle for Syston Volunteer Centre – see recommendation 3 below

2. That the Head of Neighbourhood Services be given delegated authority to finalise the terms and conditions of the Strategic Partner Grants awarded and Service Level Agreements and agree a final grant award amount with Charnwood Citizens Advice Bureau, in consultation with the Lead Member.

3. That a Strategic Partner Grant be awarded in principle to Syston Volunteer Centre, subject to them continuing to work with the Council and receipt of evidence demonstrating that they have revisited their business plan and are moving towards further community engagement / volunteering activities, by the end of March 2021 (end of Year 1) and that the Head of Neighbourhood Services be given delegated authority, in consultation with the Lead Member, to determine the most appropriate way forward.

Reasons

1. To provide appropriate levels of financial support to those organisations that have submitted applications and been assessed as meeting the criteria for the Strategic Partner Grant Scheme.
2. To enable the grants awarded to be finalised with an approved Service Level Agreement and appropriate information to be supplied to the Council about the outcomes of the projects/services and determine final grant award amounts.
3. To ensure that the organisation is developing and progressing before any continued (Year 2) funding is awarded.

Policy Justification and Previous Decisions

Strategic Partner Grants were last approved by Cabinet in January 2018 (Min. 79) for a period of two years. At that time 11 Strategic Partners were awarded a Strategic Partner Grant. As the current Service Level Agreements will be coming to an end in March 2020, Strategic Partners have again been invited to apply for funding for a further two-year period (2020/21 and 2021/22). As part of that process a review of each organisation has taken place to ensure that the organisations are still meeting the expectations of the Strategic Partner Grant scheme, and the aims of the current Corporate Plan.

Existing Strategic Partners were invited to apply for funding for a two-year period ending in March 2022, with the exception of Charnwood Twenty Twenty, who had previously informed the Grants Panel, that due to a reduction in the level of service they are providing locally, that they no longer feel that they meet the criteria for being a Strategic Partner and therefore have withdrawn as a Strategic Partner. In addition, the Council's Voluntary and Community Sector Development Officer has been working with Rosebery Community Centre on their business plan and as a result they have also decided not to reapply to be a Strategic Partner going forward. Both of these Strategic Partnerships with the Council will end at the end of March 2020.

In addition, Citizens Advice Bureau, have previously received a separate annual grant to deliver specialist money management and debt advice work, it has been decided that going forward that this will be amalgamated with their Strategic Partner Grant and be awarded for the two years. There is an additional budget of up to £28,500 to fund this element of work, discussions with regard to this are currently still ongoing.

Implementation Timetable including Future Decisions and Scrutiny

Following approval of the recommendations, the Strategic Partners will be notified of the outcome and the level of funding awarded over the two years. Officers will agree their Service Level Agreement and the schedule of grant payments for 2020/21 from 1st April 2020.

Each Strategic Partner will have a Borough Council Lead Officer, who will visit the organisation at least twice a year, usually in June and November. They will complete a Monitoring Return at each meeting and submit this to the Grants Administrator. The payments will then be released subject to the Monitoring Return being approved by the Neighbourhoods and Partnerships Manager.

At the end of the year each organisation will supply overall monitoring and evaluation evidence for the full year and subject to approval, they will then receive the agreed level of funding for 2021/22.

Report Implications

The following implications have been identified for this report.

Financial Implications

Strategic Partner Grant Scheme Funding

It has been proposed as part of the 2020/21 budget that the Strategic Partner Grant amounts will stay the same as they were in 2019/20. The maximum amount that each Strategic Partner can apply for is reflected in Appendix 1 and the second year of funding will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval as part of the 2021/22 budget setting process.

The budget for the Strategic Partner Grant Scheme for 2020/21 will be £294,500 subject to budget approval, which includes for an amalgamation of the Strategic Partner and the Specialist Money Management and Debt Advice grant budgets. There is currently a potential shortfall of £1800 in 2021/22 which will be resolved as part of the 2021/22 budget setting process.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Grants do not deliver the objectives of the Grants scheme	Unlikely (2)	Minor (1)	Very Low (2)	The grants have been assessed against the scheme's criteria and will be linked to the provision of appropriate monitoring information.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
That Strategic Partner Organisations cannot demonstrate sustainability	Unlikely (2)	Significant (2)	Low (4)	That the financial profile of the organisations is reviewed at application and after the first year. Where there are concerns about sustainability further assurance is required before funds are released.

Equality and Diversity

There is a requirement in the grants criteria for each organisation that applies to either have their own Equal Opportunities Policy or provide a statement that the organisation will abide by the Council's Equal Opportunities Policy. An Equalities Impact Assessment is attached at Appendix 3.

Crime and Disorder

The grants criteria specifically cover crime and disorder with projects needing to outline how the proposed project reduces the impact of crime and anti-social behaviour and promotes stronger, cohesive and balanced communities.

Sustainability

Many of the grants criteria are concerned with sustainability.

Key Decision: Yes

Background Papers: None

Officers to contact: Verity Graham
Neighbourhoods & Partnerships Manager
01509 632516
verity.graham@charnwood.gov.uk

Julie Robinson
Head of Neighbourhood Services
01509 634590
julie.robinson@charnwood.gov.uk

Part B

Review of Strategic Partner Scheme

1. Officers undertook a full review in 2017 of the current Strategic Partner Grant Scheme, looking at its financial support to community and voluntary organisations. The review included information taken from a consultation with all current Strategic Partners and an analysis of delivery against the corporate objectives.
2. The findings showed that for many years the Council has allocated funding to support the delivery of services across the borough by key voluntary and community sector organisations and groups. The majority of these organisations became Strategic Partners after delivering a particular piece of work or service on the Council's behalf on an ongoing basis. As a Strategic Partner they have received an agreed level of funding based on a Service Level Agreement (SLA).
3. Following the consultation and review it was agreed:
 - That grants will be awarded for two years and then reviewed to avoid running a rolling programme and allow for any changes in priorities. Year 2 funding will be subject to monitoring and evaluation of Year 1 delivery against Service Level Agreement (SLA.)
 - That all organisations wishing to access the Strategic Partner Grant Scheme will need to complete the application form and will be assessed against the evaluation criteria. That the Council's corporate objectives will continue to serve as the overarching framework for the Strategic Partners priorities.
 - That Strategic Partners are expected to demonstrate:
 - Organisational robustness
 - That they are viable, sustainable organisations that have the resources/commitment to undertake these responsibilities
 - Produce a two-year Business or Development Plan, which includes systems for effective financial management and sustainability
 - That they can demonstrate that they do not directly duplicate services already delivered by other Strategic Partners
 - That they can deliver against a minimum of 5 of the Council's Strategic Objectives
4. As part of the 2020/21 and 2021/22 process a review of existing Strategic Partner outcomes against the Council's Corporate Plan Objectives was undertaken and it was established that all existing Strategic Partners,

excluding Charnwood Twenty Twenty and Rosebery Community Centre, were still playing a key role in enhancing service delivery and were still relevant and appropriate as a Council Strategic Partner. (Appendix 2).

5. All current Strategic Partners, apart from Charnwood Twenty Twenty, were notified of the application process and funding levels. A Strategic Partner Grant Application Form, along with guidance notes were sent out with an accompanying letter highlighting the maximum amounts that would be awarded during 2020/21 and 2021/22 to each organisation.
6. Charnwood Twenty Twenty, had already informed the Grants Panel, that due to a reduction in the level of service they are providing locally, that they no longer feel that they meet the criteria for being a Strategic Partner and therefore have withdrawn as a Strategic Partner. In addition, the Council's Voluntary and Community Sector Development Officer has been working with Rosebery Community Centre on their business plan and as a result they have also decided not to reapply to be a Strategic Partner going forward. Both of these Strategic Partnerships with the Council will end at the end of March 2020.
7. In addition, Citizens Advice Bureau, have previously received a separate annual grant to deliver specialist money management and debt advice work, it has been decided that going forward that this will be amalgamated with their Strategic Partner Grant and be awarded for the two years.
8. Appendix 1 provides detail of the current Strategic Partners and proposed grant amounts for 2020/21 and 2021/22.

Strategic Partner Grant Scheme Application Process

9. The application process required the following:
 - That each organisation has a maximum amount that can be awarded
 - That the award is for two years, subject to evaluation after year one
 - That each organisation must meet at least five of the Council's Corporate Plan Objectives
 - That the organisation has a robust two-year business plan
 - That the organisation delivers its services directly into Charnwood
10. All applications are assessed against two measures of need: how the project/service delivers the Council's aims and objectives in meeting identified community needs and the organisational need of the Council's grant funding to enable the project/service to succeed. Both measures seek to demonstrate the value for money to be obtained in providing grant funding. Twelve criteria are used to assess community need based on the aims and objectives set out in the Corporate Plan and nine criteria are used for organisational assessment.

11. How does your project promote stronger, cohesive and balanced communities (in particular encouraging people from different backgrounds to get along together)?

- How does your project promote well-supported volunteering opportunities?
- How does your project promote health and well-being (in particular promoting healthy eating, physical activity, sexual health and reduced substance misuse)?
- How does your project promote and support improved mental health and emotional wellbeing?
- How does your project reduce the impact of crime and anti-social behaviour?
- How does your project improve the quality of life of people living in priority neighbourhoods?
- How does your project improve the well-being of residents through acknowledging their diverse needs?
- How does your project enable children, young people and older people to make a positive contribution to the communities in which they live?
- How does your project enable older people to live independent lives?
- How does your project promote access of local people to green spaces and the countryside?
- How does your project add value to Charnwood's commitment to reduce the impact of climate change?
- How does your project help promote local businesses and farming to prosper and develop vibrant towns and villages and support rural enterprise?

12. Nine criteria are for the Organisational Assessment. Organisations must demonstrate that their service/projects are prepared and managed well and will be encouraged to explore other funding sources where appropriate. This section has been modified from that used for the Community Development Grant Scheme to reflect what we would expect from Strategic Partners.

- That the organisation has identified a realistic total cost and timetable for the service/project that the grant is sort for? (Demonstrates that costs and timescales have been researched)
- Has provided evidence of a robust two-year business plan?
- Has demonstrated that the organisation has capacity to deliver the service/project effectively and within the agreed timescales.
- Has demonstrated that the service/project provides value for money?
- That the application has demonstrated that the service/project is not duplicated by another organisation?
 - Has joint working been considered
 - Has evidence shown how the work is different from others
- That the application provides strong evidence of how delivery of the service/project will be monitored
 - How outcomes will be monitored
 - What statistical information can be provided

- How feedback will be collected by 'users'
- Other evidence that can be provided
- That the balances and reserves demonstrate the stability of the organisation? (Demonstrates that it follows relevant guidance on maintaining general balances, and reserves that are earmarked reserves reflect its long-term strategy and has considered whether it can fund the activity from its balances.)
- What proportion of the cost of the service/project is the Council being asked to fund? (Demonstrates that the level of funding sought from the Council is justified.)
- Geographical location (No specific conditions or targets will be applied to grant awards, but the assessment of need will take the geographical distribution of grants across the Borough into account)

13. Applications are assessed qualitatively against these criteria and rated high, medium or low. These ratings are converted to a score on the following basis which rewards those applications which rate highly in meeting community need and provide a maximum possible score of 117.

Table 1 – Conversion of rankings into scores

Ranking	Community Need Score	Organisation Need Score
HIGH	6	5
MEDIUM	2	3
LOW	1	1
Maximum Score	72	45

Levels for funding

Score	Level of funding
Less than 35	Nil
35 –	Some of grant applied grant for
More than 50+	Most or all of funding applied for

14. The Grants Panel received the applications and completed the Assessment Forms using the scoring method described above. In addition, all Strategic Partners were invited in to present their application to the Grants Panel, which gave the Grants Panel the opportunity to raise any additional questions they had and seek clarification on anything that was unclear.
15. One of the requirements for being considered for Strategic Partners funding is that the organisation can demonstrate that they deliver against at least five of the Corporate Plan objectives.

Appendix 2 shows the Grants Panel's assessment of delivery against the Council's corporate objectives for each of the applicants.

Strategic Partner Grant Scheme Applications

16. Nine applications for funding were invited, received and assessed. They have been assessed against the Strategic Partner Grant Scheme criteria and all nine have been recommended for support.

Grants Panel Recommendations

17. A summary of the applications and comments made by the Grants Panel are set out below:

Charnwood Citizens' Advice Bureau – Score 75.8 - Recommendation to award up to £90,928 (£62,428 for CAB element and up to £28,500 for specialist money management and debt advice work) in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

18. Aims are to inform and advise people of their rights and responsibilities and to influence policy makers through social policy work. The bureau deals with around 5,000 clients per year with over 13,000 issues. Debt, welfare benefits and employment are consistently the most common areas of enquiry.
19. Charnwood CAB is seeking funding for their 'core' service. This includes clients being offered a 'Gateway Assessment' (brief assessment of their advice needs), and referrals to Volunteer Advisers.
20. The organisation has 5 paid staff, and 52 trained volunteer advisers and support staff.
21. Will enhance quality of life, especially those with long term health problems, by improving socio-economic conditions. Will combat poverty by maximising income.
22. Significant volunteering opportunities which develops people's confidence and skills, which are then transferable.
23. The organisation has applied for £82,428 (£62,428 for the Citizens Advice element and currently £20,000 for their Specialist Money Management and Debt Advice (SMMDA) element). Charnwood CAB, have previously received a separate annual grant to deliver SMMDA work, it has been decided that going forward that this will be amalgamated with their Strategic Partner Grant and be awarded for the two years. At the time of applying, due to budgets not yet being confirmed, Charnwood CAB were given an indicative figure of £20,000 for the SMMDA element, as this covered the associated staffing costs. There is a budget of up to £28,500 to fund this element of work, discussions with regard to this are currently still ongoing with Charnwood CAB and a final amount is to be confirmed. This element covers the more in depth debt casework supporting individuals in the borough that have complex debt issues.

24. The officer assessment scored this scheme at 75.8 and recommends that a grant of £90,928 is awarded for 2020/21. This includes £62,428 for Core costs, and up to £28,500 towards the Specialist Money Management and Debt Advice element. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval. This award is subject to the organisation continuing to commit to outreach sessions at Syston and targeting support in Priority Neighbourhoods.

25. Panel comments on Application:

- The Panel recognise the importance of work undertaken by Charnwood CAB, and the good outcomes achieved through supporting residents in the Borough;
- The Panel recognise the extensive supported volunteer opportunities that are provided to enable the organisation to deliver services;
- The Panel notes the financial benefits gained by residents through benefit claims, appeals and write-off of debts and the positive impact this has on an individual's health, both physical and mental.

Clockwise Credit Union – Score 62.4 - Recommendation to award £8,298 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

26. Clockwise is a not-for-profit Credit Union in Leicester City and Leicestershire able to offer banking services providing affordable loans, safe savings and ethical financial products and services.

27. Clockwise has been established since 1992, are members of the Financial Services Compensation Scheme (FSCS) and Financial Ombudsman so members' money is assured.

28. In September 2019 Clockwise had over 16,000 adult members and 800 junior members.

29. Clockwise employs 26 full and part-time staff running the main office in Leicester. Charnwood residents have online access and access to a 'branch' service in Loughborough.

30. Clockwise have been working with the Council since 2014 to ensure that access to credit union services are provided within Charnwood. Since that time, they have refined their offer and are now delivering two access sessions a week, one at the Library and one at the Council offices. In addition, they have been working closely with the Council to drive their membership and target services in priority neighbourhoods. They are also working closely with DWP.

31. The organisation has applied for £8,298, with Clockwise themselves match funding this with other financial support.

32. The officer assessment scored this scheme at 62.4 and recommends that a grant of £8,298 is awarded for 2020/21. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval.

33. Panel comments on Application:

- The Panel supports community access to Credit Union services in Charnwood;
- The Panel recognises the importance of their work to assist those residents who are excluded from mainstream banking and are being forced into high cost borrowing;
- The Panel recognises the benefit of the organisation and partnership with the Borough Council, with their work which potentially avoids evictions, and Council Tax arrears;
- The Panel notes that Clockwise Credit Union is a leading Credit Union group, that are continually looking to improve their service.

Equality Action – Score 64.2 – Recommendation to award £20,978 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

34. Aims to eliminate discrimination, campaign for equality of opportunity, promote good relations between all persons in the Borough and Leicestershire.

35. Provides advice and information mainly on welfare benefits, health, housing, adult social care, and immigration.

36. The grant will be used towards running costs and will enable them to maintain the delivery of their key services in Charnwood, including advice and information, particularly to those facing barriers to accessing vital information.

37. 3,500 people benefit from community cohesion events each year.

38. The organisation has 8 staff, 12 committee members and 6 volunteers at present. There are up to 50 volunteers when co-ordinating events such as the Loughborough Mela.

39. The organisation:

- Promotes community cohesion
- Empowers women and men with South Asian background
- Builds confidence and self-esteem.

40. The organisation has applied for £20,978.

41. The officer assessment scored this scheme at 64.2 and recommends that a grant of £20,978 is awarded for 2020/21. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval.

42. Panel comments on Application:

- The Panel recognises that the organisation provides positive targeted support for Black and Asian communities, and continues to work towards engagement with other communities, including beginning to work towards equality for LGBT communities;
- The Panel recognises that the group needs core funding as a base, however also recognises that there is a need for them to look at ongoing sustainability. Officers will continue to work with them.

Fearon Community Association – Score 81.2 – Recommendation to award £30,489 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

43. Fearon Community Association exists to maintain and improve the quality of life for people in East Loughborough, especially Hastings/Lemyngton wards, and promote equality of opportunity between individuals and groups of people from different backgrounds. The venue is used for community and private events.

44. The grant will cover running costs of the various projects/ areas of work/ services offered, including youth provision, health, advice and outreach to BAME community, community learning, communication and cohesion.

45. The organisation has 2 staff, 3 committee members, and 14 volunteers.

46. The organisation provides the following services and caters for:

- Older people – to maintain / regain their independence
- Vulnerable adults – improved self-esteem and engagement with adult social-services
- Young people – provides a meeting point and fills gaps in local youth services, provides diversionary activities
- Unemployed people – increase skills base and employability
- People with drugs / alcohol problems – minimises the negative impact of substance misuse.

47. The organisation has applied for £30,489.

48. The officer assessment scored this scheme at 81.2 and recommends that a grant of £30,489 is awarded for 2020/21. Funding for 2021/22 will be confirmed

following an evaluation at the end of Year 1 and will be subject to budget approval.

49. Panel comments on Application:

- The Panel recognises that the organisation is a key community facility in a Priority Neighbourhood;
- There are a wide range of activities and services meeting the needs within their locality, and the facilities are well used;
- There is a strong commitment and passion to help the most vulnerable.
- The ethos of the Association has the community at the heart of everything they do, and this is strongly balanced with the need to generate income.

Gorse Covert Community Association – Score 57.5 - Recommendation to award £20,432 in 2020/21 (amount for 2021/22 to be confirmed subject to budget approval)

50. The Community Centre is situated on the edge of Loughborough West Priority Neighbourhood area. It offers a wide range of activities over a 7-day programme through third party providers, catering for pre-natal to elderly residents in the immediate area, Loughborough and Charnwood.

51. It aims to provide and promote social, recreational educational and community development support for local people.

52. The grant will be used towards core running costs, enabling the centre to expand and promote services to the local neighbourhood and targeted work with the more vulnerable and hard to reach communities.

53. There are 9 members of staff and 10 volunteers including Trustees (75% of the current user groups are serviced by volunteers).

54. Health and well-being issues are supported through provision of the following groups:

- The Alheimers Society
- Parkinsons UK
- Stroke club
- Coping with Cancer
- Breathe Easy
- Let's Talk (one-to-one sessions for mental health issues)

55. The majority of sessions are universal, however a number are targeted at specific groups, such as Breathe Easy for people with respiratory issues, a playgroup and toddler groups are provided for young families, and the Youth service targets young people aged 14+. Services are also provided where older people are empowered to become an active part of the community.

56. The organisation has applied for £20,432.

57. The officer assessment scored this scheme at 57.5 and recommends that a grant of £20,432 is awarded for 2020/21. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval.

58. Panel comments on Application:

- The Panel feels that the Community Centre has a good relationship with the community groups/individuals that currently use the facilities;
- There are a wide range of positive activities/sessions provided, and the Panel recognises that the organisation is trying to reach out to other groups/businesses and members of the community but there is a need for further community connectivity;
- The Panel recognises that there is further work to be done to improve signage to the Community Centre;
- The Panel feel that there is further work to be done with the organisation to strengthen their Business Plan and funding strategy;
- The Panel would encourage the organisation to continue to be involved with the local Consortium of community centres which is being led by John Storer Charnwood.

John Storer Charnwood – Score 90.3 – Recommendation to award £86,656 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

59. John Storer Charnwood (JSC) employs mainly part-time staff and co-ordinates hundreds of volunteers to provide services and activities from and at John Storer House (JSH).

60. The Strategic Partner grant covers two elements, approximately £40,700 of the grant contributing towards the overall running costs of John Storer House and the remaining £45,956 being utilised to support the John Storer Charnwood element which includes:

- VCS support, development and representation
- VCS forums and representation
- Outward facing strategic management and participation in partnership working within the wider community with key partners in the third sector, statutory and private sectors
- Volunteering support, training, pathway development and promotion within JSC, but also within the wider community sectors
- Facilitation of three well-being groups which meet monthly around the Borough
- Development and delivery of a subsidised programme of training suitable for all VCS groups

61. The organisation has 27 staff, 12 committee members, and 188 volunteers. 150-200 people use the building daily.
62. Open to the public Mondays to Saturdays, and available for private room hire, group conferences etc. It is a well-being centre for all; activities and services enrich lives through mind, body and spirit.
63. Community transport service assists the elderly and disabled and enables them to attend activities in Loughborough and local places, including JSH.
64. The organisation has applied for £86,656.
65. The officer assessment scored this scheme at 90.3 and recommends that a grant of £86,656 is awarded for 2020/21. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval.
66. Panel comments on Application:
- The Panel feel that this is a strong application, and is high scoring against the criteria of the scheme;
 - The Panel recognise the passion, energy and commitment given by the organisation's leaders and trustees;
 - The Panel recognise that this is a key community-based provision with evidence of strong partnership working, meeting a number of CBC priorities;
 - The Panel are pleased to hear about the Consortium of community centres that John Storer Charnwood is currently leading, and feels this will be of great benefit to other community centres in the area;
 - Panel need to be clear about what roles the John Storer House and VAC elements will play;
 - Panel would encourage the organisation to continue to work with Syston Volunteer Centre.

Shepshed Volunteer Centre – Score 73.8 – Recommendation to award £9,781 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

67. Shepshed Volunteer Centre (SVC) employs 3 staff including a part-time Centre Co-ordinator, and a part-time Administrative Assistant. There are 10 committee members and 59 volunteers fulfilling over 100 roles.
68. Provides services for vulnerable residents of Shepshed and surrounding area, enabling them to maintain independent lives in their own homes. Services include: a social car scheme, gardening scheme and befriending scheme.
69. A grant would contribute towards core funding for all activities, along with £7,000 from Shepshed Town Council. This includes salary, running costs and servicing and replacing of equipment.

70. The organisation:

- Enables inclusion of all disadvantaged communities and groups
- Enables disabled and elderly to remain independent and to stay in their own homes
- Encourages social cohesion, and community engagement
- Reduces isolation.

71. The organisation has applied for £9,781.

72. The officer assessment scored this scheme at 73.8 and recommends that a grant of £9,781 is awarded for 2020/21, and funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval.

73. Panel comments on Application:

- Panel would like the Business Plan for John Storer Charnwood to include a separate section for Shepshed Volunteer Centre;
- The Panel recognises that the organisation provides a wide variety of community projects, and is pro-active in its approach to volunteering;
- The organisation provides a local infrastructure support for Shepshed;
- Strong links and support from John Storer Charnwood.

Living Without Abuse – Score 75 – Recommendation to award £17,165 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

74. Living Without Abuse exists to relieve the distress and suffering felt by anyone who has experienced any form of domestic abuse.

75. Provides one to one outreach services to male and female survivors, offering information, advice and support on all issues relating to domestic abuse, including legal options, housing, safety planning, health and well-being, and issues relating to children and young people.

76. A grant would be used to support their domestic abuse outreach service.

77. The organisation has 23 staff, 3 committee members, and 8 volunteers.

78. The organisation provides counselling / emotional support offered to service users once the domestic abuse issues become historic, practical and emotional support, encourages victims to report to the police.

79. Prevents homelessness, increases safety, develops self-esteem and confidence.

80. The organisation has applied for £17,165.

81. The officer assessment scored this scheme at 75 and recommends that a grant of £17,165 is awarded for 2020/21. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval.

82. Panel comments on Application:

- The Panel recognise the importance of this organisation and the work they do with vulnerable individuals;
- The organisation has robust evidence of delivery, and their ability to demonstrate outcomes is a strength;
- The Panel recognise there are insufficient funds to meet demands, and in order to keep waiting times down, the organisation needs to ensure that funding is secure.

Syston and District Volunteer Centre – Score 54.3 - Recommendation to award £9,781 in 2020/21 (amount for 2021/22 to be confirmed and subject to budget approval)

83. Objectives are to have a pool of volunteers to provide support and develop new opportunities for the benefit of the local community and those in need across the South Charnwood area.

84. To recruit, support and train volunteers.

85. The organisation currently provides:

- Social car and community mini-bus
- Monthly community lunch
- Wheelchair and mobility aid hire
- MIDAS mini bus training

86. The grant would provide some financial security while allowing the Centre to continue providing an excellent service. It will allow the business to grow and for them to diversify into other areas, providing further volunteering opportunities.

87. The organisation has 3 full time and 3 part time staff, 9 committee members, and 30 volunteers.

88. Positive outcomes:

- It improves life chances for vulnerable individuals and families
- Older people empowered to play an active role in the community
- Opportunities for residents to improve their health and well-being

89. The organisation has applied for £9,781.

90. The officer assessment scored this scheme at 54.3 and recommends that a grant of £9,781 is awarded for 2020/21. Funding for 2021/22 will be confirmed following an evaluation at the end of Year 1 and will be subject to budget approval. The Grants Panel are recommending that a Strategic Partner Grant be awarded in principle to Syston Volunteer Centre, subject to them continuing to work with the Council and receipt of evidence demonstrating that they have revisited their business plan and are moving towards further community engagement / volunteering activities, by the end of March 2021 (end of Year 1) and that the Head of Neighbourhood Services be given delegated authority, in consultation with the Lead Member, to determine the most appropriate way forward.

91. Panel comments on Application:

- The Panel felt that the amount of direct community work and development of wider volunteering has reduced in the past two years and that the organisation currently is only operating as a community transport organisation.
- The Panel feel that with a new Manager who is open to suggestions, and eager to work with Officers and other organisations to develop their remit, there is potential for this to be revisited;
- Provides a service for the South Charnwood area;
- The Panel would like the organisation to focus on progression, delivering wider community projects / activities other than transport, in line with other Strategic Partners.

Appendices

Appendix 1: Strategic Partner Grants

Appendix 2: Delivery Against Corporate Objectives

Appendix 3: Equality Impact Assessment

APPENDIX 1

Organisation	Maximum 2020/21 (Year 1)	Maximum 2021/22 (Year 2)
Charnwood Citizens Advice Bureau	Up to £90,928	Up to £90,928
Clockwise Credit Union	£8,298	£8,298
Equality Action	£20,978	£20,978
Fearon Hall Community Association	£30,489	£30,489
Gorse Covert Community Association	£20,432	£20,432
John Storer Charnwood	£86,656	£86,656
Shepshed Volunteer Centre	£9,781	£9,781
Living Without Abuse	£17,165	£17,165
Syston Volunteer Centre*	£9,781	£9,781

APPENDIX 2

Delivery Against Corporate Objectives

Corporate Objectives	Promotes Stronger Cohesive & Balances Communities	Promotes well supported Volunteering opportunities	Promotes health & wellbeing (including reduced substance misuse)	Promotes and supports improved mental health and emotional wellbeing	Reduces the impact of crime and ASB	Improves the quality of life for people in our Priority Neighbourhoods	Improves wellbeing of residents through acknowledging their diverse needs	Enables children, young people & older people to make a positive contribution	Enables older people to live independent lives	Promotes access to green spaces and countryside	Adds value to Charnwood's commitment to reduce impact of climate change	Helps local businesses to prosper, develops vibrant towns & social enterprise
Charnwood Citizens Advice Bureau	✓	✓	✓			✓	✓	✓	✓			
Clockwise Credit Union	✓	✓	✓	✓		✓	✓		✓			
Equality Action	✓	✓	✓	✓	✓	✓	✓	✓		✓		✓
Fearon Hall	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Gorse Covert Community Association	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
John Storer Charnwood	✓	✓	✓	✓		✓	✓	✓	✓	✓		✓
Shepshed Volunteer Centre	✓	✓	✓				✓	✓	✓	✓		✓
Living Without Abuse	✓	✓	✓	✓	✓	✓	✓	✓	✓			
Syston Volunteer Centre	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

■ Legislation- Equality Duty

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

■ **Step 1 – Introductory information**

Title of the policy	Strategic Partner Grants
Name of lead officer and others undertaking this assessment	Julie Robinson
Date EIA started	November 2019
Date EIA completed	December 2019

■ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>Charnwood Borough Council recognises the value and contribution of individuals, voluntary sector organisations and other community-led projects and the benefits they provide to the residents of Charnwood.</p> <p>Through our Charnwood grant schemes we provide a range of grants including Strategic Partner grants to help organisations, groups and individuals access the funding support they need.</p> <p>Strategic Partners are those organisations are those organisations who contribute significantly to delivering key services that meet the Council's corporate objectives.</p> <p>It is the Councils aim to ensure the grants process is inclusive of all community groups and funding supports projects targeting individuals across a range of protected characteristics, as outlined in the Equality Act 2010.</p>
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
<p>It is the Councils aim to ensure that the grants process is inclusive of all community groups and funding supports projects targeting individuals/ residents across a range of protected characteristics, as outlined in the Equality Act 2010.</p> <p>Analysis is therefore undertaken to ensure that the grant are distributed in a reasonable and proportionate manner.</p>
Which groups have been consulted as part of the creation or review of the policy?
<p>Evaluation takes place on successful Strategic Partner applications to analyse whether there any gaps with regards to the protected characteristics in order to ensure the grants process is fair and equal to all. In particular analysis is undertaken to determine any barriers which may prevent specific community groups/ communities of interest accessing provision.</p>

■ Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

- Analysis of Strategic Partner applications and monitoring and evaluation data and information

What does this information / data tell you about diverse groups? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The information tells us that the voluntary sector organisations supported provide a range of services that acknowledge individuals from protected characteristics.

It is acknowledged that some of the voluntary sector organisations support individuals with multiple characteristics and those projects supporting the wider community have a wide range of beneficiaries.

Where possible equalities information is provided as part of the monitoring data from voluntary sector organisations that are awarded a grant by the Council. There are a number of organisations that specifically cover age, disability, race, religion, sex.

■ Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

However, at this stage of analysis it is felt the information currently held is sufficient to analysis trends and determine any barriers or negative impacts.

■ Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

Comments

Age	There is a reasonable proportion of grant funding awarded to projects relating to Age. Of the grants awarded, there is a reasonable proportionate spread between projects for older and younger people. The process has therefore created a positive impact in relation to the protected characteristic of Age.
Disability (Physical, visual, hearing, learning disabilities, mental health)	There is a reasonable proportion of grant funding awarded to projects relating to disability. In addition it is acknowledged that some of the projects funded are cross- cutting and support individuals with multiple characteristics. Therefore, creating further positive impacts for people with disabilities. The process has therefore created a positive impact overall in relation to the protected characteristic of Disability.
Gender Reassignment (Transgender)	Neutral Impact - No projects have been specifically funded to support the protected characteristic of Gender Reassignment. In addition it is acknowledged that some of the projects funded are cross- cutting and support individuals with multiple characteristics.
Race	There is a reasonably large amount of grant funding awarded to projects relating to Race. In addition it is acknowledged that some of the projects funded are cross- cutting and support individuals with multiple characteristics. The process has therefore created a positive impact overall in relation to the protected characteristic of Race.
Religion or Belief (Includes no belief)	<p>Whilst Charnwood Grants do not specifically support religious groups/ activities, it does provide funding to faith groups who are delivering activities for the wider community.</p> <p>The impact is therefore neutral with regards to the protected characteristic of religion or belief with the acknowledged that wider benefits are created for the wider community.</p>
Sex (Gender)	There is some grant funding awarded to projects relating to Gender. In addition it is acknowledged that some of the projects funded are cross- cutting and support individuals with multiple characteristics. The process has therefore created a positive impact in relation to the protected characteristic of Gender.
Sexual Orientation	Neutral Impact - No projects have been specifically funded to support the protected characteristic of Sexual Orientation. In addition it is acknowledged that some of the projects funded are cross - cutting and support individuals with multiple characteristics.
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	There is some grant funding awarded to projects relating to Pregnancy & Maternity. In addition it is acknowledged that

	some of the projects funded are cross- cutting and support individuals with multiple characteristics. The process has therefore created a positive impact in relation to the protected characteristic of Pregnancy & Maternity.
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	The grants which focus on the wider community have a wide range of benefits, particularly for residents from priority neighbourhoods or areas of deprivation.

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

No negative impacts or potential barriers have been identified. However it is acknowledged that specific marketing / promotion for the protected characteristics of Gender Reassignment and Sexual Orientation may be required.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

It is the opinion that the Strategic Partner Grants comply with Charnwood Borough Council's equality and diversity responsibilities. It will further promote equal opportunities and achieve positive outcomes.

■ Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

Monitoring will continue on a quarterly and annual basis to assess the grant applications that are successful. Continuous monitoring and analysis will aim to identify gaps which may potentially highlight barriers or negative impacts towards specific community groups/ communities of interest.

Further equalities monitoring will be explored for those projects which have applied and are deemed unsuccessful, for the further identification of issues or potential barriers.

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.

Where barriers/ negative impacts are identified, the mitigating action and progress against this will be included within the relevant service plan.

■ Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan:

The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan

Reference Number	Action	Responsible Officer	Target Date
001	Continue to monitor the Grants on a quarterly and annual basis to assess the grant applications that are both successful and unsuccessful.	J. Robinson	March 2021

■ **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	This EIA will be published on the Council's website.
Service users	✓	
Partners and stakeholders	✓	
Others	✓	
To ensure ease of access, what other communication needs/concerns are there?	✓	

Please delete as appropriate

I agree with this assessment / action plan

If *disagree*, state action/s required, reasons and details of who is to carry them out with timescales: N/A

Signed (Service Head): Julie Robinson

Date: 10.12.2019

Please send completed & signed assessment to Suzanne Kinder for publishing.

CABINET – 16TH JANUARY 2020

Report of the Chief Executive

Part A

ITEM 9 CORPORATE PLAN 2020 - 2024

Purpose of Report

This report is to present the final version of the Corporate Plan for 2020 - 2024 for recommendation to Council.

Recommendations

1. That it be recommended to Council that:
 - a) the new Corporate Plan 2020-2024 attached at the annex to this report be approved;
 - b) delegated authority be given to the Chief Executive, in consultation with the Leader, to make minor amendments to the Plan;
 - c) delegated authority be given to the Chief Executive, in consultation with the Leader, to design the final document for publication.

Reasons

1.
 - (a) To enable the draft Corporate Plan to set out the direction for the Council for the period 2020-2024.
 - (b) To allow minor corrections and amendments to be made in a timely manner prior to publication.
 - (c) To ensure that a designed version of the Corporate Plan can be developed for public circulation.

Policy Justification and Previous Decisions

In February 2016 Cabinet agreed its Corporate Plan for 2016-2020, setting out the direction of the Council for that 4 year period. This plan has been tracked and reported on through the Council's performance management framework.

As the plan reaches its natural end in 2020 a new Corporate Plan has been developed for the period 2020-2024.

In developing the 2020-2024 Corporate Plan, the vision for the Borough has been reviewed and a new vision statement developed.

To support the delivery of the Corporate Plan a 4 year Business Plan will be compiled which will set out both the activities that services will undertake to deliver the objectives and the key corporate indicators that will be used to monitor progress.

Implementation Timetable including Future Decisions and Scrutiny

The draft Corporate Plan will be submitted to Scrutiny Commission 13th January 2020.

The Corporate Plan will be submitted to Council on 24th February 2020. If approved it will be published and made available to the public and staff from the commencement of the new financial year. A communications plan will be developed to ensure that all staff are aware of the new plan and their role in ensuring its successful delivery.

Following approval of the Corporate Plan an 4 year Business Plan will be compiled which will outline the activity services will concentrate on and will link directly into the Corporate Plan. It is anticipated that the Business Plan will be submitted to Cabinet for approval on 12th March 2020.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no direct financial implications arising from this report.

Any costs involved in meeting the Corporate Plan objectives will be met from within the overall approved Revenue Budget and financial strategy.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failure to deliver activities within the Corporate Plan	Likely (3)	Serious (3)	Moderate (9)	The Corporate Plan will be part of the Corporate Performance Management Framework and subject to ongoing monitoring through the annual business planning and quarterly performance management processes
Actual funding levels from Central Government are lower than estimated in the financial	Likely (3)	Significant (2)	Moderate (6)	Regular monitoring of budgets and movement of resources to ensure

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
strategy over the life of the Corporate Plan				priority activities are fully funded.

Equality and Diversity

An Equality Impact Assessment has been undertaken to consider the overall impact on our communities. As the Corporate Plan is focussing on both those areas that residents have identified as priorities and those areas that the Council recognises as requiring additional support, the plan should be beneficial for many of those within the community who need assistance from the Council.

The Corporate Plan sets out at a high level what the Council intends to do over the next 4 years (2020 - 2024) and at this level the overall impact can be considered to be positive. However, it is important that as specific initiatives are undertaken to deliver the plan that where appropriate they are assessed individually to ensure that the Council complies with its statutory duty to give due regard to the need to;

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance Equality of Opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not
- Encourage participation by disabled people in public life and take account of disabled people's disabilities, even when that involves treating disabled people more favourably

In addition a version of the Corporate Plan will be available which is easier to read for those residents who may have visual impairments.

Crime and Disorder

The Corporate Plan specifically covers crime and disorder within 'Theme 2 - Healthy Communities'. This reflects residents' priorities and concerns regarding feeling safe.

Sustainability

The Corporate Plan has a strong commitment to sustainability, specifically within 'Theme 1 – Caring for the Environment'.

Key Decision: Yes

Background Papers: Equality Impact Assessment
Analysis of the Residents Survey 2019

Officers to contact:

Rob Mitchell
Chief Executive
Tel 01509 634600
rob.mitchell@charnwood.gov.uk

Helen Gretton
Improvement and Organisational Development
Manager
01509 634556
helen.gretton@charnwood.gov.uk

Part B

Background

1. The current Corporate Plan for 2016-2020 was approved in April 2012 and has set out the Council's aims and priorities for the past 4 years.
2. As the plan reaches its natural end in 2020 a new Corporate Plan has been developed for the period 2020-2024.

Proposals

3. A new Corporate Plan has been developed over the past few months which outlines the direction for the Council for the period 2020-2024.
4. In compiling the document the Senior Management Team have ensured that the views of Cabinet, residents and staff have been considered.

Development of the Corporate Plan

5. A residents' survey was conducted between 31st August and 21st September 2019. The survey included questions on preferred methods of contacting the Council, how Council Tax was spent, how easy residents found it to influence decision making and whether they were interested in volunteering.
6. The survey also asked residents for their feedback on which services they valued, where they had concerns and their satisfaction with services.
7. The areas which residents outlined as valuing the most have been fed into the Corporate Plan and these links are outlined in more detail in the table below.

Residents Feedback	How this is addressed in the draft Corporate Plan
Top priority – feeling safe in my home and the local area	Theme 2 – Healthy Communities We will continue to work with partners to make our towns and villages safer places to live, work and visit
Second priority – the cleanliness and tidiness of my local area	Theme 1 – Caring for the Environment We will help protect our environment by using all powers available to tackle those who threaten it, such as fly-tippers and litterers.
Third priority – my rubbish collected on a regular and reliable basis	Theme 1 – Caring for the Environment We will improve and develop our outstanding waste and recycling service to make it more efficient, more resilient and better for the environment.

8. The priorities of Cabinet were identified through informal consultation with Cabinet members.
9. In addition a workshop was held with the Corporate Leadership Team. The output from this workshop was collated and fed into the plan, therefore developing a set of themes that reflected common areas.
10. The content of the Corporate Plan was further refined to produce the objectives and initiatives described for each theme. The suggested text for the document can be found at Appendix 1.
11. In line with the Budget and Scrutiny Framework, the draft text has been available on the Council website for comment and consultation. No comments have been received.
12. The draft text was presented to Scrutiny Commission at its meeting on 13th January 2020.
13. A 4 year Business Plan will also be developed which will support the delivery of the Corporate Plan.
14. The Business Plan will be submitted to Cabinet for approval on 12th March 2020. If there are any amendments to the draft Corporate Plan as a result of the approval process these will be reflected within the Business Plan.
15. The delivery of the Corporate Plan, specifically 'Theme 4 – Your Council' will be managed through a range of Delivery Boards. These are identified as; Transformation and Efficiency Board, People and Workforce Development Board, Procurement and Contracts Board, Commercialisation Board and Growth and Regeneration Board.
16. A further document to support the Corporate Plan is being developed which will outline the strategic direction for the Council for the forthcoming 4 years.

Appendices

- 1 Draft Corporate Plan 2020-2024 text
- 2 Equality Impact Assessment

Appendix 1; Draft Corporate Plan 2020-2024

Leader introduction

Welcome to Charnwood Borough Council's Corporate Plan 2020-24.

This strategy sets out what the Council will be doing over the next four years to make Charnwood a stronger and more vibrant place for people to live, work, visit and invest in.

The priorities and aims have been shaped by Members, employees and residents whose views in our latest residents' survey have helped identify what is important to them.

The plan is ambitious yet realistic as there are challenges ahead for local government finances. However, we are prepared.

We recognise that any future success will rely on closer collaboration with partners, other organisations and our communities.

The corporate plan outlines what the Council wants to achieve and is supported by a more detailed business plan which will be rigorously monitored to ensure we are on track.

I am confident that in four years' time Charnwood will be a stronger, more vibrant and a more prosperous place.

Cllr Jonathan Morgan, leader of Charnwood Borough Council

The vision

Charnwood is a borough for innovation and growth, delivering high-quality living in urban and rural settings, with a range of jobs and services to suit all skills and abilities and meet the needs of our diverse community.

With a highly-acclaimed university, a thriving market town and a network of vibrant villages, and within easy reach of national and international markets, Charnwood provides everything a business needs to succeed.

At the forefront of technology while protecting our beautiful environment for future generations, Charnwood is a borough of contrasts, and provides a world of opportunity.

Our values

Employees and members will work together as one council, living and breathing our core values:

Pride in Charnwood

We take pride in our work and our borough and are ambitious for improvement

Customer Focused

We listen to our customers and are focused on delivering excellent services

Working Together

We work together with pace and positivity as one council and in partnership with others

Theme 1 - Caring for the environment

We care deeply about the environment and we are committed to looking after it for future generations.

We have already reduced our carbon footprint and we have pledged to become a carbon neutral organisation by 2030 to help tackle **climate change**.

Our **parks and open spaces** are award-winning and treasured by our communities and we will continue to care for them so they can be enjoyed by everyone. We will also continue to develop and improve our open spaces, supported by our pledge to ensure 100,000 trees are planted.

We will help **protect our environment** by using all powers available to tackle those who threaten it, such as the fly-tippers and litterers.

We will improve and develop our outstanding **waste and recycling** service to make it more efficient, more resilient and better for the environment.

Theme 2 - Healthy communities

We will continue to work with partners to make our towns and villages safer places to live, work and visit.

We will **support our communities** by investing in services to help those who are most vulnerable, while empowering people to make a positive difference in their local areas. Community cohesion will remain a priority.

We want **healthy and happy residents** and therefore we are committed to providing high-quality leisure facilities and sports activities for people and offer services to improve wellbeing, either directly or with our partners.

We are passionate about improving **housing** in the social and private sector and helping those in need of accommodation. We will continue to invest in our council homes and work with developers and the privately-rented sector to ensure high-quality homes are available to residents.

Theme 3 - A thriving economy

We will continue to support and foster strong **economic growth** in Charnwood. Our draft Charnwood Local Plan sets out a vision of future growth up until 2036 and this will drive the local economy while delivering millions of pounds of improvements for local infrastructure and services.

The borough's economic strength will be further supported by the **regeneration** and growth taking place across Charnwood. From the Enterprise Zone to our rapidly-changing town centres, we are committed to leading, supporting and collaborating with partners and the private sector to ensure future generations have access to high-quality jobs. We want to grow Charnwood's reputation as a place where businesses thrive, particularly those in the innovation sector.

And while high streets are facing enormous challenges, we will help them become more diverse places, filled with homes, services and facilities as well as successful retail businesses. We will also respect the heritage of our town centres.

We will continue to use both business regulation and business support to help local companies.

The **tourism** sector will continue to play an important role in our local economy and we will help make Charnwood and its beautiful open countryside and thriving market towns a key destination for local, national and international visitors.

Theme 4 - Your Council

We will continue to improve **customer service** and **develop our staff** to help them deliver outstanding services.

Our services will be increasingly available at the fingertips of residents through our **digital channels**. However, the opportunity to talk to our staff in person will always be there for people who need it.

We will build our digital services using **technology** that will help us be more effective, efficient and flexible to meet customers' needs.

We will continue to carefully manage our budgets, particularly by using **effective procurement** and well-managed contracts.

We recognise there are **financial** challenges ahead for local government and we will use them as an opportunity to transform into a more efficient, effective and innovative organisation.

The Council will be more commercial in the future and **invest in commercial property** to generate income. This will support the delivery of frontline services and help offset reductions in funding from other sources.

We will **collaborate** with partners, in the public and private sector, in a variety of ways to bring improvements to our services and the borough of Charnwood.

Our employees and elected members will work together as one council to bring positive change to Charnwood.

And we commit strongly to **listening, talking and engaging** with residents as we work together to create a more vibrant and prosperous Charnwood.

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identify and record gaps and actions.

■ Legislation- Equality Duty

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions.

■ **Step 1 – Introductory information**

Title of the policy	Corporate Plan 2020-2024
Name of lead officer and others undertaking this assessment	Helen Gretton Suzanne Kinder
Date EIA started	October 2019
Date EIA completed	December 2019

■ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
The Corporate Plan 2020-2024 is a strategic plan which outlines what Charnwood Borough Council plans to deliver to the community over the next four years. It sets out the activity to be undertaken by the authority, and with partners, and identifies real and achievable targets, which in turn will create positive outcomes for individuals and communities in service design, delivery and employment.
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
The whole population of Charnwood will be affected. The Corporate Plan 2020-2024 is an overarching document which is designed to create positive impacts for people who live, work and visit in the Borough. It should not have an adverse impact on any groups or individuals as its purpose is to make the Council's practices and services more effective, fair and accessible for all.
Which groups have been consulted as part of the creation or review of the policy?
<p>A resident's survey was undertaken for 12 weeks, from July- September 2019. This was an opportunity to consult with a cross range of residents, across each of the protected characteristics throughout the Borough. The survey was conducted by M.E.L Research, on behalf of Charnwood Borough Council, who ensured a quota sampling approach was used to ensure that the sample represented the population of Charnwood Borough. Independent quotas were set by ward, gender, age and ethnicity (White and BME) based on the 2011 census data, with 550 responses was set in order to achieve a margin of error of $\pm 4\%$ at the 95% confidence level (based on a population of 166,100).</p> <p>A further 4-week consultation took place in December 2019 (in line with the Budget & Policy Framework) to consult with stakeholders on the final draft version of the Corporate Plan 2020-2024.</p> <p>Results from other appropriate service specific consultations were also used to influence the content of the Corporate Plan 2020-2024.</p>

■ Step 3 – What we already know and where there are gaps

<p>List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc. Data/information such as:</p> <ul style="list-style-type: none"> ▪ Consultation ▪ Previous Equality Impact Assessments ▪ Demographic information ▪ Anecdotal and other evidence
<ol style="list-style-type: none"> 1. Demographic information (based on Census 2011) which provides information on a range of the protected characteristics, in particular age, disability, race, religion or belief and sex. 2. Residents Survey (2019) which surveyed a cross range of residents across the borough of Charnwood. 3. Various information based on service specific consultations and monitoring of services.
<p>What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)</p> <p>This information/ consultation informs the council of the specific needs and priorities of residents and service users across the Borough. The development of the Corporate Plan 2020-2024, ensures that the actions and objectives embedded within the Plan provide positive outcomes for everyone living, working and visiting the Borough.</p> <p>The following information was highlighted as pertinent from analysis of the 551 responses to the Residents Survey (2019):</p> <ul style="list-style-type: none"> ▪ 93% felt that their local area is a place where people from different backgrounds get on well together. However, this was statistically lower in the Rothley & Thurstaston ward. ▪ A difference was found between age groups, with respondents aged 18 to 24 significantly happier (99%) compared to those aged 35 to 44 (90%) and 55 to 64 (92%). ▪ <i>Being able to go to sports and leisure facilities:</i> Residents under 35 (57%) are less likely to be satisfied than those aged 35-44 (73%) or those aged 55-74 (74%). ▪ <i>Being able to go to sports and leisure facilities:</i> 65% of those without a disability report satisfaction compared to 81% of those with a disability (limited a lot). ▪ <i>Encouraging and investing in business and jobs:</i> Residents aged between 35-44 (67%) were more likely to be satisfied than residents in the 18-24 (46%) or 65-74 age group (51%). ▪ <i>Feeling safe in my home and the local area:</i> 83% of 35-44 year olds report satisfaction compared to 94% of 65-74 year olds. ▪ <i>Climate change and looking after the environment:</i> 70% of 45-54-year olds report satisfaction compared to 84%-85% of 18-44 year olds and 90% of those aged 65-74. ▪ <i>My rubbish collected on a regular and reliable basis:</i> 93% of 35-44 year olds report satisfaction compared to 100% of 18-24 year olds. ▪ <i>Availability of affordable housing to buy:</i> Residents aged 18-24 (52%) are less likely to be satisfied compared to older residents (64%-84%). ▪ <i>Availability of affordable housing to rent:</i> 35% of those with a disability (limited a little) report satisfaction compared to 63% of those without a disability and 68% of those with a disability (limited a lot). ▪ <i>Cleanliness and tidiness of my local area:</i> 91% of 18-34 year olds report satisfaction compared to 79% of 45-54 year olds. ▪ Significantly fewer white residents (71%) were satisfied with the variety of shops and markets available, compared to non-white residents (83%). ▪ <i>My rubbish collected on a regular and reliable basis:</i> 89% of those with a disability (limited a lot) report satisfaction compared to 96% of those without a disability. ▪ Only 29% of all respondents felt it was easy to influence decisions that might affect them and 36% were satisfied with how they can get involved in local decision making.

Where a potential adverse impact has been identified through consultation and engagement, this will either be addressed via mitigating action within the Corporate Plan (2020-2024) and/or the associated Business Plan, or where appropriate in specific Team Plans to address any inequality within specific service delivery.

Additionally, a further potential barrier is access to, and availability of, relevant information on sexual orientation and gender reassignment from within the Council and from other organisations. As the Corporate Plan 2020-2024 is an overarching strategic document, this will not create any adverse impacts on any diverse groups within the community, but when implementing the individual projects and initiatives within the plan it is important to consider collecting information in these areas in order to inform service delivery and to mitigate any potential adverse impact.

■ **Step 4 – Do we need to seek the views of others? If so, who?**

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not, please explain why.

Not in this circumstance. The Corporate Plan 2020-2024 is an overarching strategic plan which includes a range of initiatives and different projects which are designed to provide positive outcomes for the wider community. Further consultation, with individuals of protected characteristics, will take place as part of the ongoing development and implementation of these specific projects and initiatives which make up the Corporate Plan 2020-2024.

■ **Step 5 – Assessing the impact**

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	<p>The actions and objectives set out in the Corporate Plan 2016-2020 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of age.</p> <p>Specific initiatives have been included in the Corporate Plan to support vulnerable members of our community, including younger people and older people. This should create a greater positive impact on this protected characteristic.</p> <p>However, given the disparity of some issues/ elements of service delivery, across different age ranges, which were highlighted in the Residents Survey 2019 any potential adverse impact will either be addressed via mitigating action within the Corporate Plan (2020-2024) and/or the associated Business Plan, or where appropriate in specific Team Plans to address any inequality within specific service delivery.</p>
Disability (Physical, visual, hearing, learning disabilities, mental health)	<p>The actions and objectives set out in the Corporate Plan 2020-2024 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of disability.</p> <p>Specific initiatives have been included in the Corporate Plan to support vulnerable members of our community, including</p>

	<p>people with disabilities. This should create a greater positive impact on this protected characteristic.</p> <p>However, given the disparity of some issues/ elements of service delivery, based on the protected characteristic of disability, which were highlighted in the Residents Survey 2019 any potential adverse impact will either be addressed via mitigating action within the Corporate Plan (2020-2024) and/or the associated Business Plan, or where appropriate in specific Team Plans to address any inequality within specific service delivery.</p> <p>The publication of the Corporate Plan 2020-2024 will be provided in an accessible format if required and requested by specific individuals/ community groups.</p>
Gender Reassignment (Transgender)	<p>The actions and objectives set in the Corporate Plan 2020-2024 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of gender reassignment.</p> <p>A potential barrier may be access to and availability of relevant information as there is little national and local information on gender re-assignment both within the Council and other organisations. Therefore, additional monitoring of this protected characteristic may be required.</p>
Race	<p>The actions and objectives set out in the Corporate Plan 2020-2024 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of race.</p> <p>The published Corporate Plan 2020-2024 will be available in alternative languages if required and requested by specific individuals/ community groups.</p>
Religion or Belief (Includes no belief)	<p>The actions and objectives set out in the Corporate Plan 2020-2024 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of religion or belief.</p>
Sex (Gender)	<p>The actions and objectives set out in the Corporate Plan 2020-2024 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of sex.</p>
Sexual Orientation	<p>The actions and objectives set out in the Corporate Plan 2020-2024 are likely to have a positive impact on individuals and communities with regards to the protected characteristic of sexual orientation.</p> <p>A potential barrier may be access to and availability of relevant information as there is little national and local information on sexual orientation both within the Council and other organisations. Therefore, additional monitoring of this protected characteristic may be required.</p>
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	<p>The Corporate Plan 2020-2024 will provide positive impacts for all members of the community and this fully includes individuals within the protected characteristics of pregnancy & maternity and marriage & civil partnership.</p>
Other socially excluded groups	<p>The actions and objectives within the Corporate Plan 2020-2024 also cover a variety of other groups such as; rural</p>

(carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	<p>isolation, deprived or disadvantaged communities (priority neighbourhoods), health inequality, asylum seeker and refugee communities. The specific actions in the Corporate Plan 2020-2024 are likely to have a positive impact on all individuals and communities.</p> <p>The Corporate Plan 2020-2024 aims to create inclusive communities and foster good community relations. Key initiatives are focussed on involving communities, giving them a voice and supporting them to be involved in decision making within their own communities. Therefore, there is likely to be a further positive impact on individuals and communities with regards to community involvement and cohesion.</p>
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<p>Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.</p> <p>Please note:</p> <ul style="list-style-type: none"> a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. <p>Further consultation for individual protected characteristics will take place as part of the ongoing development and implementation of these specific projects and initiatives which make up the Corporate Plan 2020-2024 and associated Business Plan.</p> <p>Equality Impact Assessments will also be undertaken, where appropriate, on the individual elements of the projects and initiatives which make up the Corporate Plan 2020-2024 and associated Business Plan.</p> <p>Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).</p> <p>The Corporate Plan 2020-2024 aims to provide positive impact for all individuals living, working and visiting the Borough and therefore meets the Council's responsibilities in relation to equality and diversity.</p>

■ **Step 6- Monitoring, evaluation and review**

<p>Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?</p>
<p>If any negative impacts occur/ potential barriers arise then this will be monitored and evaluated via our Corporate Customer Complaints Procedure.</p> <p>Where appropriate, individual Equality Impact Assessments will be conducted as part of the ongoing development and implementation of specific projects and initiatives which make up the Corporate Plan 2016-2020. This will seek to mitigate any barriers or adverse impact to any of the protected groups.</p>
<p>How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.</p>
<p>All actions within the Corporate Plan are monitored through the Annual Business Plan via the Council's Performance Management System. This is monitored via the Council's Corporate Management Team, Senior Management Team and Performance Scrutiny Panel and any negative impacts will be picked up through this scrutiny process.</p>

■ **Step 7- Action Plan**

Please include any identified concerns/actions/issues in this action plan:

The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan

Reference Number	Action	Responsible Officer	Target Date
001	Further consider the protected characteristics of gender reassignment and sexual orientation when developing and implementing specific projects and initiatives within the Corporate Plan 2020-2024.	Heads of Service in all service areas across Charnwood Borough Council	Ongoing
002	Further consider consultation for individual protected characteristics as part of the ongoing development and implementation of specific projects and initiatives which make up the Corporate Plan 2020-2024.	Heads of Service in all service areas across Charnwood Borough Council	Ongoing

■ **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	This EIA will be published on Charnwood Borough Council's webpage and intranet. Service users, partners and stakeholders can also request this EIA in alternative formats if required.
Service users	✓	
Partners and stakeholders	✓	
Others	N/A	N/A
To ensure ease of access, what other communication needs/concerns are there?	N/A	N/A

■ **Step 9- Conclusion (to be completed and signed by the [Service Head](#))**

Please delete as appropriate
I agree with this assessment / action plan
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Service Head): Adrian Ward
Date: 04/12/19

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)

CABINET - 16TH JANUARY 2020

Report of the Director of Corporate Services Lead Member: Councillor James Poland

Part A

ITEM 10 MODERN SLAVERY STATEMENT

Purpose of Report

To seek Cabinet's approval of a proposed Modern Slavery Statement, including the associated commitments to practical action.

Recommendations

1. That the 2019-20 Modern Slavery Statement, appended to this report, be approved.
2. That delegated authority be given to the Chief Executive, in consultation with the Leader, to annually review and approve the Council's Modern Slavery Statement.

Reasons

1. To identify all potential modern slavery risks related to the business of the Council and to put in place steps that are aimed at ensuring there is no slavery or human trafficking within the Council's own business or supply chains.
2. To allow the annual review and publication of a Modern Slavery Statement, as specified within legislative requirements.

Policy Justification and Previous Decisions

The Modern Slavery Act (2015) introduced several provisions to tackle the issue and included a duty on any local authority to notify the Secretary of State if it has reasonable grounds to believe that a person may be a victim of human trafficking or modern slavery. Under Section 54 of the Modern Slavery Act 2015, certain organisations are required to prepare a slavery and human trafficking statement for each financial year of the organisation.

As part of Section 11 Children's Safeguarding Audits and inspection of safeguarding relating to the Care Act 2014, all local authorities are required to have a range of policies in place which relate directly to safeguarding. This includes Modern Slavery, as it affects children, young people and adults of all ages and abilities.

Implementation Timetable including Future Decisions and Scrutiny

If approved the Modern Policy Statement will be published and made available to members of the public, Elected Members and internal Officers of the Council.

There is a legislative requirement to review and produce a revised Modern Policy Statement on an annual basis. Moving forward, it is proposed this be conducted and

approved in line with the start of each financial year.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this report at this stage. All activities will be covered within existing budgets.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failing to comply with a legal obligation.	Unlikely (2)	Major (4)	Moderate (8)	The Statement will be monitored operationally by the Senior Leadership Team and reviewed regularly considering any potential legislative changes.
Failing to take an active role in tackling this type of crime.	Unlikely (2)	Major (4)	Moderate (8)	The Statement will be monitored operationally by the Senior Leadership Team and reviewed regularly considering any potential legislative changes.

Equality and Diversity

An overarching Equality Impact Assessment has been undertaken on the Corporate Equality Strategy (2016-20) to consider the overall impact on our communities. Subsequent Equality Impact Assessments will be undertaken on individual tasks and activities within the Modern Policy Statement, if appropriate.

The overall impact of the Modern Policy Statement is positive. However, it is important that any specific initiatives undertaken to ensure delivery of the Modern Policy Statement are assessed individually to ensure that the Council complies with its statutory duty to give due regard to the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.

- foster good relations between people who share a protected characteristic and those who do not.
- encourage participation by people with disabilities in public life and take account of the disabilities of individuals, even when that involves treating people with disabilities more favourable.

Crime and Disorder

The Modern Slavery Statement specifically outlines the commitments of the Council and the key activity to be implemented in order to ensure the Council meets its legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime.

The Council has a statutory duty to respond to the issue of modern slavery and potential victims may not receive the help and support that they need if the Council does not respond appropriately and work in partnership with other statutory agencies.

Key Decision: Yes

Background Papers: None

Officer(s) to contact: Simon Jackson
Director of Corporate Services
01509 634 699
simon.jackson@charnwood.gov.uk

Suzanne Kinder
Corporate Improvement & Policy Officer
01509 634 504
suzanne.kinder@charnwood.gov.uk

Part B

Background

1. Modern slavery has increased significantly in recent years across the world and in the UK and is a growing safeguarding concern for all local authorities due to its serious and often brutal criminality, in which people are treated as commodities and exploited for criminal gain. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world. In 2013, the Home Office estimated that there were between 10,000 and 13,000 potential victims of modern slavery in the UK, though this number may be much higher. The true extent of modern slavery in the UK is unknown as it is often hidden, but human trafficking particularly is an international problem and victims may have entered the UK legally, on forged documentation, although they can also be British Citizens living in the UK.
2. The term 'Modern Slavery', includes a range of activities including human trafficking, slavery, servitude and forced and compulsory labour, and exploitation takes several forms, including sexual exploitation, forced manual labour and domestic servitude, with victims coming from all walks of life. Victims may be unwilling to come forward to law enforcement or public protection agencies, indeed, not seeing themselves as victims, or fearing further reprisals from their abusers. Victims may also not always be recognised as such, by others who come into contact with them.
3. In March 2015, the Government enacted the Modern Slavery Act 2015 which:
 - consolidated and clarified existing modern slavery and human trafficking offences and increased the maximum sentences for committing these offences
 - introduced slavery and trafficking prevention orders and slavery and trafficking risk orders – which can be used to disrupt activities by modern slavery perpetrators
 - created the role of the Independent Anti-Slavery Commissioner
 - introduced support and protection for victims
 - introduced a requirement for certain businesses to produce and publish a modern slavery statement on what they are doing to tackle modern slavery and trafficking in their supply chains.
4. The Act includes several provisions for local authorities. Firstly, a duty to identify and refer modern slavery child victims and consenting adults through the National Referral Mechanism (NRM). Secondly, a duty to notify the Home Secretary of adults who do not consent to enter the NRM. Thirdly, a duty to cooperate with the Independent Anti-Slavery Commissioner.
5. Commercial organisations, turning over in excess of £36 million annually, are required to report their efforts to identify, prevent and mitigate the risk of modern slavery in their commercial operations by publishing an annual Modern Slavery Statement.
6. Beyond ensuring that supply chains are free from modern slavery, local authorities have three key roles to play:
 - identification and referral of victims;

- supporting victims, for example, through safeguarding children and adults with care and support needs and through housing/homelessness services;
 - community safety, disruption and enforcement activities.
7. Charnwood Borough Council is actively involved in tackling modern slavery in several ways and has a responsibility in relation to vulnerability and safeguarding for children and adults.

Modern Slavery Statement

8. The Council's Modern Slavery Statement sets out its commitment to identify, address and prevent slavery and exploitation within its work; that of contractors its commissions, and services that it procures.
9. The Statement highlights the Council's responsibilities as an employer and acknowledges and accepts its duty as a Council under Section 52 of the Modern Slavery Act 2015, to notify the Secretary of State of suspected victims of slavery or human trafficking.
10. This prevention work will be addressed through the Council's policies and procedures relating to Procurement, Recruitment, the overarching Modern Slavery Statement, staff and Member safeguarding training, and through proactive work with partners.
11. The aim of this Statement is to provide guidance on how the Council will safeguard potential victims of modern slavery and how it will work in partnership with other local statutory organisations, to help address and prevent slavery and exploitation.
12. The Statement applies to all services within the remit of Charnwood Borough Council and to all employees including permanent, temporary, casual workers, voluntary workers, Elected Members, work experience students, agency staff, consultants, outside hirers and other contracted persons within the duration of that contract, whatever their position, role, or responsibilities. It also applies to work carried out in all settings, including Council premises or external, privately hired and other venues.

Appendices

- Appendix 1 Draft Modern Slavery Policy Statement (2019-2020)
- Appendix 2 Equality Impact Assessment

Modern Slavery and Human Trafficking Statement

1. Introduction

1.1 This statement sets out Charnwood Borough Council's actions to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business or its supply chains. This statement relates to actions and activities during the financial year 1 April 2019 to 31 March 2020.

1.2 As part of the public sector, Charnwood Borough Council recognises that it has a responsibility to take a robust approach to slavery and human trafficking. The Council is committed to preventing slavery and human trafficking in its corporate activities, and to ensuring that its supply chains are free from slavery and human trafficking. The Council also works with local safeguarding boards to share best practice and to enable effective communication between relevant bodies, including law enforcement, local authorities, health care bodies and local groups.

2. Organisational Structure & Supply Chains

2.1 This statement covers the activities of Charnwood Borough Council. The Council manages a wide range of services which are delivered both directly by the Council and through external organisations.

Countries of operation and supply

2.2 Charnwood Borough Council only operates in the United Kingdom. Due to the nature of the Council's business, the risk of slavery and human trafficking is considered low, however the Council remains vigilant to any potential risks.

High-risk activities

2.3 The Council considers that, due to the nature of its business and the policies/processes (see below) that are in operation, there are no areas of its business that are at high risk of slavery or human trafficking.

Responsibility

2.4 Responsibility for the Council's anti-slavery initiatives is as follows:

- **Policies:** These are developed by officers employed by the Council and are then agreed by the relevant board or committee.

- **Risk assessments:** These will be undertaken by officers within the relevant service area with support from, Designated Safeguarding Officers (DSO's), Human Resources and the Finance & Procurement Service, as required.
- **Investigations/ due diligence:** Any concern regarding modern slavery or human trafficking should be raised with the Strategic Director of Corporate Services in the first instance.

3. Relevant Policies

3.1 The Council has the following policies in place to support its commitment to identifying and preventing slavery and human trafficking in its operations:

- **Whistleblowing Policy and Procedure** – The Council encourages all its workers, customers and other business partners to report any concerns related to the direct activities, or the supply chains of the organisation. The Council's [Whistleblowing Policy and Procedure](#) is designed to make it easy for workers and suppliers to make disclosures, without fear of retaliation.
- **Employee Code of Conduct** – The Council's Code of Conduct makes clear to employees the actions and behaviour expected of them when representing the Council. The Council strives to maintain the highest standards of employee conduct and ethical behaviour. Any breaches are investigated, and action taken as necessary.
- **Expectations of Suppliers** – The Council is committed to ensuring that suppliers adhere to the highest standards of ethics. Suppliers are required to demonstrate that they provide safe working conditions where necessary, treat workers with dignity and respect, and act ethically and within the law in their use of labour. The Council works with suppliers to ensure that they meet the required standards. However, serious violations of these expectations will lead to the termination of the business relationship.
- **Recruitment/ agency workers policy** – The Council recruits its employees via its in-house recruitment function. New workers are thoroughly and properly vetted for their eligibility to work in the UK in accordance with the Home Office and Cabinet Office scrutiny Guidelines, as appropriate. Where agency workers are required, these are acquired through a managed service provider who verifies the practices of any new agency it is using before accepting workers from that agency. All recruitment of agency staff is undertaken in line with the [Prevention of Illegal Working Policy](#) (which links to the Home Office requirements) and stipulates that any potential workers are checked by the relevant agency.
- **Safeguarding Children & Vulnerable Adults** – The [Children and Young People Safeguarding Policy](#) and [Adults in Need of Safeguarding Policy](#) sets the Council's duty to spot signs of potential abuse amongst children and vulnerable adults, which may include signs of trafficking or modern slavery.

4. Due Diligence

- 4.1 Charnwood Borough Council undertakes due diligence when considering taking on new suppliers. In relation to new suppliers, the following questions are issued as part of the procurement process:

Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency_in_Supply_Chains_A_Practical_Guide_2017.pdf</p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant URL</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation</p>
<p>Has your organisation, its directors or any other person who has the power of representation, decision or control of the named organisation ever been convicted of slavery, servitude, forced or compulsory labour, child labour or an offence in human trafficking and other forms of trafficking in human beings within the last five years?</p> <p><i>Bidders who answer 'Yes' to question x will automatically fail the Legal Obligations schedule.</i></p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation</p>
<p>In accordance with the Modern Slavery Act 2015 all organisations carrying out business within the UK, with a total annual turnover of £36m or more are required to produce a slavery and human trafficking statement for each financial year. Please confirm if your organisation has an annual turnover of £36m or more.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>If you answered yes to the above question, please confirm that you are compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p> <p><i>Bidders who answer 'No' to this question and who have an annual turnover of over £36m or more will automatically fail the Legal Obligations schedule. Bidders who answer yes to this question will be asked to provide evidence of the annual report upon award of contract.</i></p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

5. Risk

5.1 Whilst the Council's activities are not considered to be in high risk areas, as part of our initiative to identify and mitigate risk we will:

- Require all HR professionals to be suitably qualified in relation to recruitment procedures.
- Require Learning & Development professionals to be suitably qualified in relation to training in recruitment and interviewing techniques.
- Have in place appropriate procurement procedures and ensure that contracts with external providers have appropriate clauses
- Keep under review supply chain and contract procedures
- Ensure that in carrying out statutory functions, officers are aware of potential risks and have clear reporting lines.

5.2 Additionally, we have in place systems to:

- Identify and assess potential risk areas in our supply chains
- Mitigate the risk of slavery and human trafficking occurring in our supply chains.
- Monitor potential risk area in our supply chains
- Protect whistle blowers.

6. Training and Awareness- Raising

6.1 The Council recognises that certain employees within the organisation should be required to complete awareness training in relation to modern slavery and human trafficking. This is currently included within the 'Silver Safeguarding' training, provided by the Council to officers, and further opportunities to offer the training more widely are being explored.

6.2 Additionally, the Council has published an awareness- raising document (produced by the Home Office) which is available to all employees and covers the following:

- The basic principles of the Modern Slavery Act 2015
- How to identify and prevent slavery and human trafficking
- What external help is available (e.g. the Modern Slavery Helpline).

7. Our effectiveness in combatting slavery and human trafficking

7.1 We use the following to measure how effective we have been in ensuring that slavery and human trafficking is not taking place in any part of our business or supply chains:

- Monitoring complaints
- Monitoring training needs
- Feedback from monitoring of corporate contracts

In order to assess performance and measure our effectiveness in combatting slavery and human trafficking, compliance will be monitored at through the Equality Working Group, on a quarterly basis, and any mitigating action and/ or recommendations will fed to the Senior Leadership Team, as appropriate.

This statement is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes our slavery and human trafficking statement for the financial year ending 31 March 2020. It will be reviewed and updated annually.

Designated member's signature:

Designated member's name: Cllr. James Poland

Date: [TBC]

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ Step 1 – Introductory information

Title of the policy	Modern Slavery Statement 2019-2020
Name of lead officer and others undertaking this assessment	Suzanne Kinder
Date EIA started	June 2019
Date EIA completed	December 2019

■ Step 2 – Overview of policy/function being assessed:

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>There is a legislative requirement to review and produce a revised Modern Policy Statement on an annual basis.</p> <p>The Modern Slavery Statement specifically outlines the commitments of the Council and the key activity to be implemented in order to ensure the Council meets its legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime.</p> <p>The Council has a statutory duty to respond to the issue of modern slavery and potential victims may not receive the help and support that they need if the Council does not respond appropriately and work in partnership with other statutory agencies.</p>
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
<p>The Modern Policy Statement includes a number of equality objectives to achieve positive outcomes in both service design and delivery, and in employment for everyone. The Modern Policy Statement identifies real and achievable objectives for the Council which will enable it to fulfil its commitment to preventing modern slavery occurring.</p> <p>By achieving the objectives set out in the Statement the Council will achieve positive outcomes for individuals and communities in service design, delivery and employment. Therefore, a wide range of people will benefit from the positive outcomes achieved through this Statement.</p>
Which groups have been consulted as part of the creation or review of the policy?
<p>Consultation took place with partner organisations and internally with the Equalities Working Group, Procurement, HR, Learning & Development and Neighbourhoods and Communities Officers.</p> <p>Responses generated through consultation were analysed and the final version of the Strategy reflects all responses made.</p>

■ Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Gained relevant evidence & research from:

- National and local research/ statistics
- National guidance on the Modern Slavery Act 2015.
- Equality & Human Rights Commission research and website
- Research from charities and community organisations
- Staff groups i.e. Equality Working Group

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

Modern Slavery can take place in a variety of circumstances and can impact all protected characteristics.

■ Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

No further consultation required at this stage.

■ Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of age.
Disability (Physical, visual, hearing, learning disabilities, mental health)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of Disability.
Gender Reassignment (Transgender)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of gender reassignment.

Race	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of race.
Religion or Belief (Includes no belief)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of religion or belief.
Sex (Gender)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of gender.
Sexual Orientation	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of sexual orientation.
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a neutral impact on individuals and communities with regards to the protected characteristic of pregnancy & maternity and marriage & civil partnership.
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations covers a variety of other groups such as: rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities. The specific actions are likely to have a positive impact on individuals and communities.

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

The Modern Policy Statement is aimed at ensuring the Council meets its legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime. However, it is recognised that positive outcomes are dependent upon the effective implementation of the activities outlines within the Statement.

One of the main barriers to the effective implementation of the Statement may be cultural, behavioural and attitudinal. A range of training for employees and elected members is a key way to tackle this. Additionally, the promotion of the subject matter (by raising communications across the authority) will also support this.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).
It is the opinion that the Modern Policy Statement will comply with Charnwood Borough Council's responsibilities.

■ Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
Progress against the Modern Policy Statement will be continually monitored by the corporate Equality Working Group and the Statement will be subject to annual review by the Senior Leadership Team.
How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.
The recommendations of this assessment will be built into the Statement to ensure positive outcomes are achieved. Any identified recommendations will be available to use when planning future service delivery.

■ Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan: The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan			
Reference Number	Action	Responsible Officer	Target Date
001	Continue to ensure that monitoring of the Statement is carried to allow for effective monitoring of outcomes.	S. Jackson	Ongoing

■ Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	This assessment will be attached as an appendix to the Cabinet report and will also be published on the equalities pages of the website.
Service users	✓	
Partners and stakeholders	✓	
Others		
To ensure ease of access, what other communication needs/concerns are there?		

■ Step 9- Conclusion (to be completed and signed by the [Service Head](#))

Please delete as appropriate
I with this assessment / action plan
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Service Head): <i>S. Jackson</i>
Date: 16/12/19

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)

CABINET - 16TH JANUARY 2020

Report of the Head of Planning and Regeneration Lead Member: Councillor Morgan

Part A

ITEM 11 DESIGN SUPPLEMENTARY PLANNING DOCUMENT

Purpose of Report

To seek approval for the adoption of the Design Supplementary Planning Document which has been prepared to support and provide guidance on the Local Plan Core Strategy policies.

Recommendations

That the Design Supplementary Planning Document, set out in Appendix 1 be adopted.

Reason

To provide supplementary guidance on Local Plan Core Strategy Policies CS2: 'High Quality Design', CS15: 'Open Spaces, Sport and Recreation', CS16 'Sustainable Construction and Energy' and Borough of Charnwood Local Plan policies: EV/1 'Design' and H/17 'House Extensions'.

Policy Justification and Previous Decisions

The National Planning Policy Framework (NPPF) states Supplementary Planning Documents can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan.

On 14th March 2019 Cabinet approved for publication the Local Development Scheme (LDS). The LDS sets out the Council's programme for preparing planning documents and identifies that the Council will prepared a Design Supplementary Planning Document (SPD) to provide guidance on the implementation of the Local Plan policies. The LDS sets out an intention for the Design SPD to be prepared within the three year programme period to April 2022. Work on the Design SPD commenced in January 2019.

Implementation Timetable including Future Decisions and Scrutiny

Following a decision to adopt a Supplementary Planning Document, the Council must as soon as reasonably practicable publish the adopted document and an adoption statement and make these available in accordance with Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implication for the Council.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
That the decision to adopt the Design Supplementary Planning Document is subject to external, third party challenge by Judicial Review	Unlikely (2)	Serious (3)	Moderate (6)	Public consultation provided an opportunity for interested parties to raise any concerns and representations have been used to inform the final version of the Supplementary Planning Document. Preparation of the SPD has been undertaken to reflect the legislative requirements and national and local policy. Legal advice to be maintained throughout challenge period.

Equality and Diversity

The Local Plan Core Strategy was informed by an equalities impact assessment. The Design Supplementary Planning Document provides further guidance on the implementation of those policies, does not prescribe policy and does not, therefore, constitute a change of policy.

Sustainability

The Local Plan provides the Council's expression of what it considers to constitute sustainable development. The preparation of the Local Plan was supported by a sustainability appraisal in accordance with legislation. The Design SPD provides guidance on the implementation of a number of Local Plan policies aimed at ensuring that a high standard in the design, layout and sustainability of new development.

Key Decision: Yes

Background Papers: Design Supplementary Planning Document
Consultation Statement

Officer to contact:

Richard Bennett
Head of Planning and Regeneration
01509 634763
Richard.bennett@charnwood.gov.uk

Clare Clarke
Group Leader Plans, Policies and Place Making
01509 634767
Clare.clarke@charnwood.gov.uk

Part B

Background

1. The Local Plan Core Strategy (2011-28) was adopted by the Council in November 2015 and along with the saved policies of the Borough of Charnwood Local Plan, made Neighbourhood Plans and the adopted minerals and waste plans provide the Development Plan for the Borough.
2. The purpose of the Design Supplementary Planning Document (SPD) is to provide further information and guidance on the following development plan policies:
 - Local Plan Core Strategy Policies:
 - CS2: 'High Quality Design',
 - CS15: 'Open Spaces, Sport and Recreation',
 - CS16 'Sustainable Construction and Energy';
 - Borough of Charnwood Local Plan Policies:
 - EV/1 'Design'
 - H/17 'House Extensions'.
3. Once adopted, the SPD will be a material consideration in the determination of planning applications in the Borough. The SPD is intended to help everyone involved in the implementation of the Core Strategy and Borough of Charnwood Local understand how policies CS2, CS15, CS16, EV/1 and H/17 will be implemented. It is important to highlight that Supplementary Planning Documents cannot set new policy, and as a result the Design SPD limits itself to providing guidance on existing policy.

Consultation and Evidence

4. A draft version of Design SPD was consulted on for six weeks between 30th September 2019 and 11th November 2019. The Design SPD has been informed by discussions with colleagues from across the Council, elected members and a series of design workshops with key stakeholders.
5. Workshops were attended by a variety of stakeholders, including members of the public, parish councillors, developers and interest groups. The workshops were held on:
 - 17th October 2019 at Syston Community Centre, Syston
 - 29th October 2019 at Charnwood Borough Council Offices, Loughborough
6. The Council received 23 written representations, these were from 10 individuals and the following organisations:
 - Design Midlands (formerly OPUN)
 - Historic England
 - Leicestershire County Council Highways Authority
 - Highways England

- Anglian Water Services
 - Severn Trent Water
 - Environment Agency
 - National Forest Company
 - Sport England
 - Quorn Parish Council
 - Gladman
 - William David
 - Cater Jonas on behalf of Taylor Wimpey
7. A full breakdown of the comments received, and officer responses is set out in the Background Paper – Design Supplementary Planning Document Consultation Statement. The representations received informed a number of changes to the SPD including the following minor changes:
- greater recognition of Neighbourhood Plans;
 - referencing National Forest;
 - reference to maintaining or enhancing significant views or vistas in new development proposals;
 - additional references to the heritage assets;
 - clarification that town centres and areas well served by public transport offer opportunities to increase the density of new development; and
 - reference to ongoing management of schemes.
10. A representation highlighted a concern with the draft Design SPD proposal that 50% of residential frontages should include green space and not be used for car parking, with the concern that this approach might not be possible on smaller homes. In response to this representation, the SPD has been amended to clarify that this 50% frontage principle is appropriate to larger dwellings.
11. A representation raised concern that the draft Design SPD included technical internal space standards. The respondent argued including reference to Space Standards would be introducing new policy as it is not part of the extant Local Plan. It was highlighted that the use of space standards must be tested, consulted upon and independently examined and form part of the Local Plan Review. The Design SPD has been amended in response to these comments and text relating to internal space standards has been removed.
12. A respondent raised concern with the standard in design and construction of house extensions and the need to review the existing Supplementary Planning Guidance. In response to this representation the section related to house extensions has been clarified and amended.
13. A respondent requested that further information should be provided within the SPD to clarify which planning proposals are likely to require a Design Review. The SPD has been amended to explain that design review will be required on proposals which the Council identifies as being sensitive and examples are given of previous large schemes that have required a Design Review.

14. Sport England commented that it is pleased to see the section on the inclusion of active design and have suggested further text, which has been included.
15. The Design SPD has also been amended to reinforce the ways that biodiversity can be supported through good design. The section on Sustainable Urban Drainage Systems (SuDS) has been amended to clarify the local planning authority's role in relation to small development. The parts of the SPD referring to open space provision have been amended to include reference to other best practice design guides.
16. The Design SPD presented in Appendix 1 takes account of the consultation responses received.

Charnwood Borough Council

Design Supplementary Planning Document

January 2020

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FOREWORD

Good design goes beyond aesthetics. It represents a skilful response to a site's character and form, relating well to the existing context whilst also producing attractive, well-connected places that people want to live in or visit.

Achieving good design on new developments requires strong partnership action, involving built environment professionals working within a variety of disciplines, as well as the local community.

Developments built to a high standard of design quality will successfully demonstrate a variety of positive attributes – they will respond well to local character, impact positively upon the environment, be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life.

This Design Supplementary Planning Document communicates what the Council considers to be high quality design in Charnwood and, in doing so, provides applicants greater clarity on how their proposals can meet the policy requirements in the adopted Charnwood Local Plan Core Strategy.

CHAPTER 1: Introduction

Achieving a high standard of design quality forms an integral part in achieving sustainable development. To help with this, the National Planning Policy Framework (NPPF) encourages local planning authorities to be clear on design expectations and how they can be achieved, using tools such as guidance documents to clearly communicate these expectations to applicants.

The Charnwood Local Plan Core Strategy 2011-2028 was adopted in November 2015. It forms a key part of the development plan for the Borough alongside the saved policies in the Borough of Charnwood Local Plan 2004. The Core Strategy sets out the Council's vision for high quality design.

This Supplementary Planning Document (SPD) provides guidance on how a high standard of design can be met and supplements adopted Core Strategy and saved policies covering high quality design, open space requirements and measures to adapt to climate change:

- Policy CS2: 'High Quality Design'
- Policy CS15: 'Open Spaces, Sport and Recreation'
- Policy CS16 'Sustainable Construction and Energy'
- Policy EV/1 'Design'
- Policy H/17 'House Extensions'

The following documents that have been adopted by the Council also provide design guidance:

- Conservation Area Character Appraisals and Management Plans
- Adopted Masterplans for Loughborough and Shepshed
- Village Design Statements

On relevant sites, these documents should be read in conjunction with the Design SPD.

The guidance provided within this SPD and the above documents shall be used as material considerations in the determination of planning applications.

This SPD supersedes the Leading in Design SPD from 2005.

Neighbourhood Plans (when made) form part of the development plan and may contain design policies which would need to be considered as part of the determination of a planning application.

How to use this SPD

The Design SPD starts by providing an overview of the design process and then is structured around a series of key principles set out in Core Strategy Policy CS2, summarised below:

Charnwood's Design Principles
<p>1. <i>Respecting and enhancing the local character</i></p> <p>The Design SPD provides guidance on appropriate development scaling and density, building heights and massing, impact upon the street-scene and the landscape and the choice of materials. These are design elements that fundamentally impact the character of a proposal.</p>
<p>2. <i>Providing attractive public and private spaces</i></p> <p>The Design SPD provides guidance on the different types of open space provision and how they can be made more attractive for people to use fully.</p>
<p>3. <i>Well connected and legible streets and spaces</i></p> <p>The Design SPD provides guidance on how developers can deliver streets rather than roads, establishing route hierarchies, maximising connectivity, accommodating street furniture and installing traffic calming measures. This section also provides guidance on shopfront design, as they often interact with streets and provide vitality to spaces.</p>
<p>4. <i>Creating multi-functional, safe and inclusive places</i></p> <p>The Design SPD provides guidance on how developments can perform multiple roles and become valued additions to the community as places. The guidance includes information on how to make developments secure, adaptable, inclusive, and accessible.</p>
<p>5. <i>Adapting to climate change</i></p> <p>The Design SPD provides guidance on how new developments can reduce their impacts upon and adapt to the changing climate, through provision of trees, maximising biodiversity creation, considering layouts of buildings to improve energy efficiency and renewable energy, and promoting more modern forms of construction.</p>
<p>6. <i>Protecting the amenity of existing and future occupiers</i></p> <p>The Design SPD provides guidance on maintaining privacy of residents, limiting the impacts of overshadowing and addressing external factors such as noise insulation.</p>

The Council encourages all applicants to consider the guidance contained within this SPD when preparing their development proposals. However, not all proposals will

necessarily need to address all the guidance in the document. Some of the guidance will be more relevant for certain proposals than others. The matrix below provides direction for applicants on what design guidance will be more relevant for each scale of development proposal.

Figure 1 Relevance of the Guidance to Different Scales of Development

Charnwood Design Principle	Householder/s mall-scale non residential	Minor development (1-9 dwellings)	Major development (10+ dwellings)
<i>Respecting and enhancing the local character</i>	✓	✓	✓
<i>Providing attractive public and private spaces</i>		✓	✓
<i>Well connected and legible streets and spaces</i>		✓	✓
<i>Creating multi-functional, safe and inclusive places</i>			✓
<i>Adapting to climate change</i>	✓	✓	✓
<i>Protecting the amenity of existing and future occupiers</i>	✓	✓	✓

Figure 1: Design guidance relevance to specific development scales

The SPD does not provide 'ideal' design solutions which are guaranteed to be acceptable to secure planning permission. Ultimately, the design of new development should be closely informed by, and respond to, the context of the site and its surroundings, as each site is unique in terms of its characteristics.

The SPD provides information on how to deliver well-designed places in order to meet policy requirements in the Core Strategy; however it should also be recognised that the guidance is not exhaustive. Appendix II of the SPD provides a reference list of various guidance documents which have helped inform the SPD and applicants are encouraged to utilise these resources in the preparation of proposals.

CHAPTER 2: The Design Process

Achieving good design is a collaborative exercise that includes a wide variety of professionals involved in the built and natural environment, as well as members of the local community.

Approaching design – analysis, visioning and final proposal

To ensure that proposals consider the principles of good design from the outset, it is a good idea for applicants to follow a **design process**. This SPD provides a **four** step process, which is set out and explained below.

The process is intended as a guide only; it is not a mandatory requirement for all development proposals to follow. However, the Council expects to see evidence in submitted planning applications of how the design of a proposal has been formulated and justified. Following the steps in the process set out below is a good way of achieving this.

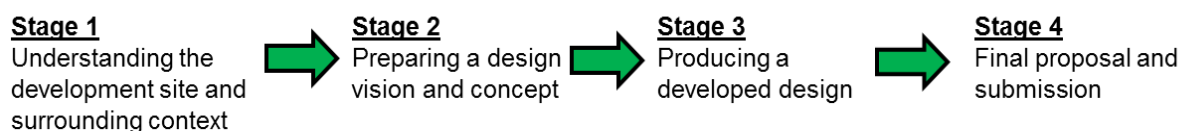


Figure 2: The Design Process

Stage 1 – Understanding the development site and its surrounding context

A well-designed development proposal is one that responds appropriately to the context of its site and its surroundings.

Typically the site evaluation will involve a site visit to identify key visible features, including the topography, key views, nearby footpaths, neighbouring buildings/land uses, heritage assets and significant landscape features such as mature trees, hedgerows and watercourses. Site visits can help to establish the basic features/constraints of the site however, for larger or more sensitive schemes, a comprehensive evaluation may need to be undertaken; these could appraise the wider settlement pattern and character or involve the local community in discussions to gain knowledge on the history of the area.

Carrying out a thorough assessment of the site and local areas will help provide additional clarity on the key design criteria and identify opportunities that may enhance the proposal.

The Checklist provided below may be a useful starting point in helping to assess a development site and its surrounding context:

Figure 3: Checklist for site assessment

Physical and natural features	Built & human features	Connections and movement	Conservation and local history
Landscape and vegetation, including trees and hedgerows	Existing buildings and structures on site and adjacent to the site	Existing routes and pathways across and around the site	Statutory designations – conservation areas, listed building status
Topography	Height, scale, mass, form of the buildings	Access points	Non-statutory designations – locally listed buildings, areas of special landscape character
Boundary features	Materials used for walls, windows, doors, roofs	Potential desire lines	
Watercourses	Uses of the buildings and structures, including neighbouring land uses	Barriers to movement	Natural designations – protected trees and wildlife sites
Wildlife and habitats	Utilities and infrastructure	Proximity to public transportation services (e.g. bus, railways) and the frequency of these services	Past patterns of development – e.g. how the settlement/area has grown over time
Microclimate conditions		Use of mental maps	
Views and vistas into and out of the site			

Stage 2 – Preparing a design vision and concept

Following evaluation of the site and its surrounding context, applicants should prepare a design vision or concept plan for their proposal.

The vision can be presented as a textual explanation describing what the proposed development will be like once it is built. It should provide a clear goal on what the development aims to achieve *as a place* and not just describe how it will meet economic, environmental and social objectives. In short, a vision statement should describe what the development will feel like to people who live, work or visit there.

Preparing a vision can help provide all stakeholders a shared goal to work towards when designing a proposal.

A design concept should be sufficiently detailed to communicate the vision and how this will be delivered.

The design vision and concept of the proposal should respond positively to the issues and opportunities identified during the site analysis stage. The applicant may want to

produce a series of design options, responding to the results of the site analysis in alternative ways. This may prove useful if the applicant opts to engage in pre-application discussions with the Council and wishes to present a number of options for the authority to consider against the design principles in this SPD, in addition to any other adopted planning policies.

For large or significant developments, applicants may also wish to engage with the local residents on the vision and concept, in order to give the community an opportunity to view or comment on the early stages of a proposal, which may allow them to influence the developed design.

Stage 3 – Producing a developed design

The design concept or vision should focus primarily upon the key design priorities of a proposal. This should inform the next stage of the design and be sufficiently detailed, giving regard to the outcome of any engagement that has taken place with local residents or the local planning authority (if pre-application discussions have taken place at Stage 2 of the Design Process or earlier).

Developing design proposals may raise issues that were unforeseen earlier in the process and may require changes to the initial concept design. This could significantly alter the design proposal in order to address these issues.

Stage 4 – Final proposal and submission

Once a preferred design vision has been fully agreed, the applicant should prepare the final design of the proposal, having addressed the issues raised during the design process.

The Council encourages applicants to submit information that provides evidence on how the design of their proposal has responded to the site analysis. Design and Access Statements (DAS) are commonly used by applicants to describe how their proposals are suitable for the site and demonstrate that it can be adequately accessed by its users. It may also be used to describe design choices and demonstrate compliance with the policy requirements relating to design.

DAS are formally required to accompany applications for major developments¹, proposals within conservation areas and proposals impacting upon listed buildings. However, applicants can prepare them to accompany other kinds of planning applications, including applications for house extensions, to explain their design process.

¹ See planning practice guidance note 'Making an application' for what is considered 'major development' in planning terms.

Design and Access Statements: How to write, read and use them (2007 publication)

Design Council CABE published a best practice guide for producing design and access statements in 2007. The guidance contains relevant advice on how applicants can produce better design and access statements to accompany proposals.

The document can be found [here](#)

Pre-application discussion

Pre-application discussions with the Council are useful for seeking mutual agreement on the design of proposals. Pre-application discussions can help identify issues with the design of development proposals and help formulate solutions prior to the formal application being submitted.

Pre-application discussions can also be beneficial for:

- Providing information on site constraints and other issues relating to the site which could impact upon the design of future schemes.
- Identifying which specialist bodies/organisations may be required to be consulted on a design option or contacted to help influence a design option.
- Evaluating whether engagement with local community would be beneficial for either the setting of design principles or realising a design concept.

For more information on the pre-application service provided by Charnwood Borough Council, including a breakdown of the cost of seeking pre-application advice, please follow this link -

https://www.chnwood.gov.uk/pages/pre_application_planning_advice

Design review

The NPPF encourages local planning authorities to make effective use of design advice and review arrangements and Policy CS2 of the Core Strategy requires independent design review for major or sensitive development proposals.

Design review is useful in forming an additional perspective on a particular proposal and helping to resolve outstanding issues. Some examples of recent proposals in the Borough which have been subject to design review have been the sustainable urban extensions (SUEs) and the Loughborough University Science and Enterprise Park. Design review will be required on proposals which the Council identifies as being sensitive. Applicants will be informed by the Council when an independent design review is required for their development proposal.

Building for Life 12 (BfL12)

Building for Life 12 is recognised nationally as the standardised process for helping create well designed homes and neighbourhoods. BfL12 asks a series of 12 questions relating to the common indicators and goals of well-designed places.

Policy CS2 of the Core Strategy states that national design assessments will be used to determine design quality and supporting text recognises that our approach will be based upon Building for Life 12 (BfL12). The Council will also use BfL12 during pre-application discussions to help identify any design issues with received proposals and for monitoring purposes.

CHAPTER 3: Design Principles for Charnwood

This chapter of the SPD sets out the principles which relate to the achievement of well-designed places in Charnwood. The principles reflect those identified in Policy CS2 of the Core Strategy and are set out below:

Charnwood Design Principles

1. Respecting and enhancing the local character
2. Providing attractive and well managed public and private spaces
3. Legible streets and spaces
4. Creating multi-functional, safe and inclusive places
5. Adapting to climate change
6. Protecting the amenity of existing and future occupiers

Each design principle has been afforded its own section to provide ease of use in navigating the SPD. However, some elements of one principle may relate with others – when this occurs, the document will provide signposting to the inter-related guidance.

Respecting and enhancing the local character

New development of all scales should respond appropriately to its site and its surroundings. Applicants are encouraged to undertake a thorough site analysis prior to drawing up plans, in order to fully understand the site's character and its context.

An important aspect of good design is the ability to contribute to the **distinctiveness** of an area – distinctiveness refers to the positive features of a place and its communities, which contribute to its special character and sense of place²

Policy CS2 requires new development make a positive contribution to the character of the area and the idea of 'distinctiveness' is linked with this. Ensuring new development

² Cowan R (2005) 'Dictionary of Urbanism'

appears ‘distinctive’ and makes a positive contribution to an area is a challenging element of good design– to help achieve it, a good understanding of the individual site context and its surroundings is vital, as is a broader understanding of what makes the wider local area special.

New development should take inspiration from existing features that are identified in the local architecture or within the natural environment. This does not necessarily mean replicating traditional or historic building styles. Successful designs are often able to incorporate existing architectural characteristics into more contemporary design and form a strong link between the past and present.

Scale, proportion, mass and height of new buildings

These elements are universal design considerations, relevant to the vast majority of development proposals. All new development should be of a scale, mass and height which respect its surrounding context.

Scale is the impression of a building when seen in relation to its surroundings and in relation to the size of a person. Development should have elements which relate well in size to an individual human being.

The starting point for understanding the most appropriate scale for new buildings on a site is the size, height and form of the neighbouring ones, as well as the scale of any adjacent public or private spaces.

Proportion refers to the magnitude of each part of a building, and of each part of a building to another.. New buildings should feature common components, such as windows and doors, as well as any other architectural details, which are in proportion with one another and with the features on neighbouring buildings.

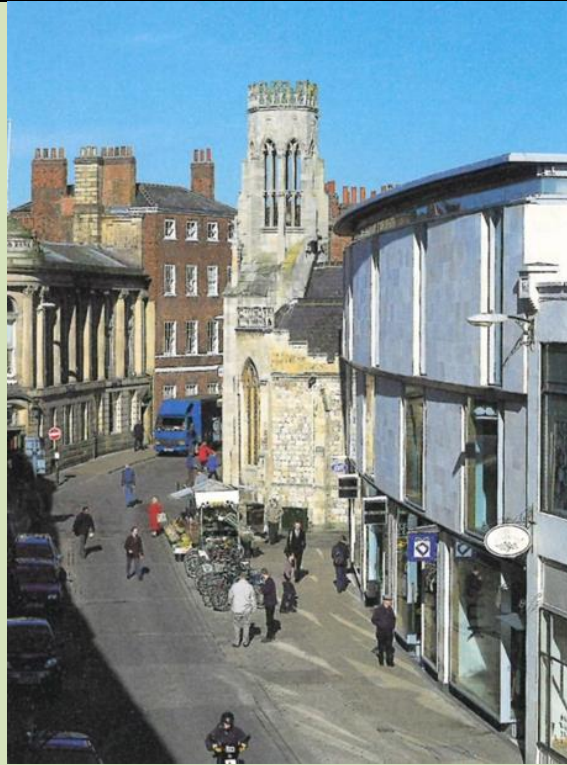
Mass refers to the impact of a building’s volume, shape and arrangement on the street scene. It is commonly referred to as ‘bulk’. Good massing should consider the relationship between the proposed development and existing buildings and spaces, as well as the character of the street-scene . Inappropriate development massing may lead to an assortment of problems beyond aesthetics, such as overbearing impact. .

Height is often expressed in terms of a number of floors. This can be misleading as floor heights differ considerably by the type of development (i.e. commercial premises often have higher individual storey heights than dwellings). The overall height of a building can also be interpreted by the height of certain building features such as parapets or the natural level of the land, the latter of which may have to be borne in mind when determining the placement of individual buildings on more undulating sites, to ensure that overlooking or overshadowing does not occur.



Above: Davygate, York

The building in the image above is set out on a shallow curve, echoing the curve of the 1930s building on the other side of the street and slightly opens up views of the church tower along Davygate. The same stone found on the church is used as a key component on the street elevation. A strong horizontal emphasis is provided by the exposed frame of the building and the slightly projecting cornice at eaves level. At the same time, the non-structural nature of the stone is emphasised by holding it in the exposed metal frame of the building and stepping out the upper floors slightly over the street. This device echoes the form of traditional timber framed buildings providing a visual continuity with historic precedence, as well as emphasising modernity. Window apertures reflect the proportion of those on other buildings, with the exception of the principal historic church.



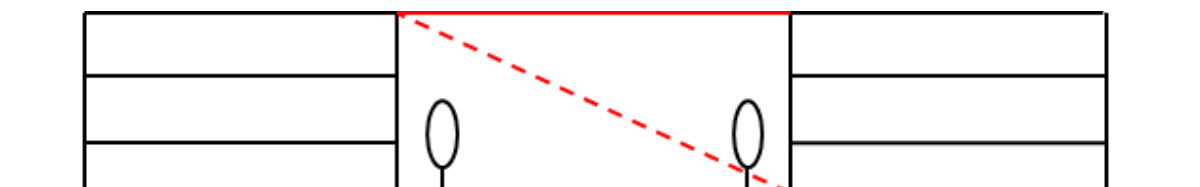
Source for images: *Historic England/CABE, 2001*

Good Practice Advice Note 3: The Setting of Heritage Assets (Historic England)

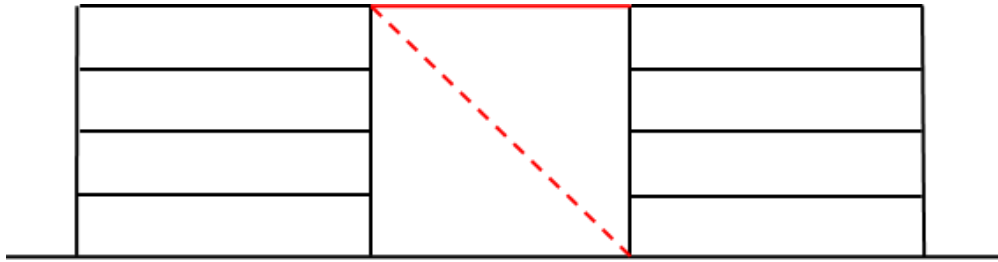
<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritageassets/>

Building height, street width ratio

A good way of determining an appropriate scale, height and massing of a proposal is to measure the building height to street width ratio. This concept is explained by the diagrams below:

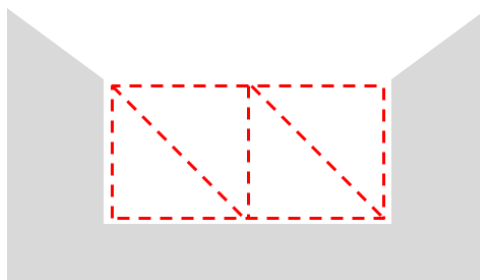


Street width x2 the height of buildings fronting it; creates a balanced sense of enclosure and spaciousness

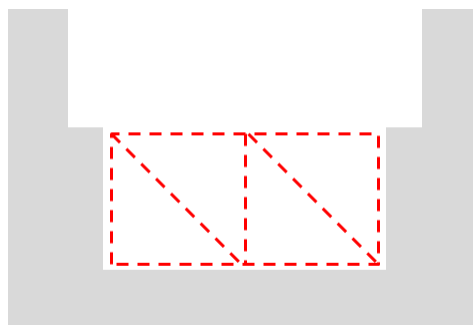


Street width smaller than adjacent building heights; leads to greater sense of enclosure, which may be unduly narrow given the context

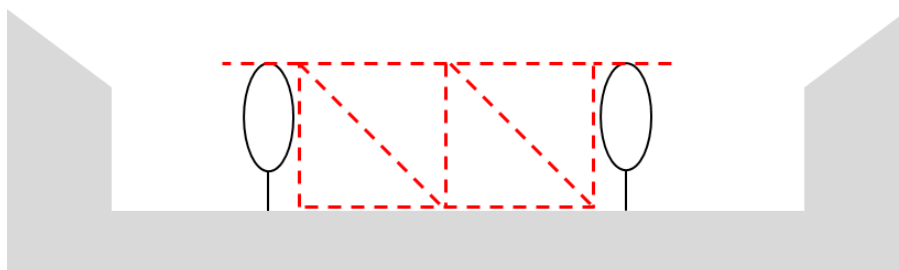
The impact of building heights upon public spaces can be softened by the treatment of front elevations. Reversely, the sense of enclosure along streets can be increased by the placement of trees.



Spatial definition by building height



Spatial definition by building line



Spatial definition by tree canopy height

<u>Height to width ratios</u>		
	Maximum	Minimum

Mews	1:1.5	1:1
Streets	1:3	1:1.5
Squares	1:5	1:4

Townscape character

Development proposals should consider how they can respond positively to the wider townscape. Townscape is defined by urban form and its visual appearance, the appearance of streets, including the way the components of a street combine in a way that is distinctive to a particular locality.

Some streets in the Borough are lined by buildings of very similar heights and plot positioning while others, particularly in the Borough's villages, exhibit a greater variety of these elements, as well as buildings that utilise different materials and boundary treatments. The way in which different buildings and structures relate to each other along a street can contribute significantly to the quality of the townscape.

In existing built-up areas or in villages, development proposals should respond positively to the layout of buildings aligning streets. Where there is a relatively uniform streetscape, new development should generally not break the common alignment as this may create an inharmonious street scene. In more varied streetscapes, new buildings should contribute towards the visual interest that exists, in terms of the different combinations of design elements, such as differing scales, mass, heights and the materials used. Significant views or vistas should be maintained or enhanced in new development proposals.



Above: *A residential street in Birstall, featuring harmonious dwellings of similar scale, mass, height and plot positioning.*



Above: *Church Street in Seagrave, which demonstrates a relatively discordant street rhythm with a mixture of building placements, materials and a landmark building more prominent than adjacent buildings*

Density and Form

Density refers to the amount of development relative to the size of a site. The need to deliver a particular density in a proposal should not pre-determine the form of the development. The same density can be expressed through different building types and layouts. The diagrams below exhibit different approaches to density on one site.

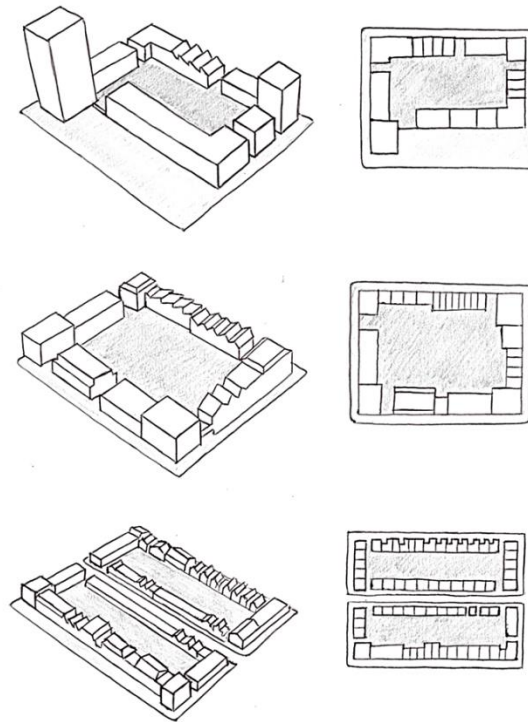


Figure 4 : Three different combinations of building forms, layouts and densities on a single site

Density is not a determinant of design quality. Indicators of development capacity, such as the 'dwelling per hectare' calculation, should only be used as a starting point to understand the broad development potential of a site. Ultimately, the appropriate development density for a proposal will be determined by an assessment of the site and surrounding context.

Town centres and other locations well served by public transport provide an opportunity to increase the density of developments. In these circumstances, development proposals may benefit from reduced car parking provision, giving them the opportunity to provide spaces that can benefit the amenity of residents, such as landscaping and open space for interaction.

Development in the landscape

For new developments within more natural landscapes, responding to the natural character will contribute greatly to the scheme achieving a strong sense of place. For major schemes, the prevailing landscape character should be considered first, to

provide the greatest prospect for the overall design and layout to respond appropriately to its context.

For developments within smaller villages in the Borough, siting is an important design consideration. Proposals in these areas should not appear out of place amongst skylines viewed from open countryside, respecting the existing building scales, mass, rooflines and materials.

Many recent residential developments in the Borough have been built to the edge of towns and larger villages. When designing these types of developments, a crucial consideration is making sure that the new built form represents a harmonious extension to the existing settlement edge. This can be achieved by:

- Avoiding private amenity space backing directly onto open countryside.
- Providing open amenity space or other green spaces, e.g. wildlife corridors, creating a transition between the countryside and the development.
- Retaining existing mature trees, hedgerows and other planting throughout the development and at the boundary with the countryside.
- Using building materials on dwellings that assimilate to the colour palette and texture of the open countryside and the sensitive use of street lighting at the settlement edge.



Above: Development at the settlement edge in Sileby, where a large park forms a buffer between the houses and the countryside. This helps create a softer boundary between the built and natural environment

In certain circumstances, development may need to mitigate its impact upon the countryside. This can be achieved through:

- The planting and placement of appropriate trees
- Creating a network with a variety of open spaces
- Responding creatively to topographical changes in the land (e.g. contours)

- Using materials and surfacing complementary with natural landscape features
- Creating biodiversity to attract wildlife and habitat formation

Materials and detailing

The choice of materials for new development will have a significant effect upon the character and distinctiveness of the surrounding area.

Development proposals in conservation areas should refer to the respective conservation area appraisal for that area in order to determine what materials and exterior features are important characteristics and provide visual clues as to what maybe appropriate in safeguarding the area's character.

Village Design Statements have been adopted for several villages in the Borough and serve as useful starting points for determining the types of materials, detailing and boundary features that best identify the village's character.



Above: Common traditional building materials in Charnwood Forest (source for images: Newtown Linford Village Design Guide, 2008 and Woodhouse Eaves Village Design Guide, 2014)

Red brick for walls and clay pantiles or grey slate are the most frequent types of traditional building materials in many of the Borough's settlements, particularly ones within the Wolds.

In Charnwood Forest, stone is a common traditional building material, however, this is harder to replicate, as access to stone for building purposes is limited. Emphasis should be placed on choosing the type of stones that strongly complement the traditional stonework present on many historic buildings in the Forest Area.

Exposing timber on elevations could enhance the relationship between new development and the woodland character of Charnwood Forest. However, care should be given to the use of timber as a building material – exposed timber upon dwellings is often low quality and weathers poorly. The Council will encourage new outbuildings to display timber in their elevations to enhance the forest character in Charnwood.

In certain locations, the use of contrasting building materials can be a beneficial way of enhancing the character of a street and introducing a level of variety (see image below).



Above: This contemporary building in London contrasts greatly with the surrounding character in terms of detailing and exterior materials however it respects the street scape by way of its scale, mass and height, and it respects the common building line (image source: [Historic England/CABE, 2001](#))

Detailing can enhance the aesthetic quality of new development. Details added to buildings can also provide subtle links to the surrounding area's history. Whilst blank elevations and structures fronting the street scene should generally be avoided on new developments, in exceptional circumstances this is unavoidable and the use of detailing to break monotony should be pursued. This can take the form of patterned brick motifs or, for boundary walls fronting the street, combining a mixture of fence panelling or iron bars and brick columns.

Detailing should respond to local character, communicating the architectural distinctiveness of the surrounding built form. It should also be kept to a minimum, to avoid cluttering elevations with unnecessary features.

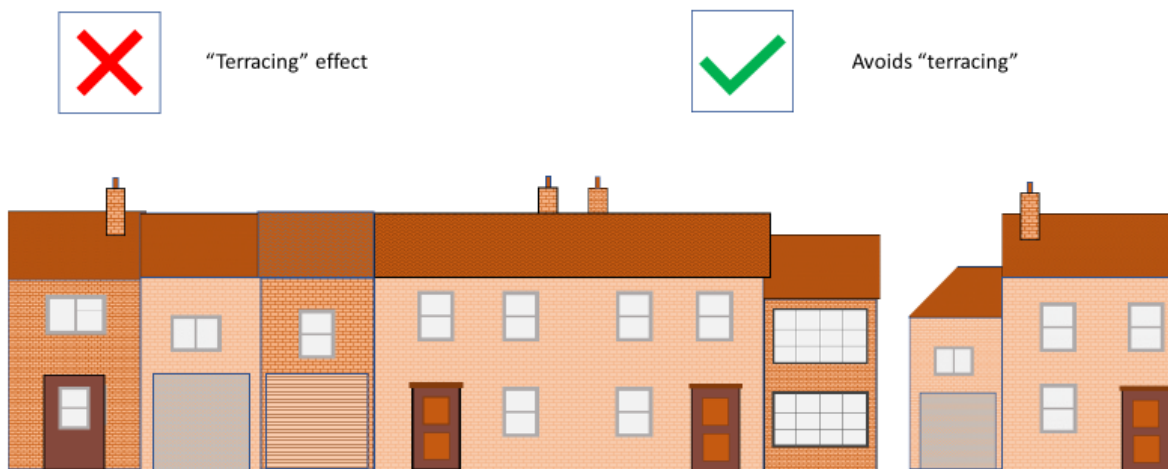
The choice of materials which do not deteriorate in their attractiveness over time is important in maintaining the quality of a development throughout its lifetime.

House Extensions

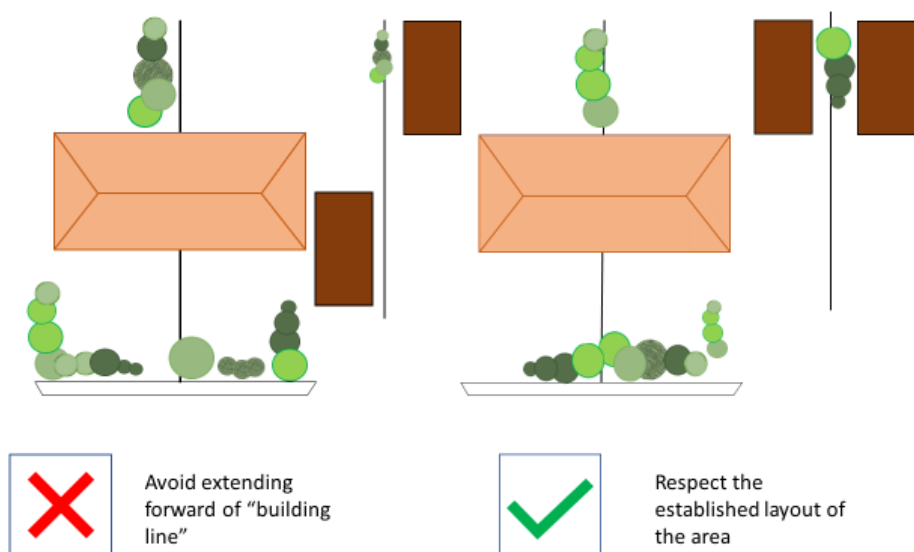
House extensions can affect the appearance and character of both the property being extended and the surrounding area.

The spaces between and around buildings can be important. Extensions which fill the gaps between houses can change the whole character of the area. One example is where extensions to semi-detached houses creates a “terracing effect”. Setting back an extension from the front line of the house and/or using a different roof form can be ways to overcome this effect.

It sometimes helps for neighbours to consider a joint approach if they are planning to extend their house. Often it is easier to find an appropriate design and the process is normally quicker and cheaper.



Some streets have a well-defined “building line” and this can be important to the character and appearance of the area. A new building which does not follow this line can break up the street scene and change the fundamental character of an area. For example, building a garage in front of the main wall of the house is likely to look out of place where there is a line of houses and where garages are generally sited in rear gardens. What is important is that any new buildings should relate to the form and appearance of existing buildings.



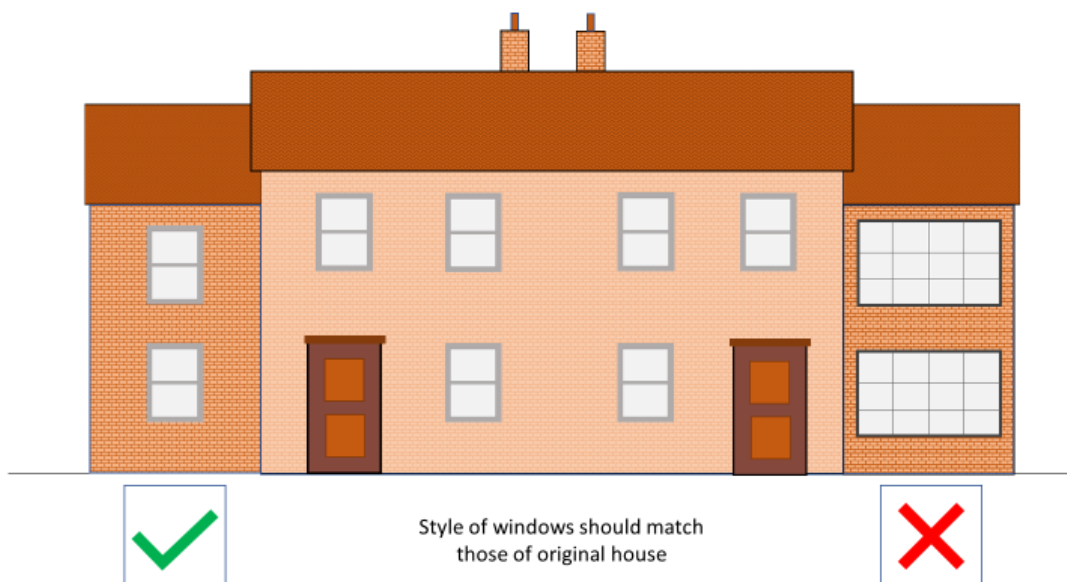
It is important that any extension respects the basic shape, proportions and size of the existing property. The shape, pitch and style of roof will be of particular importance.



Extensions should be designed so that the main property is still the dominant building. The roof and eave lines should be lower than the existing house. Setting back the extension behind the front wall of the existing house can often help to achieve a satisfactory design.

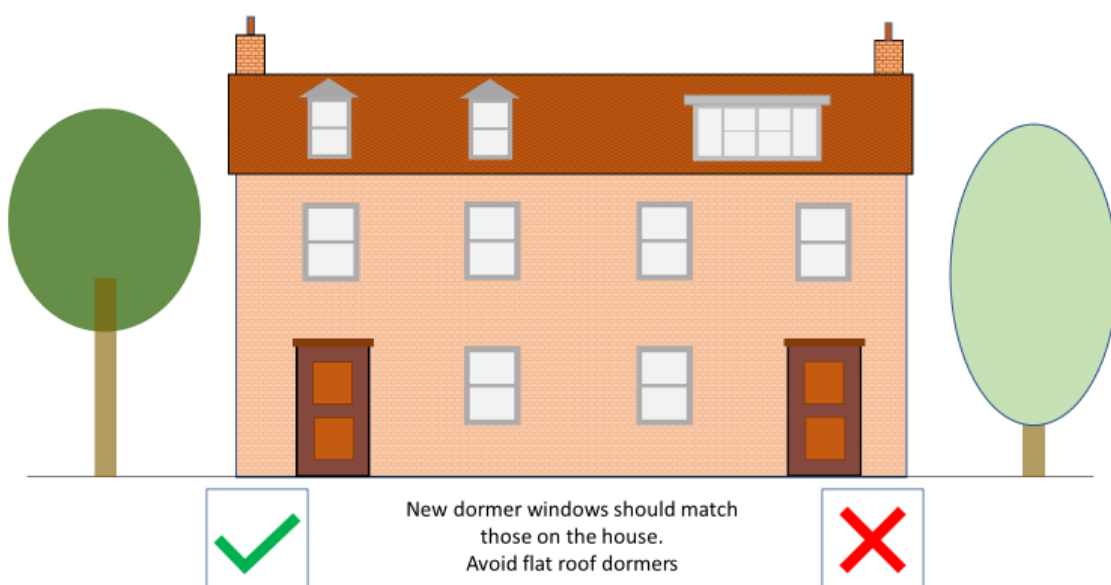
The size, style and proportion of new doors and windows are important consideration in the design of new extensions. If too many openings are included, the balance of the building may be upset, as there may be too much window area compared to brick

work. Windows with different proportions and patterns of panes on the same wall create an unsettling and unbalanced appearance.





Windows in the roof can be one useful way of opening up extra floor space. Unless there are existing dormers in the area, new dormers are likely to be out of character with its surroundings. Rooflights provide an alternative. If dormers are used, they should be as small as possible. They should match the window style and roof pitch of the existing property. Dormers should be kept as low as possible. Dormers which are higher than the ridge line are likely to be unacceptable particularly in prominent or sensitive locations. In general dormers or rooflights should be kept to those areas which are most difficult to see.





The Impact of any House Extension on Neighbours

House extensions can have an impact on the daylight and sunlight of neighbours. Separate sections of the Design SPD sets out methods to understand the impact of loss of daylight and sunlight.

Providing attractive and well managed public and private spaces

Some development proposals will be required to provide a level of open amenity space on site. The design of this provision should be closely considered in accordance with the development layout, the existing site context and the likely end users of the space, to make sure that the amenity provision is more likely to be well used by future residents.

Open Space Typology

Open space provision takes many forms, performing different roles. Please refer to the [Open Space Strategy 2013-2028](#) (and any superseding strategy) for more details regarding open space typology.

This SPD outlines the three key forms of open space (public, private and communal) and their specific design considerations.

Public open space

Public open space that is attractive, inviting and safe to use can enable opportunities for social interaction and help facilitate more active lifestyles, both of which are key contributors towards building a strong sense of place.

Streets should function as public spaces and proposals looking to promote a diversity of activity within new streets shall be encouraged. Streets can be made more attractive and multi-functional by introducing planting and landscaping as well as street furniture.

Squares or courtyards are common forms of public open space, particularly in urban locations. Proposals for new squares or publically accessible courtyards should be clearly identified as part of the street scene, be well defined spaces in their own right and provide for the variety of activity that is likely to take place within them.

Public spaces featuring strong landmark features or characteristic styling (for example, different paving patterns) can help make them more legible as areas for public congregation. In addition, providing an appropriate level of greenery, such as in the form of trees and shrubs can help make them more relaxing and tranquil environments, as well as help towards biodiversity gain on new developments. Successful public squares are also easily adaptable to accommodate a range of functions.

For large development schemes, individual public open spaces that are part of an interconnected network can help support more sustainable movement patterns across the development, accommodating pedestrian and cycling routes as well as serving as spaces for people to participate in activities and sports.

For new public spaces it is important that long term maintenance strategies are considered at an early stage in the design process, and this should involve discussions with key stakeholders such as the Local Highway Authority.

Private amenity space

On residential schemes, private amenity space is often provided in the form of gardens, usually located to the rear of properties. Private amenity space may also be located to the front of properties, though this is usually to a limited degree. It is important to provide an adequate level of private amenity space so that future residents can maintain more active lifestyles.

Any private amenity space provided on new development should provide an identifiable demarcation from neighbouring public space, without compromising the aesthetic quality of new development.

For flats or apartment-based schemes, private amenity space can be accommodated through the use of balconies which provide convenient external spaces. However since they are usually very visible features on elevations, they need to be designed as

an integral part of the building as a whole. Balconies may suit the more urban areas of the Borough but need to be of a size that is fit for purpose.

The implementation of roof gardens may also be appropriate, though would only be limited in providing private amenity space for top-floor flats and apartments.

Communal amenity space

Communal open space provides groups of residents' a form of amenity space in lieu of individual plot of private amenity space. Communal open space should be provided with some sense of enclosure in the interests of maintaining privacy and security, whilst being reasonably overlooked by the surrounding residences that it caters to.

Opportunities in providing direct access from ground floor dwellings or apartments fronting onto communal amenity space should be balanced with the need to preserve the private amenity value of those dwellings through clearly defined boundaries.

Boundaries

Boundaries to new development or new individual buildings help provide a sense of enclosure and are important in providing a visible distinction between private and public space.

In considering the design and siting of boundary treatments, a balance should be struck between privacy, safety and aesthetics. Boundaries should respond positively to the character of the buildings and spaces they surround. Existing, well-established boundaries in the form of hedgerows or low wooden fencing should generally be preserved, particularly in the countryside where they often will contribute towards the rural character.

More contemporary and unique boundary treatments can be appropriate within their context if they are able to demonstrate elements of traditional boundary features within their design.



Above: *Traditional boundary treatment examples in the Borough (source: Newtown Linford Village Design Statement, 2008)*

Children and young people's play areas

When they are required on new development, children's and young people's play space should be located in parts of the development where natural and passive surveillance can be maximised, for instance surrounded by homes fronting onto the play space. There should, however, be an appropriate separation between any neighbouring dwellings and the play space in the interests of reducing any noise and disturbance. Any streets surrounding the play space should be traffic-calmed and routes to and from the space should be as safe as possible and overlooked by properties.

Play spaces are usually required to be surrounded by low height fencing. However, in some circumstances, it may be acceptable to partly 'open up' formal play spaces to encompass parts of other open space typology – for instance, combining equipped play space with traditional parks rather not having them strictly segregated from each other.



Above: *Great Central Play Area, Loughborough – the formal play provision has been partly integrated with the surrounding park, encouraging young children to play in a more natural environment.*

Alongside providing equipped play space, opportunities can be explored by developers to provide 'incidental' spaces for play – these spaces should not be limited to residential development but in other types such as town centre development, retail schemes and the public realm in general. Incidental play opportunities can help accommodate the needs of young children in the built environment.



Above: Examples in London (Left) and Stockholm (Right) of 'incidental' opportunities for play being provided within the built environment³

Examples of 'incidental' play space are provided below:

- Well-overlooked pathways between dwellings or private amenity space also provide space for children to ride bicycles along – combined with paths in front of houses, these can help increase connected and attractive areas of play that are assimilated into the wider street environment.
- Placement of amenity space at junctions with existing streets or close to convenience shops – more children may utilise the space for play if it is in a prominent position within the street scene or is located close to amenities.

Green Infrastructure

Green infrastructure is a strategic approach to the creation and management of a wide range of open spaces, ranging from parks to playing fields to woodland. The aim of green infrastructure is to provide a multi-functional network of green open space that are of high quality, help support environmental benefits, facilitate sustainable transportation (through provision of attractive walking and cycling routes) and improve the quality of life of local communities.

Development of all scales should consider their ability to enhance the wider green infrastructure network in Charnwood. It is important to note that certain development features such as green roofs and walls, street trees and green verges can contribute to enhancing the green infrastructure network, particularly in built-up areas.

³ Images source: Shaping Neighbourhoods: Play and Informal Recreation SPG September 2012 (London Plan 2011)
https://www.london.gov.uk/sites/default/files/osd30_shaping_neighbourhoods_play_and_informal_recreation_spg_high_res_7.pdf

Existing Green Infrastructure in Charnwood

Further information relating to the green infrastructure networks present in Charnwood can be found in the [Open Space Assessment Study 2017](#) and Playing Pitch Strategy 2018

Public Art

Public art is an artistic contribution to the public realm or built environment. It can help to reinforce the distinctiveness of new development, providing a stronger sense of place.

The best public art is:

- Reflective of local context
- Easy to maintain
- Designed to minimise risk from vandalism but promote interaction.
- Safe to passers-by
- Illuminated to help improve its status at night

There are numerous ways that public art can be installed in developments; it can be a piece of commissioned artwork such as a sculpture, mural or statue or it can embed into something functional that enhances the artistic value of the place.

When providing public art on development schemes, applicants should demonstrate how the art being installed relates to the site context and how it responds to engagement with the local community – this can be included within a design and access statement or similar document.



Above: Public art in Charnwood (Sundial, Millennium Park, Barrow upon Soar)

Well connected and legible streets and spaces

Well-designed streets are a crucial factor in allowing developments to function properly but should also provide high quality public space. Good design is about ensuring that new streets connect well with one another, are legible to the people that use them and are able to safely accommodate all users of the street. While the primary function of streets is to provide a route the layout and arrangement of the streetscape should provide for a diversity of activity and opportunities for other uses. New streets may remove vehicular traffic altogether and this allows greater opportunity for them to provide high quality public realm.

Connectivity, legibility and permeability

New networks of streets should demonstrate three core principles – **connectivity, legibility and permeability**.

- **Connectivity** is the degree to which a place is connected by routes to other places and to which its own parts are connected to each other..
- **Legibility** refers to the ease that residents and visitors in a place can navigate through and around it, as well as how easy it is to interpret its purpose.
- **Permeability** is the extent to which an environment allows a choice of routes both through and within it.

The connectivity, legibility and permeability of streets and other routes in new development will closely dictate how that development functions. For residential schemes creating new streets, developers are encouraged to think about how each street is designed to treat future traffic flows. A useful starting tool is to establish a network with a **route hierarchy** – this is especially important for major development proposals.

Route hierarchy

For large developments proposing a network of new streets, the streets should be organised in essence by primary, secondary and minor routes.

Primary routes form the main connections through the development. They will usually be the widest routes in the scheme, accommodating vehicle, pedestrian and cycle flows in equal measure.

On primary routes, the inclusion of street trees (ideally larger species), planting and street furniture such as benches can help to avoid the dominance of hard surfaces within the highway corridor.

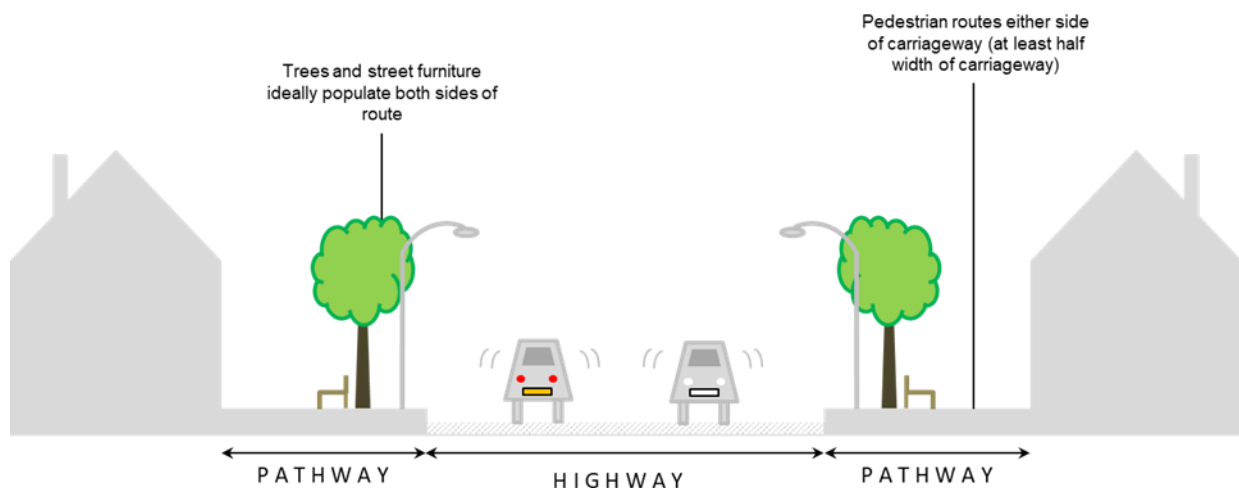


Figure 5 : Primary route cross section

Secondary routes are narrower than primary routes and should be designed to ensure vehicles are required to travel at lower speeds. The priority should not be on providing efficient traffic flows but in creating quiet street environments in the interests of resident amenity. Street parking is more suited to secondary routes and should be embedded within their design, though it should not overly dominate the street-scene and ideally should be located on one side and not both.

Secondary routes can also incorporate a well-defined and attractive public realm, by providing planting and street furniture, albeit to a lower degree than primary routes. They have narrower widths so, in terms of street tree provision, smaller species of trees may be more appropriate.

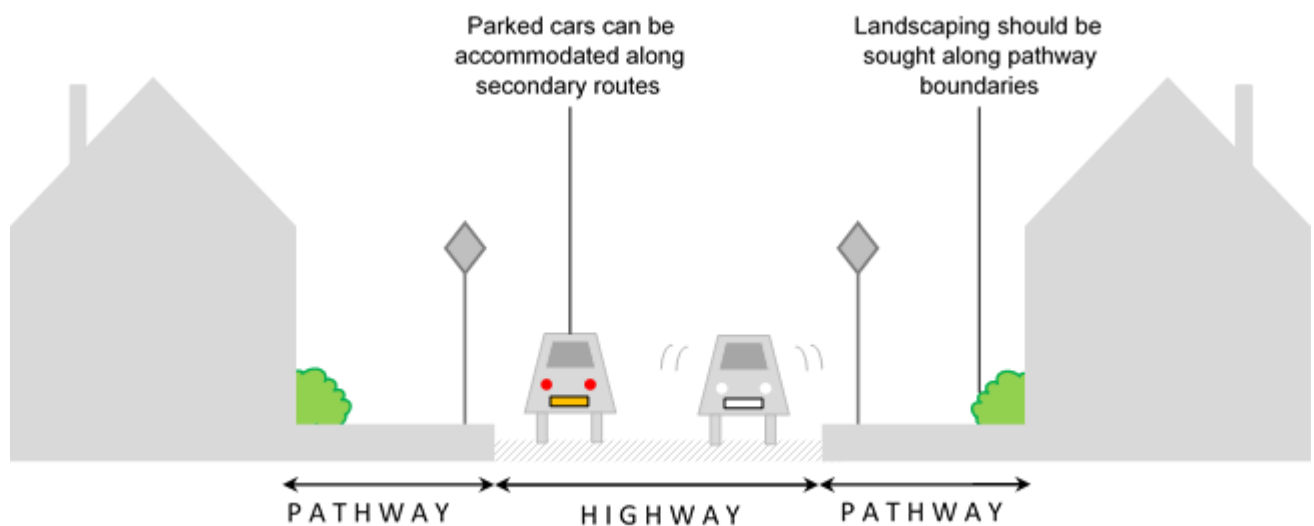


Figure 6 : Secondary routes cross section

Minor routes are pedestrian and cyclist focused and should include measures in place to minimise the speed of vehicular traffic. These routes should be well connected like other routes but, ideally, they should create a sense of seclusion and calm from busier routes – street trees and planting can help encourage this, as well as consideration of creating shared surfaces.

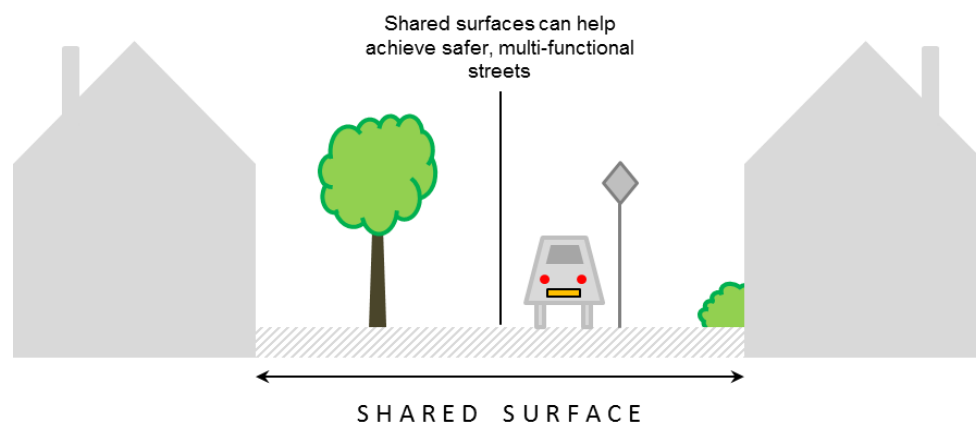


Figure 7 above: Minor routes cross section

Establishing a route hierarchy can improve legibility and appropriately manage levels of permeability, by allocating streets to accommodate certain transport modes, lower amounts of traffic and more intensive land uses.

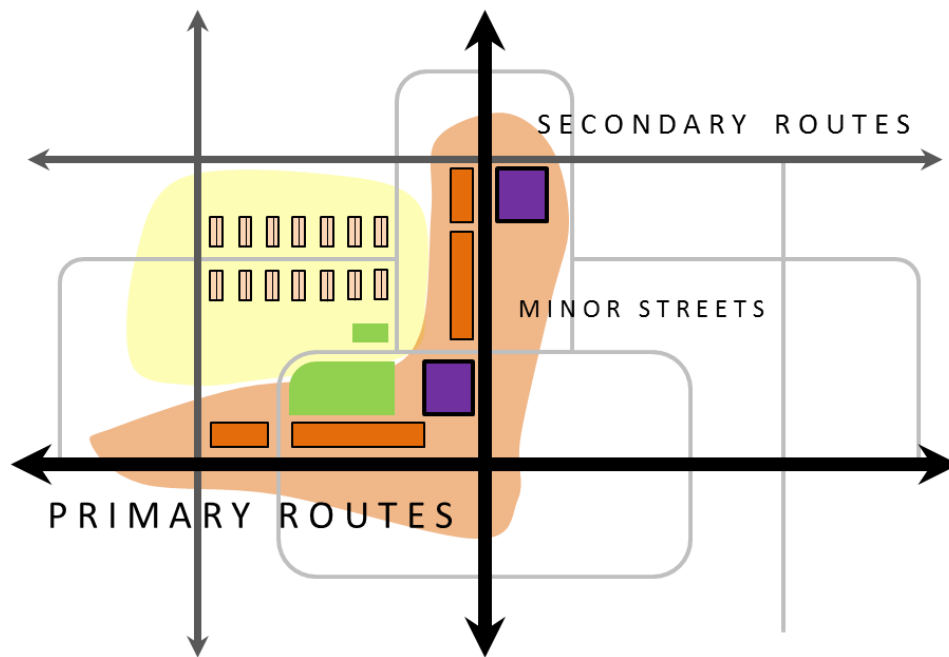


Figure 8 above: *Larger developments should adopt a route hierarchy – the black routes on the diagram above indicate streets providing key connections (primary routes) and the light grey routes indicate quieter and more secluded streets (secondary routes and minor routes).*

Street design

Streets should be viewed as places in their own right and not merely designed to meet highways standards; developers should pursue opportunities to make them attractive and multi-functional, which may mean performing roles that are often associated with well-designed public space.

In approaching the design of new streets, developers should consider the needs of the most vulnerable road users first – pedestrians, then cyclists, then public transport users. This approach can help minimise conflict between good design principles and the requirement for streets to be safe environments.

Developers may also want to consider the need for all proposed streets to provide some level of vehicular accessibility. Restricting some streets to pedestrians and cyclists only can actually increase the amount of connections within a development, in turn creating better connectivity across the whole community and help encourage people to pursue healthier lifestyles.

When designing residential development, developers should ensure that the network of individual streets are interconnected with one another, as this will improve the sustainability of the development by allowing residents and visitors quicker and more varied routes to facilities or public transportation nodes. Streets that are closed off from neighbouring ones or an over-reliance on ‘cul-de-sacs’ should be avoided as they do not make the best use of land. However, there is value in implementing cul-de-sacs in

residential development to provide safer environments, reduce traffic flows and create quieter street environments. Linking cul-de-sacs to other streets via pedestrian connections is a recommended approach (see diagrams below) however these linkages should be of sufficient quality and attractive to use:

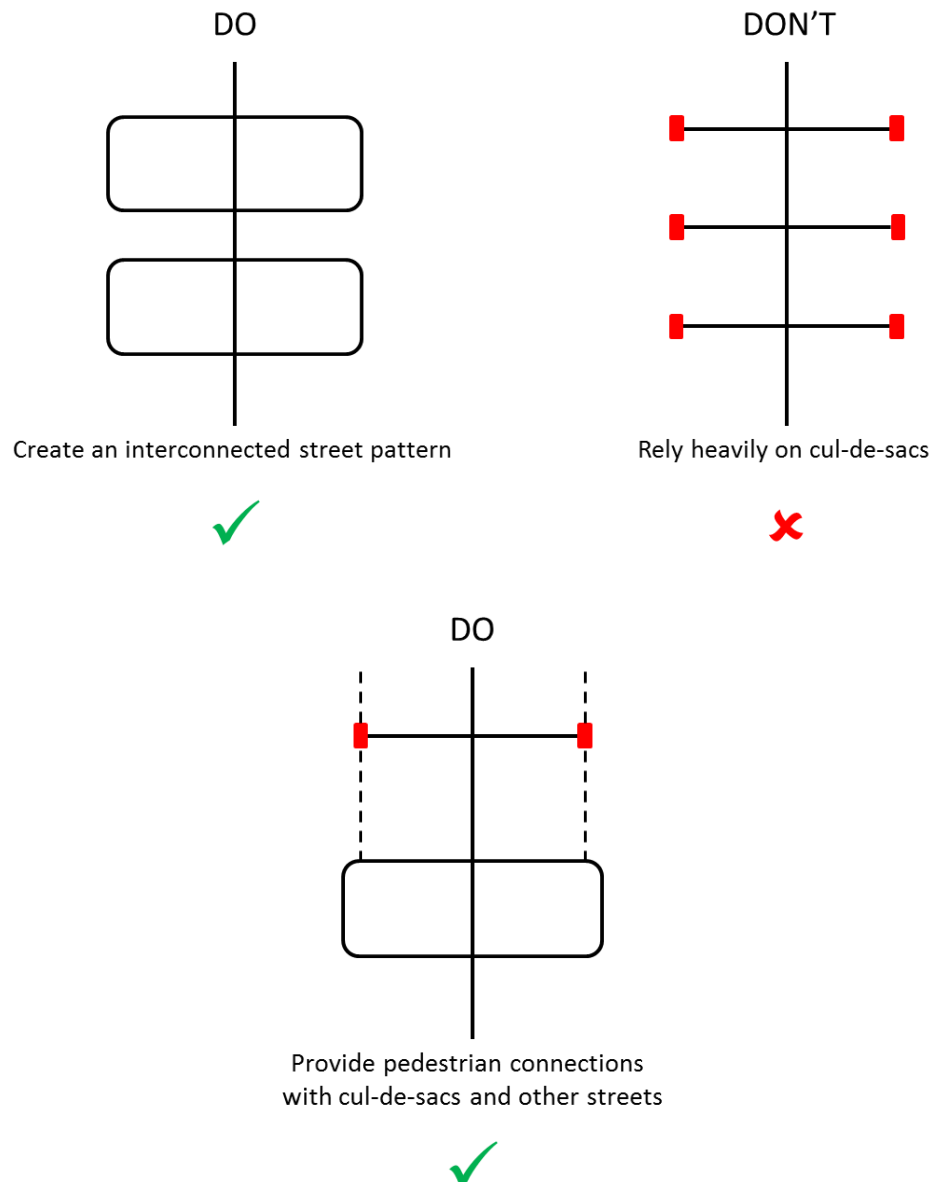


Figure 9 above: Streets should maximise connections with each other

Manual for Streets 2

The Manual for Streets 2 guidance (2010) provides the national guidance on designing and delivering high quality streets and spaces. It is fundamentally based around the following design principles:

1. Designing by collaboration
2. Enabling walking and cycling
3. Providing welcoming public spaces
4. Supporting safety and security

5. Designing for all
6. Responding to local context
7. Increasing resilience for the future
8. Supporting innovation

Cycle and walking routes

When providing attractive and safe walking and cycling routes on proposals, developers should:

- Prioritise connections to important community buildings such as schools, leisure centres and shops and ensure that they are more direct than roads, to help encourage modal shift from cars and introduce signage where appropriate.
- Accommodate buildings with active frontages along pedestrian and cycle priority routes, to provide adequate natural surveillance and encourage vitality
- Avoid providing routes that pass to the rear of buildings, as these may not be able to provide adequate natural surveillance and can become underutilised as a result.
- Ensure that pedestrian and cycle routes are mostly straight and continuous and not curve round in ways which may hide people from view
- Ensure that pedestrian and cycle routes are well lit, via the provision of street lamps or feature lighting that is built into the public realm.
- Give attention to the amount of landscaping that aligns pathways, particularly hedges, which when fully grown can provide hiding spots for criminals



Above: Pedestrian and cycling paths on this development in Anstey are overlooked from neighbouring dwellings, as well as green buffers serving as amenity space with newly planted trees (Groby Road, Anstey)

Further best practice examples of cycle/walking paths may be required.

Street furniture

The provision of street furniture can accentuate the role of streets as public space, increasing their functionality as places facilitating social interaction as well as providing a sense of character to streets.

Street furniture should be provided proportionate to the width of the street, so as not to unnecessarily clutter the street-scene and potentially detract from the character of the area. It should also be aligned in a linear manner, to minimise obstruction to traffic flows.

Lighting is a particularly important type of street furniture and a good lighting scheme can encourage the use of streets throughout the evening and at night-time. Lighting which illuminates buildings can be a useful means of highlighting a certain building's status within the street scene, providing visual interest and legibility at night. Lighting placed in paving can also aid with wayfinding and increase the visual interest of streets, space and pathways.

Well-designed street furniture should be a principal consideration when designing the street itself, to ensure that the type of furniture is in keeping with the character of the street. Details of street furniture should be included as part of a planning application, ideally within a design and access statement or similar accompanying document.

Highway safety

New roads and streets must be safe to use for all road users in order for them to be adopted by the local highways authority. However, fulfilling this requirement should not come at the expense of providing and delivering high quality street environments.

Notwithstanding this, the following key principles should be considered when designing streets serving new development:

- The majority of new residential streets should be designed so that vehicular traffic is encouraged to go slowly and carefully – i.e. at speeds at or less than 20mph.
- Designing streets to even lower speeds (at or less than 10mph) shall be supported – often referred to as 'home zones', this may also allow for opportunities in providing shared surfaces, accommodating all road users without the need to install kerbs. It may be more appropriate to provide these types of streets on residential schemes with higher densities, or schemes with a more enclosed street network.

- Consider the role of certain design concepts in encouraging lower traffic speeds less directly – for example, through building height to street width ratios, the presence of street trees and the placement of buildings at corners.
- Traffic calming measures including speed humps, raised surfacing and signage should only be relied on as additional measures to control traffic – they tend to be inappropriate for buses and may prove hazardous to cyclists.



Above: *Traffic calming measures at Groby Road, Anstey*

Shopfronts, shutters and signage

Well-designed shopfronts can contribute significantly to the character of streets in town or local centres. Whether a shopfront proposal is appropriate for its setting will be dependent upon the existing context, established by the host building and any adjacent buildings. The design stylings of the more traditional shopfront types are useful in helping to understand important elements of a high quality and functional shopfront. The Council encourages the innovative application of these elements in final designs for new or existing shopfronts.

Security shutters are common features on shopfronts, providing the shop protection from vandalism and theft. The most common type of security shutters are externally affixed to the fascia. These types of shutters can often diminish the character of a shopfront and, if repeated on adjacent shopfronts, may lead to negative perceptions of the safety of an area, particularly at night.

Internally mounted security shutters or shutters that allow for a small amount of visibility into the shop are generally less harmful to the street-scene.

Signage or advertisements that are placed upon shopfronts may require a separate form of consent from the local authority, considering impacts on amenity and public safety. Poorly placed signage on shopfronts can diminish the character of the wider street scene.

Signage for shopfronts should be considered as an integral part of the shopfront overall. The use of standard sign types or corporate imagery may not be wholly sympathetic to the building or street scene and modifications may have to be made in certain locations. Signage lettering should be proportionately sized to fit the fascia, as oversized lettering can have detrimental to the character of the street scene by way of scale.

Creating multi-functional, safe and inclusive places

Encouraging good design in new developments has a major role in improving the quality of life for local communities, bringing about positive change by inspiring civic pride, which will contribute towards developments establishing a strong sense of place and being valued by the people who use them.

The Core Strategy requires new development to function well and add to the quality of the area for the lifetime of the development. The most successful developments are able to perform a range of social functions and roles, being easily accessible to all types of people. When designed well, new developments can also help minimise the occurrence of crime and facilitate people in the pursuit of more active lifestyles.

This section of the SPD provides explanations on some of the wider objectives of good design quality – the importance in providing a mix of uses, the ways in which development can help reduce crime and create safe environments, being adaptable to socio-economic change and accommodating more vulnerable groups of people.

Mix of uses

Most forms of development will often incorporate only one type of land use, not including the streets/paths or any open space provision they provide. Large scale schemes will often incorporate a mix of land uses – the goal of a well-designed mixed use scheme is to ensure that these uses are able to complement each other sustainably.

When designing mixed use schemes, a key consideration should be to recognise opportunities to improve site accessibility, by accommodating complementary uses that are within easy reach of each other – for instance, locating local shops or children’s play areas next to schools and other community uses such as libraries. Uses which would interact with streets the least should be generally located away from them, for example service entrances to retail and commercial uses.

Developers may also want to explore opportunities for mixed use development schemes to expand choice for the wider community, particularly if they are located near well-connected areas like town centres. Apartment blocks, for instance, can accommodate active frontages on the ground floor (serving shops and leisure uses

like gyms, for example) which can increase footfall within a development or along an existing street and improve vitality in the area.

Mixing certain uses on new development can also help encourage healthier lifestyles. For instance, on major schemes, the allocation of leisure uses within a new local centre can provide residents within walking distance of businesses such as gyms or health clubs. Also, grouping multiple sports and recreational facilities together enables people to have a wider choice of physical activities to participate in within one location.

Active Design by Sports England

Active Design is about designing and adapting where we live to encourage activity in our everyday lives; it's a combination of 10 principles that promote activity, health and stronger communities through the way we design and build our towns and cities.

The 10 principles of active design are:

1. Activity for all
2. Walkable communities
3. Connected walking and cycling routes
4. Co-location of community facilities
5. Network of multi-functional open space
6. High quality streets and spaces
7. Appropriate infrastructure
8. Active buildings
9. Management, maintenance, monitoring and evaluation
10. Activity promotions and local champions

Developers can employ these principles to help inform the design and layout of their proposals, which can help them meet a range of overlapping planning, transport and health objectives in a more co-ordinated manner.

To access the comprehensive Active Design guidance, please follow this link:

<https://www.sportengland.org/media/3426/spe003-active-design-published-october-2015-email-2.pdf>

Adaptability

New developments that are adaptable are able to accommodate new uses to meet changing demands and circumstances in the future. Developers should consider building in adaptability within new development can help save money in the future on expensive renovation which may compromise design quality.

Some types of new development will be more likely to alter or change their functions over time than others. As such, retail-focused development schemes may want to demonstrate how they can adapt to changing circumstance like being able to accommodate other types of land uses without requiring large-scale redevelopment. This could be through the subdividing of large units into smaller ones or designing

elevations in such a way that can be easily adapted to be fit for new purposes without compromising the overall design quality of the development.

Developers should explore ways of making homes more adaptable. In making them so, people may be less inclined to move house often when their circumstances change. For example, interventions to make homes more adaptable to the needs of elderly people could include providing wider doorway widths or toilets and washrooms on ground floors. Opportunities to allow new rooms to be created more easily in dwellings shall be encouraged – for instance, the use of open roof truss construction methods over pre-formed roof trusses can more easily allow for loft conversions at a later date.

The layout of streets and spaces can also help in improve the adaptability of new places. When considering the layout of their schemes, developers may want to create streets and spaces which can easily adapt to support new uses – an example can be designing public spaces to be able to accommodate temporary or ‘pop-up’ uses, which in turn can provide further vitality to spaces.

Crime prevention

Design plays a key role in ensuring that development is safe and secure and in the best cases can actively contribute towards reducing the occurrence of crime.

Many inter-related design factors can help influence how a development is able to reduce risk from criminal activity, such as movement patterns, the physical form of buildings, the development’s vitality and amount of activity it can accommodate. Surveillance is a very important factor when considering the design of new developments – the levels of surveillance an individual place contains has a direct impact upon how people perceive the space in terms of safety and security.

The use of hard surveillance features such as security barriers and CCTV should not be relied upon to provide security measures, unless those means are appropriate to the principle function of the development. For residential schemes, the concept of ‘natural surveillance’ is an important design consideration.

Natural surveillance provides effective security measures without resorting to hard surveillance features, primarily through the placement and layout of new buildings and open amenity space, and enabling buildings to overlook onto public realm and open space through the placement of windows and building entrances.



Above: *The houses overlooking this children's play area provide natural surveillance onto the open space on this development in Quorn*

In considering the relationship between new buildings and amenity space, whether it is public or private in function, natural surveillance of the open space provision should ideally be maximised. Entrances to buildings should open upon streets or spaces; if an entrance is hidden from the public view, it could be perceived as unsafe. Elevations of buildings that face the public realm should feature principal windows.

Secure by Design

Section 1 of the '[Secure by Design – Homes](#)' (March 2019) design guidance covers overall development design measures, such as layouts and streets. This is likely to be the most relevant guidance for many developers.

Inclusivity

Public space should be as inclusive as possible.. By considering the most vulnerable groups (see below), new development proposals can be accommodating and inviting to everyone.

The principles of good urban design identified within this document can significantly contribute to environments that address the needs of vulnerable groups, such as elderly people, disabled people and children. Good design principles can also benefit people suffering from certain diseases, such as Alzheimer's. Further interventions that can make public spaces more inclusive are listed below:

- Minimising reflective or shiny surfaces and utilise contrasting colour schemes to highlight important safety features, to accommodate the needs of visually impaired people.

- Ramps and avoiding excessive level changes to cater for wheelchair users and parents with prams and pushchairs.
- Consider providing quiet or tranquil spaces or areas (an example being sensory gardens) on new developments, particularly those which are designed to accommodate elderly people.

Adapting to climate change

Good design plays a significant role in helping to create environments which are able to adapt to the changing climate, from supporting natural ecosystems, providing more sustainable forms of drainage, using sustainable construction methods and providing more energy efficient homes.

Trees

The planting of new trees can achieve a wide range of environmental benefits, such as helping to improve air quality, providing shade and reducing overheating, supporting wildlife and habitats and improving visual amenity.

Tree planting and landscape character areas

Tree planting on new proposals should reflect the identified landscape character of the site's surroundings. Layouts like planting belts may not be appropriate in certain areas. Refer to the [Charnwood Landscape Character Assessment \(July 2012\)](#) for guidance on how tree planting should be approached, as well as information on native species.

Trees can be particularly important features along streets - proposals that are providing networks of new streets should consider the planting of trees along key routes.

Trees that bear fruits such as berries or apples can be placed in appropriate areas of a development (e.g. public open space) to encourage a level of interaction and increase availability of healthy food in the built environment.

Developers should consider what type of species of tree are most appropriate in the street environment and consider their potential impact once they have reached maturity – for instance, large species will grow and encompass large canopies and consist of equally large root structures underground. This should include considering native trees and shrubs where appropriate. Highway corridors may be required to be widened in places to accommodate larger species of trees, without interfering with underground utilities. Smaller species of trees may be more appropriate on green verges.

The placement of new trees in development proposals may require liaison with arboriculture consultants, landscape officers at the local planning authority and the local highway authority. These professionals can help select suitable tree types for

each part of a proposal, as well as provide advice on their future maintenance and protection.

Delivering new trees in development proposals

Further guidance on how to deliver new trees in development proposals can be found at the following resources:

- [Trees in Hard Landscaping: A Guide to Delivery](#) (TDAG, 2014)
- [Trees in the Townscape: A Guide for Decision Makers](#) (TDAG, 2012)
- [Connect2 and Greenway Project - Appendix D: Street Trees](#) (Sustrans)

Managing existing trees

The presence of existing trees on or adjacent to a site should be closely considered in the design of new development schemes. Developers will need to incorporate as many existing trees as possible within their development proposals.

Solitary existing trees in particular can become important and distinctive landmarks on new developments, contributing to the character of a place. Existing groups of trees can also serve as attractive natural buffers that can soften the impact new development can have on adjacent buildings and spaces.



Above: *Retaining the mature trees on this development in Quorn has helped create a strong natural buffer between the main road and the play space, reinforcing a sense of enclosure*

Mature trees should be retained when designing proposals. Any work planned to a protected tree will require prior consent from the local planning authority and carrying out unauthorised work to a protected tree may result in prosecution.

Tree Preservation Orders (TPOs)

Further information regarding Tree Preservation Orders (TPOs) and carrying out work to protected trees can be found at the following resources:

- Tree Preservation (Charnwood Borough Council) https://www.charnwood.gov.uk/pages/tree_preservation_and_hedges
- Tree Preservation Orders and trees in conservation areas (Planning Practice Guidance) <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Biodiversity

Good design should be capable of demonstrating how biodiversity has been incorporated on proposals at an early stage. This can be achieved when a scheme has been informed by a robust and proportionate ecological assessment and then follows the mitigation hierarchy – this prioritises the avoidance of harm, then mitigation of harm and makes compensation for the loss of biodiversity a ‘last resort’.

Making sure that the ecological mitigation that is proposed relates as closely as possible to the impacts have been identified will help avoid the need for offsite compensation.

Charnwood Local Plan Core Strategy Policy CS15 sets out requirements for open space provision as part of new development, and for larger proposals, this can result in significant areas of public open space. Some of these areas can be managed as semi-natural habitats. Providing space of this kind can by itself be sufficient to avoid biodiversity loss, although it may not always be the most efficient approach.

For small developments, providing areas of open space is often not a viable or effective way of mitigating biodiversity loss; therefore a more creative approach should be considered. Such a creative response will recognise that buildings can make a contribution to biodiversity, for example through green roofs and green walls.

The Government has recognised that conserving biodiversity can have wider environmental benefits by helping to build natural capital and provide ecosystem services. Providing space for wildlife, either as part of open space or the built environment can help to contribute to the wider sustainability of development. Some examples are the following:

- Well placed linear vegetation can provide habitat and connectivity for wildlife and can also form a part of pedestrian and cycle routes, which can help to reduce car use and improve people’s welfare.
- With careful planning, trees in the public realm can benefit wildlife, can contribute to the desirability of a development, contribute to urban cooling and help to reduce runoff

- Green roofs provide wildlife habitat, help to reduce runoff, help with urban cooling and provide insulation whilst requiring no additional land beyond the footprint of buildings.

Applicants should seek appropriate professional advice to help understand how to avoid ecological impacts and, where they are unavoidable, identify the most appropriate and efficient approach to mitigate and compensate for those impacts within the boundaries of the proposed development.

Sustainable Drainage Systems (SuDS)

This section sets out the reasons for considering Sustainable Drainage Systems (SuDS) at an early stage in the design process, regardless of the scale of the proposal.

New development usually results in an increase in hard surfacing which, in the absence of control measures, tends to increase surface water runoff. SuDS include a range of approaches which are designed to maximise the opportunities and benefits that can be secured from surface water management'. In this case surface water management should be understood to mean control of the rate, volume and contaminant load of surface water runoff.

The Flooding and Water Management Act 2010 (S3:2) sets out the concept of Sustainable Drainage Systems:

Sustainable drainage means managing rainwater (including snow and other precipitation) with the aim of-

- (a)reducing damage from flooding,*
- (b)improving water quality,*
- (c)protecting and improving the environment*
- (d)protecting health and safety, and*
- (e)ensuring the stability and durability of drainage systems*

CIRIA SuDs Manual (2017)

The [SuDS Manual](#) by CIRIA is widely acknowledged to provide comprehensive best practice guidance for the design of SuDS

The Lead Local Flood Authority, as the statutory consultee for matters relating to drainage management on new development, typically comments on major applications and provides advice consistent with the Government's Non-Statutory Technical Standards for SuDS⁴. However it remains the responsibility of the local

⁴ <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

planning authority to assess impacts upon water quality, offsite ecological impacts associated with runoff and cumulative increase in flood risk associated with smaller developments.

Even small developments can be shown to have adverse ecological impacts on the water environment and lead to small increases in flood risk and so in most cases, applicants should consider the benefit of including SuDS within their schemes, regardless of size.

Considering SuDS early in the design process can have a number a benefits for the developer, for the end user and for the wider environment, including:

- Making effective use of land by designing features that have multiple benefits through the incorporation of measures designed to intercept rainfall within the built development (such as permeable paving, tree pits, rain gardens, rain water harvesting and green roofs) can help to reduce the amount of land required for drainage basins, contribute to the wider sustainability of your development;
- urban cooling;
- Providing permanent and relatively high value features within the footprint of development with measurable biodiversity value;
- Providing attractive public amenity space, and;
- Helping to reduce water bills and heating costs for residents.

Energy efficiency

Reducing carbon emissions is a national priority and building regulations require all individual new homes to meet certain standards of energy efficiency. The Charnwood Core Strategy formally requires only major development proposals to demonstrate how the need to reduce emissions has influenced the design and layout of the scheme but smaller proposals in the Borough are encouraged to consider their ability in reducing emissions as well.

There are ways to make any form of residential development more energy-efficient which can be achieved through designs which support more natural forms of cooling, heating and lighting. Fundamental elements of a development's design such as the orientation of buildings and the placement of windows can help future residents reduce their carbon footprint.

Energy efficiency through sunlight gain

The positioning of buildings relative to the sun's position in the sky can be taken into account to improve their energy efficiency.

The concept of **passive solar gain** is about increasing the amount of sunlight captured within buildings to provide a more natural heating and lighting source. Buildings should maximise their ability to capture sunlight by being oriented to face within 30 degrees due south – **the diagram** below demonstrates that this positioning will optimise the

amount of solar gain throughout the day, ensuring natural forms of heating can be provided for longer periods of time.

Excessive heat capture during the summer months, when the sun is highest in the sky, can be avoided by the use of shading (through deciduous planting/trees) in the path of sunlight, which will block some light from entering through south facing windows.

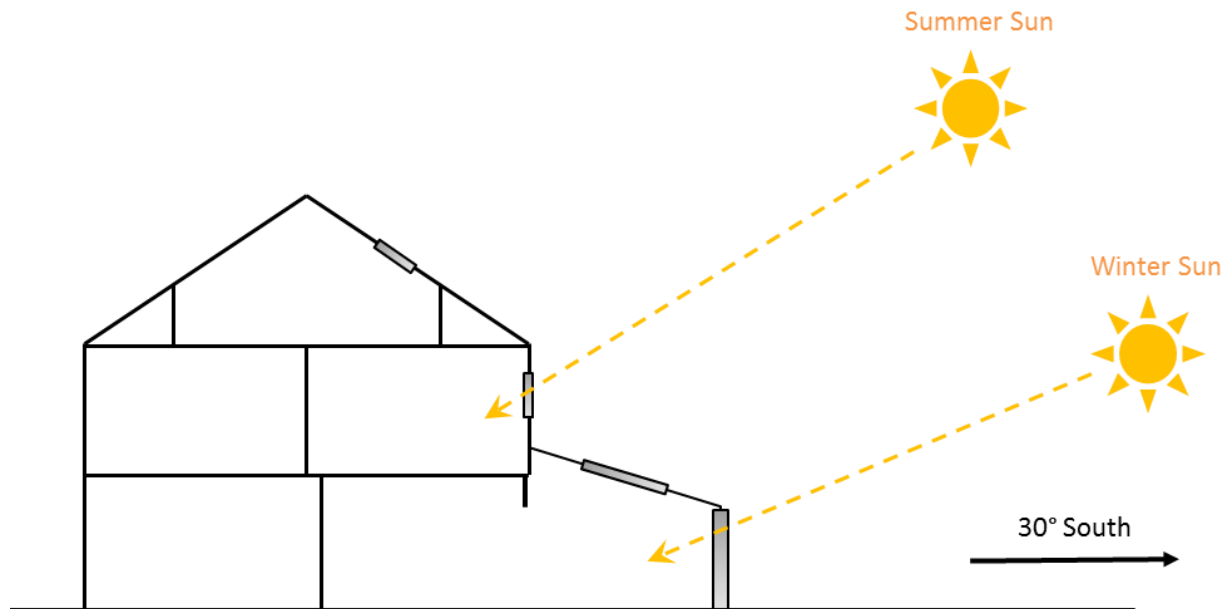


Figure 10 above: *Rear of buildings facing within 30 degrees due south, increasing passive solar gain for longer periods in both winter and summer months.*

More **active solar gain** techniques include the installation of photovoltaic panels, often placed upon the roofs of buildings.

When determining the placement of solar panels, consideration should be given to the orientation of the panels. Panels facing within 30 degrees of due south are more likely to maximise the amount of solar gain than those which are placed on other aspects. However, the placement of any solar panels should also respond appropriately to the local character so this shouldn't be seen as a universal standard.

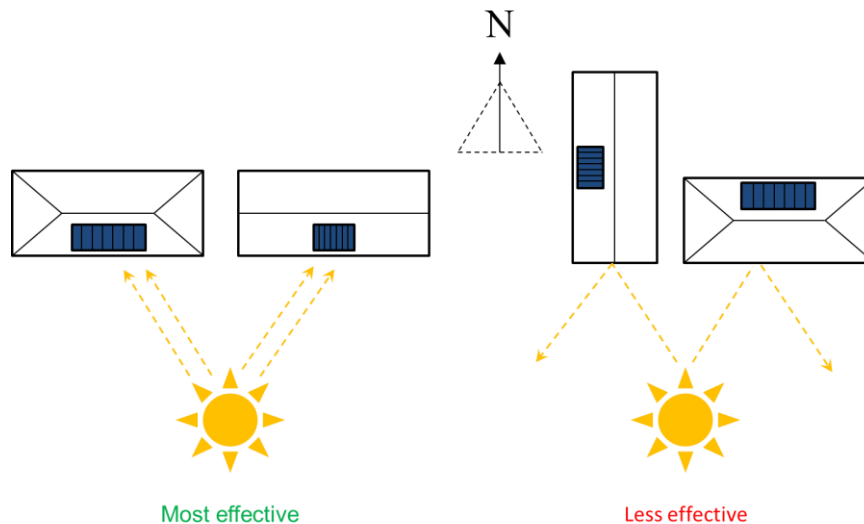


Figure 11 above: *When considering solar panel installation for dwellings, roof slopes facing due south (within 30 degrees) are considered the best positions for the panels*

Energy efficiency through natural ventilation

The air flowing around a building can help provide more natural forms of ventilation and cooling within rooms. This can be achieved through the positioning of windows on opposite walls, so fresh air can be drawn through the building. In winter, cold winds can increase the loss of heat in buildings so consideration may want to be given to installing forms of insulation, particularly on parts of dwellings that tend to feature more glazing such as porches and atriums.

For larger developments, the layout and mix of building types can influence wind patterns around the site and may create wind funnelling effects, which can adversely affect spaces between buildings and lead to them being uncomfortable places in which to spend time. To combat this issue, developers can investigate grouping low density buildings together so that wind passes over them rather than between them. Tall buildings and higher densities can provide shelter from cold winds in winter if they are placed in northern parts of larger sites.

Modern methods of building construction

Modern methods of construction can contribute to carbon reduction and the application of these methods will be encouraged on new development schemes.

Protecting the amenity of existing and future occupiers

Good design ensures the relationship between neighbouring buildings and land uses is compatible and harmonious and would not cause unacceptable harm to or loss of amenity enjoyed by either occupier.

The following are key amenity factors that design of new development plays a large part in influencing:

- Protecting occupier privacy
- Loss of daylight
- Loss of sunlight
- Overbearing impact
- Impact of adverse noise
- The storage of bins

Protecting occupier privacy

Protecting the privacy of the occupants of dwellings is an important element of the quality of residential environments. Proposed development should seek to provide reasonable space between buildings in order to minimise overlooking. As a general rule, transparent windows should not be placed on elevations facing windows serving main habitable rooms of dwellings, such as kitchens, living rooms and bedrooms where this would give rise to overlooking of either property. The use of obscure glass or rooflight windows can offset the loss of privacy however these types of windows may not be acceptable choices to serve main habitable rooms if they create poor standards of amenity for future occupiers. Obscured or roof mounted windows will usually be acceptable serving ancillary rooms in a home, such as hallways and bathrooms.

For dormer windows, restricting the size of the window and setting back from the eaves can be a possible solution to protect neighbouring privacy.

Loss of Daylight and Sunlight

Sunlight refers to light directly from the sun whereas daylight is diffuse or reflected light. Access to sunlight and daylight is beneficial for reducing the need for artificial lighting consumption and providing more natural forms of heating. New development which significantly reduces the level of sunlight or daylight enjoyed by neighbouring buildings is likely to result in a loss of amenity to the occupiers of neighbouring buildings.

Daylight

Where proposed building is close to a facing habitable room window (less than 3 times the height of the proposed building above the centre of the existing window), the 25 degree guideline, (set out in figure 12), should be used to establish if a material loss of daylight is possible.

For house extensions, the **45° degree line** is a helpful measure for considering whether development (particularly extensions) would cause a loss of daylight to a window. It is not valid for windows which directly face the extension, or for windows opposite. For these cases, the 25° degree guideline below should be used.

Figure 11 shows the application of the 45° guideline, and is explained as follows: Take the elevation of the window wall and draw diagonally down at an angle of 45° away from the near top corner of the extension. If the extension has a pitched roof, then the top of the extension can be taken as the height of its roof halfway along its slope. Then take the plan and draw diagonally back at an angle of 45° towards the window wall from the extension.

A significant amount of light is likely to be blocked if the centre of the window lies within 45° angle of the elevation. For patio doors the vertical midpoint of the window is usually taken to be a point 1.6m above ground level. Here the centre of the window lies outside the 45° angle on the elevation, so the impact of the extension is likely to be small.

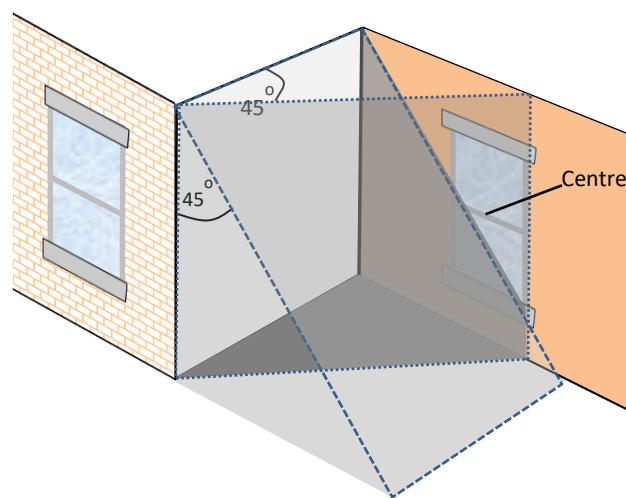


Figure 11 above: The 45 degree approach for extensions

...

Sunlight

A material loss of sunlight can occur when part of the proposed development is within 90 degrees of a south facing window on an adjacent property and where the height exceeds the 25 degree angle as indicated below:

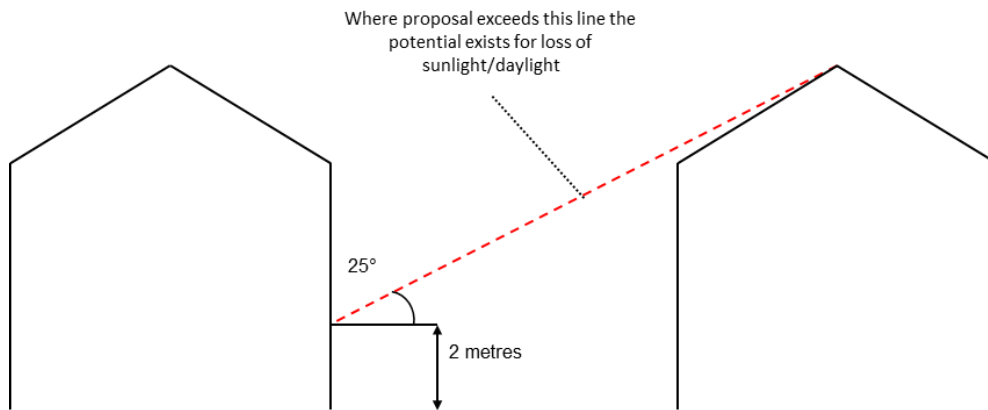


Figure 12 above: The 25 degree guideline (impact of building height on sunlight gain)

Figure 13 below illustrates the circumstances where there is a possible material impact upon sun lighting. In analysing the sunlight impact on the existing window no check will need to be made for proposed extension A and new building C, as they lie within 90° of due north of the window.

Proposed extension B should be checked, as should new building D, if the building is above the 25° line identified in figure 12.

Main living rooms and conservatories may be particularly sensitive to a significant reduction in sunlight but each case should be looked at carefully as existing obstructions and the presence of other windows are all important considerations in reaching an overall conclusion.

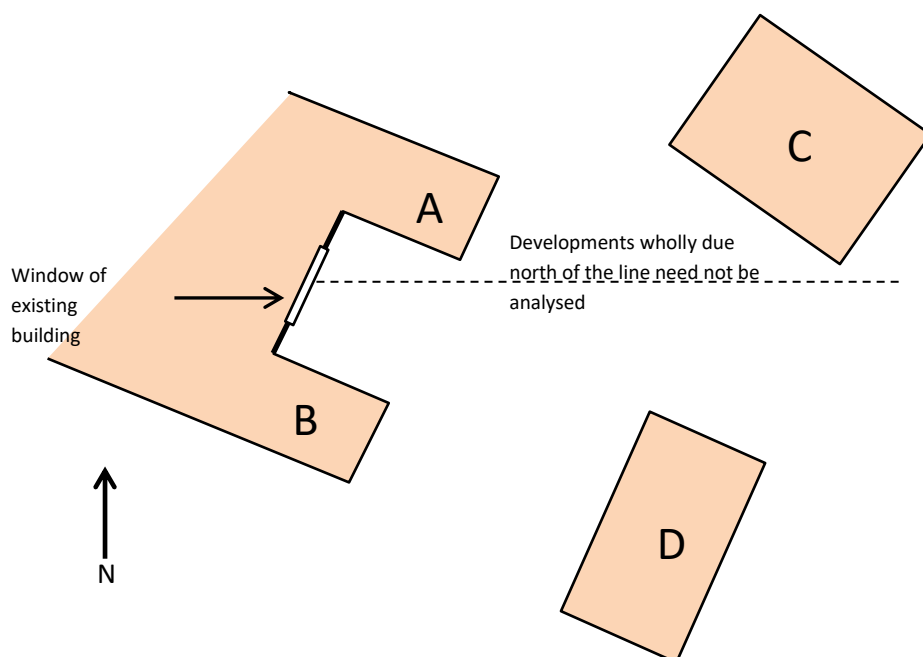


Figure 13 The impact upon sun lighting

Further guidance on planning for daylight and sunlight can be found from the Building Research Establishment⁵ and the Council will use this guidance in assessing potential loss of sunlight and daylight particularly in cases where the loss of either sunlight or daylight is marginal.

Separation Distances Between Dwellings

When considering the layout of dwellings on a site, developers should consider the distance that separates rear elevations of individual dwellings in the interest of protecting the privacy and avoiding overbearing impact for both existing and future residents.

The guidance measurements for separation distances are provided below. It is important to note that these do not serve as strict requirements. The distances will be applied having regard to the wider design issues and site context but will generally be more important considerations when developing sites that are close to existing buildings.

Separation Distances Between Dwellings For Privacy

Where rear building elevations containing main habitable room windows, the following distances provide a guide to protect the loss of privacy:

- 21 metres for 2 storey dwellings;
- 27.5m for 3 storey dwellings and above; and
- 27.5m where main habitable room windows above ground floor level would overlook existing conventional dwellings

The separation distance should be increased by 1m for every 0.4m difference in floor levels between dwellings.

Single storey back to back development is not so critical in terms of overlooking although differences in ground levels should be taken into account.

Separation Distances Between Dwellings to Avoid Overbearing Impact

Where elevations containing main ground floor habitable room windows would face windowless flank walls, the following distances provide a guide to avoid over dominance:

⁵ Site Layout Planning for Daylight and Sunlight A Guide to Good Practice Second Edition 2011

- 9.5m minimum distance between the two elevations where a flank wall is single storey;
- 12.5m for 2 storey flank walls; and
- 15.5m for 3 storey flank walls.

Single storey flank walls can be sited closer where a hipped roof form is proposed.

Where there is a difference in ground levels the separation distance should be adjusted by 1m for every 1m level variation

Note: Main habitable rooms are primarily occupied during the day (i.e. lounges, dining rooms and kitchens).

Protection against adverse noise

Existing noise and smells that are present on a development site are planning considerations when they are deemed adverse enough to negatively impact upon the amenity of future occupiers.

Certain neighbouring land uses to proposal sites can generate a large amount of noise due to the operations taking place upon them. Noise becomes a planning matter once it causes people to make small changes in their common behaviour or attitude. Some development proposals may be sensitive to adverse noise and may require an appropriate level of mitigation in order to protect future residents or workers.

For development schemes located adjacent to major roads such as dual carriageways, mitigation measures will likely be required to reduce noise levels so that future residents are able to live in a quiet and peaceful environment. Infrastructure in the form of acoustic fencing is a common method of minimising noise from nearby fast roads or railway lines. Open space or planted tree belts can serve as a noise-reducing buffer between dwellings and neighbouring major roads or railways.

Other methods of mitigating noise impacts include the placement of buildings themselves, to optimise the distance between the source of noise and sensitive receptors, and using features of the natural landscape and contours as sound barriers.

Waste and bin storage

Bin storage areas should be seen as an important design consideration on new developments. Both storage and collection points for bins need to be considered as part of the overall design in order to reduce amenity issues relating to residents access to bins and the problem of 'bin blight' which can diminish quality of spaces within the development. With regards to bin storage, development should demonstrate three key needs – to provide convenience for both residents and waste collectors, to be safe to

use and avoid being a detracting feature of the area character and the development's architectural quality.

Ideally, the storage of domestic waste in wheelie bins is best located to the rear of dwellings and away from the main frontage. However, this may not always be feasible or practical so in these circumstances, waste storage areas should effectively mask or screen wheelie bins from building frontages, ideally within purpose built structures embedded into the design of the development.

For commercial or mixed use developments, larger communal bins will tend to be used. Storage of these bins should be secure if located to the rear of buildings, as they could be prone to vandalism and arson. For the latter, communal bins should be located away from windows or ventilation outlets.

APPENDIX I: Parking Design Guidance

Poorly-thought out parking can be detrimental to the street character, make places function less well as inclusive spaces and cause obstructions to pedestrian and cycle movements and larger vehicles which may need to access the development, such as emergency vehicles and waste collectors.

When designing the layout of schemes, developers should know the amount of parking required by the County Council's guidance in relation to the scale of their proposal and the type of development. As such, accommodating parking should be a fundamental design consideration at the start of designing schemes.

Adopted residential parking standards in Charnwood

For general parking standards, in regards to the number of spaces required for different types of residential development, please refer to the [Leicestershire Highways Design Guide – Section DG14: Vehicle parking and making provision for service vehicles](#). These are the adopted parking standards which apply to new development in the Borough.

Many residential developments can accommodate a degree of parking provision on the street but this needs to be limited to prevent parked vehicles dominating the street scene. Generally, a mix of on-street and a variety of off-street provision can often be the best approach to successfully managing parking, particularly on larger schemes.

This SPD provides guidance on design approaches and considerations for both **on street parking provision** and **off street parking provision** (including **garages**).

On Street Parking

With close consideration at an early stage of the design process, the potential dominance of on-street parking on the character of development can be reduced.

Parking provision on streets should ensure that traffic is able to pass parked cars with adequate room. For this reason, on-street parking which is not accommodated in parking bays should only be provided on one side of the street.

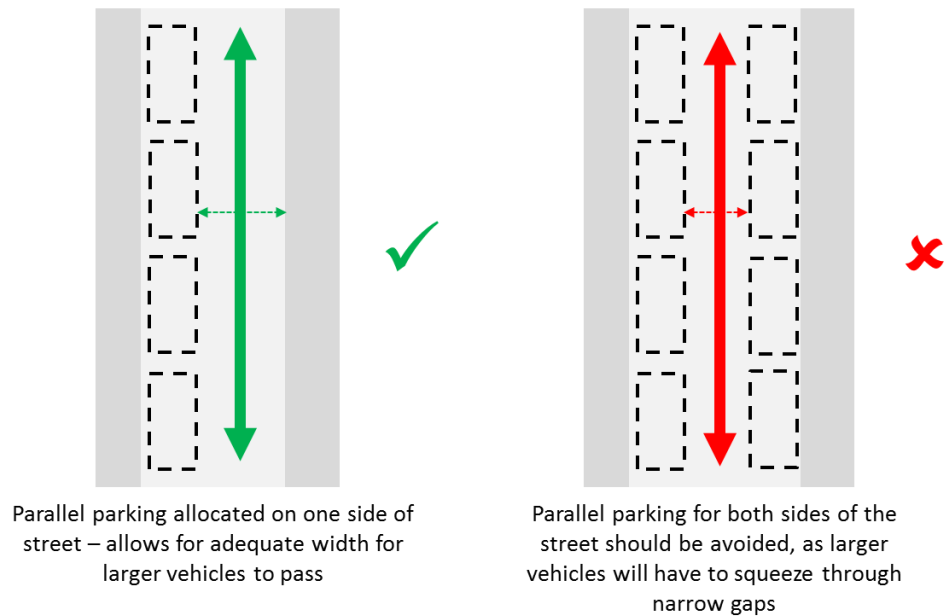


Figure 14 above: *On street parallel parking should be located on one side of the street*

On street parking bays

Parallel parking can be visually intrusive upon the street-scene but with the use of recessed parking bays incorporating appropriate landscaping and street trees, the impact of vehicles on the character of building frontages can be softened.

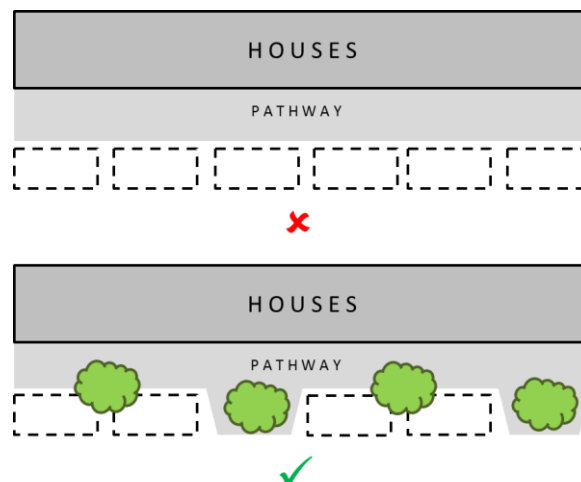


Figure 15 above: *On street parking punctuated with street trees and wider pathways, subduing the impact of vehicles parked in front of dwellings.*

Parking squares

Parking squares can remove parked vehicles off streets and away from dwelling frontages, reducing the visual impact of parked cars. However, they still need to be in convenient locations. Landscaping in the form of street trees or planting beds can help break up monotony caused by expanses of tarmac or paving. Different styles of paving patterns and materials can also help provide a degree of variation in the street-scene character when providing parking squares, as well as help easily distinguish them from other street functions.

Off Street Parking

Parking provision located off the street should generally be maximised wherever possible. There are several key methods of accommodating provision off the street:

Facing dwellings

This approach to parking provision is more likely to be used by residents to park their cars because they will be visible from within their homes. The provision of spaces in front of new dwellings should be balanced by appropriate quantities of landscaping so that the frontages are not dominated by large expanses of tarmac or paving. To help measure this, developers may want to consider applying a 50/50 approach for larger dwellings in balancing parking spaces with landscaping:

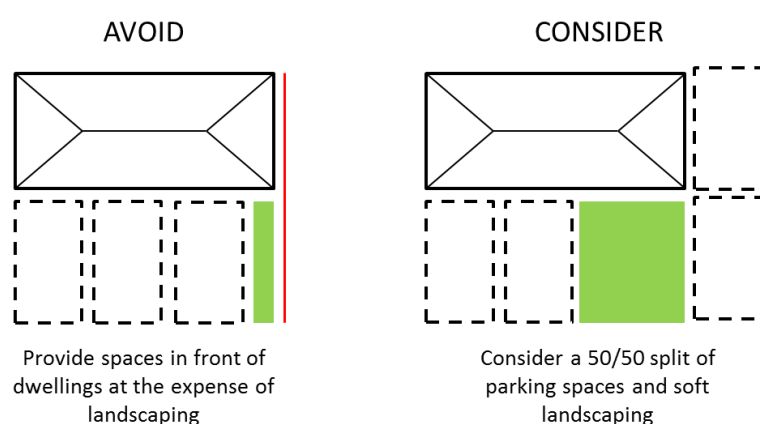


Figure 16 above: A 50/50 approach to providing parking spaces and landscaping in front of new dwellings

Tandem parking spaces serving two neighbouring properties should ideally be separated by landscaping strips at least a metre in width. These landscaping strips can increase permeability and reduce large expanses of hard surfacing. Any landscaping strip should serve a clear purpose such as provide planting or serve as part of a SuDs scheme.

Ensure a 1m minimum width landscaping
buffer between adjoining tandem parking
provision

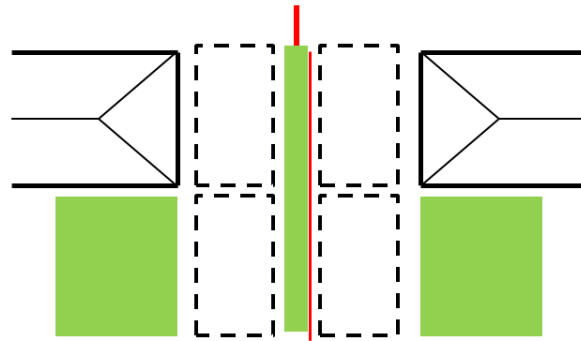


Figure 17 above: *Landscape buffers can be provided between adjoining tandem parking arrangements, to avoid excessive amounts of tarmac/paving*

Parking courtyards

Parking courtyards can effectively remove vehicles from obstructing the street however they need to be afforded adequate levels of surveillance in order for them to be perceived as safe and therefore more likely to be used by residents. Simply adding parking areas behind houses without consideration of whether they will be well overlooked should be avoided.

When providing rear parking courtyards on residential schemes, developers should carefully consider the layout of the dwellings that surrounds them and make sure dwellings are able to provide both natural surveillance upon the courtyard and positively contribute to its character.

Although located away from the street itself, rear parking courts can still be afforded characterful street features such as landscaping, trees and appropriate street furniture. Parking courts should be afforded similar design considerations to public realm, so that they can be attractive spaces in their own right.

Garages

The placement of detached garages should positively respond to the wider layout of adjacent buildings and the neighbouring street scene – in particular, detached garages serving dwellings should not extend beyond the building line.

Garages as parking spaces

For a garage to be counted as a parking space, the [Leicestershire Highways Design Guide](#) requires them to meet the following **internal** specifications⁶:

- For a standard single – **6m x 3m**, minimum door width of **2.3m**
- For use by disabled – **6m x 3.3m**, minimum door width of **2.8m**
- For a double – **6m x 6m**, minimum door width of **4.2m**

Integral garages can be a better use of space than detached ones but should be designed appropriately so that they do not serve to overly dominate the host dwelling or wider street-scene. Integral garages should not take up more than a quarter of the principal or front elevation of a dwelling. For this reason, integral garages would generally not be acceptable for single storey dwellings unless a sensitive design solution can be demonstrated.

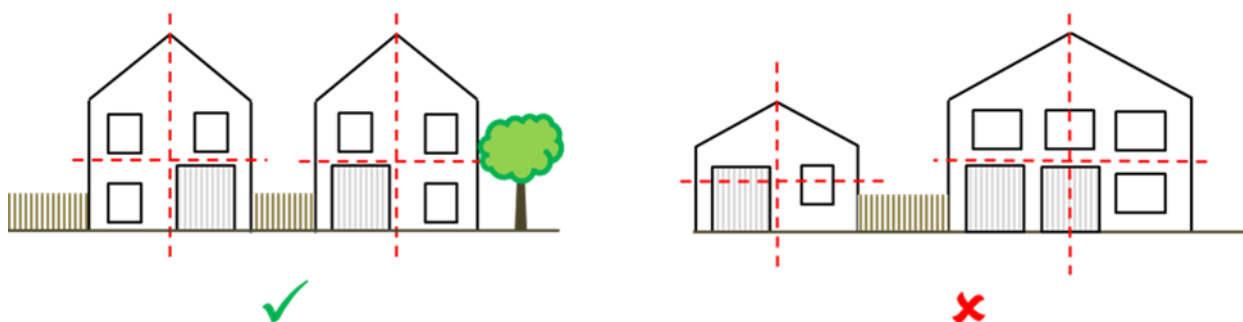


Figure 18 above: Garages integral to a dwelling exceeding more than a quarter of the principal elevation may have negative implications upon the character of the dwelling and the surrounding area

Additional principles for well-designed parking:

- Where there are a number of parking spaces, covered parking spaces can contribute to the continuity of built form and improve the design quality within parking courtyards.
- The use of permeable paving for parking spaces that would not create excess surface runoff should be explored, particularly in areas which suffer from surface water flooding.
- Electric car charging points should be discreetly installed and should avoid being placed on principal elevations. If they are installed in parking areas or to the front of properties, consideration should be given to their appearance so that they not appear incongruous with the character of the surrounding area.
- The storage of bicycles on schemes should not be ignored, especially where car ownership/use is likely to be lower. Access to cycle parking facilities should

⁶ <https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/fag/2019/2/6/Part-3-design-guidance.pdf>

be convenient, secure and adequately provide for visitors. Scope for designated space within the home to store bicycles should also be explored.

APPENDIX II: Further References

This SPD has been informed by a wide variety of sources to help produce its guidance, including best practice in urban design endorsed by government organisations and academic textbooks cited by the urban design profession.

This appendix provides a comprehensive list of further sources for developers to utilise when preparing their proposals.

A key intention of this SPD is to provide a reference point to the wealth of guidance concerning and related to achieving good design, providing developers and developers easier access to it through one document. The Council will support the use of design concepts featured in these referenced documents even when they have not been described in this guide, when they would be relevant and beneficial to the design of a proposal.

- Charnwood Core Strategy 2015 (Charnwood Borough Council)
https://www.charnwood.gov.uk/files/documents/adopted_core_strategy1/Charnwood%20Local%20Plan%202011%20-%202028%20Core%20Strategy%20Adopted%20November%202015.pdf
- Planning practice guidance – Design <https://www.gov.uk/guidance/design>

CABINET - 16TH JANUARY 2020

Report of the Head of Planning and Regeneration Services Lead Member: Councillor Morgan

Part A

ITEM 12 SILEBY NEIGHBOURHOOD PLAN

Purpose of Report

This report seeks Cabinet approval for the Sileby Neighbourhood Plan to be 'made' as part of the statutory development plan for the Neighbourhood Area.

Recommendation

That the Sileby Neighbourhood Plan, attached as an appendix to this report, is 'made' part of the statutory development plan for Charnwood, in accordance with the provisions of Section 38(A) (4) of the Planning and Compulsory Purchase Act 2004.

Reason

To fulfil the legal duty to make the Sileby Neighbourhood Plan part of the development plan for Charnwood.

Policy Justification and Previous Decisions

The Localism Act (2011) introduced new provisions to allow local communities to prepare neighbourhood development plans and establish them as part of the statutory development plan alongside the relevant local plan and mineral and waste plan. Further direction has been provided by the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) with the Neighbourhood Planning (General) Regulations 2012 and subsequent amendments giving details on how neighbourhood plans are to be brought into effect.

The support to be provided by Charnwood Borough Council for the delivery of neighbourhood plans was set out by a Cabinet resolution on 14th March 2013 (Minute 121/13). The adopted Charnwood Local Plan 2011 to 2028 Core Strategy identifies opportunities which are available for communities to prepare neighbourhood plans and shape the future of development within their area. For example, by addressing specific, identified local housing or employment needs or by identifying land as Local Green Space.

Implementation Timetable including Future Decisions and Scrutiny

The PPG states that where a local planning authority has the responsibility for the neighbourhood planning process, it should make every effort to conclude each stage promptly. Timely decision taking is important particularly at the start and the end of the process and certain decisions must be taken within prescribed time periods as set out in the Neighbourhood Planning (General) (Amendment) Regulations 2015 and the Neighbourhood Planning (General) and Development Management

Procedure (Amendment) Regulations 2016, which amend the Neighbourhood Planning (General) Regulations 2012. The time limits that apply include:

- a) the designation of a neighbourhood area (as soon as possible);
- b) the decision whether to put a neighbourhood plan to referendum following receipt of the report of the independent examiner (5 weeks);
- c) the time period within which the referendum must be held, following the decision that the plan should be put to referendum (56 working days); and
- d) the time period to bring a neighbourhood plan into force after it has been approved in referendum (8 weeks).

Steps a) to c) above were undertaken by the Borough Council within the time limits prescribed by the Regulations. The Sileby Neighbourhood Plan Referendum was held on Thursday 21st November 2019. In order to meet the timescale provided for by d) above, the Regulations state the Plan should be brought into force within 8 weeks of the referendum; in this case by the 16th January 2020.

Report Implications

The following implications have been identified for this report.

Financial Implications

The cost of producing neighbourhood plans falls mainly upon the neighbourhood planning group preparing the plan. The Borough Council provides support and advice to the groups through existing resources and the arrangements for the examination and referendum are made and facilitated by the Council, with the direct costs being met through funding drawn down from the Ministry of Housing, Communities and Local Government (MHCLG).

Neighbourhood area designation grants totalling £25,000 have been received for the first five neighbourhood areas designated. MHCLG caps support at a maximum level of five applications for designation thus the Council will not be able to receive any further funding for neighbourhood area designations. Additional funding of £20,000 is also available from MHCLG upon successful completion of each neighbourhood plan examination, once the date of the referendum is set. This can be used to pay for the examination and referendum costs and a funding application will be made in relation to the Sileby Neighbourhood Plan when the next funding claims window opens for the neighbourhood planning grant.

The cost of the referendum is estimated at approximately £6,000 and the cost of the examination £8,031.01 and will be met by the MHCLG Neighbourhood Plans Grant. Officer support costs have not been precisely calculated although nominally a figure of 20% of the Planning Policy team's time has been taken up by Neighbourhood Planning in recent months. There are likely to be additional financial implications for the Council arising from publicity and making the plan available for use as part of the development plan. The total costs for officer support, the referendum, publicity and publication of the plan are expected to be consistent with and not exceed the £20,000 grant funding that has been claimed for the plan.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
The Sileby neighbourhood development plan is not 'made' part of the statutory development plan for Charnwood, resulting in a breach of the legal duty to progress in accordance with the regulatory framework; the community's objectives not being delivered; impact on the determination of planning applications; and, leading to reputational damage to the Council.	Unlikely (2)	Serious (3)	Moderate (6)	The process to 'make' the neighbourhood plan will have been closely followed and the neighbourhood plan will be in conformity with the vision, objectives and strategic policies of the Charnwood Local Plan Core Strategy.
The Council's decision to make the Sileby neighbourhood development plan (or not) may be subject to external, third party challenge by Judicial Review.	Unlikely (2)	Serious (3)	Moderate (6)	The plan preparation process followed statutory requirements. The independent examiner identified the plan has been prepared in accordance with Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning Regulations 2012 (as amended) and that, having regard to national policies and advice contained in guidance issued by the Secretary of State, it would be appropriate to make the Plan. Access to legal advice will be available throughout challenge period.

Equality and Diversity

The extensive consultation procedures provided for by the Planning and Compulsory Purchase Act 2004 help ensure that all groups within the community have participated in the preparation of the plan. The Examiner's Report confirms the neighbourhood plan has had regard to fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary. There are no equality and human rights implications arising from the recommendations in this report.

Sustainability

The plan has been prepared in the context of achieving sustainable development as required by the National Planning Policy Framework. A Strategic Environmental Assessment/Habitats Regulation Assessment Screening Report has been undertaken and, having consulted with the three statutory consultees, has determined that it is unlikely that there will be any significant environmental effects arising from the Sileby Neighbourhood Plan.

Key Decision: Yes

Background Papers:

[Sileby Neighbourhood Plan Examiner's Report](#)

[The Localism Act 2011](#)

[Town and Country Planning, England \(Referendums\) Regulations 2012](#) (SI 2012 No. 2031)

[Town and Country Planning, England, The Neighbourhood Planning \(General\) Regulations 2012](#) (SI 2012 No. 637)

[Sileby Neighbourhood Plan Specified Documents](#)

[Decision under Delegated Powers \(DD121 16/17\) Sileby Neighbourhood Area](#)

Officer to contact: Richard Bennett
Head of Planning and Regeneration
(01509) 634763
richard.bennett@charnwood.gov.uk

Part B

Context

1. The Localism Act (2011) has enabled local communities to shape their areas by allowing parish and town councils to prepare neighbourhood development plans. A detailed legislative framework for undertaking neighbourhood planning has been set out in the Neighbourhood Planning Regulations (2012) and subsequent amendments.
2. A neighbourhood plan can decide where and what type of development should happen in the area; promote more development than is set out in the local plan; or include more detailed policies which will take precedence over existing policies in the local plan, for example the introduction of specific design standards or protecting local green space. However, the neighbourhood plan cannot be used to prevent development included in the local plan or be in conflict with strategic policies in the local plan.
3. A neighbourhood plan, once “made” (adopted), becomes part of the statutory development plan and will sit alongside the Charnwood Local Plan 2011 to 2028 Core Strategy and apply to the Neighbourhood Area it was prepared for. Applications for planning permission in Sileby parish will in future be determined in accordance with the whole development plan for Charnwood:
 - The saved policies of the Borough of Charnwood Local Plan (2004)
 - The Charnwood Core Strategy 2011-2028 (2015)
 - The Leicestershire Minerals and Waste Local Plan (2019) - prepared by the County Council
 - The Sileby Neighbourhood Plan (2019)
4. A neighbourhood plan must:
 - Support sustainable development;
 - Generally conform to the strategic policies in the local plan;
 - Have regard to national planning policies;
 - Comply with the relevant legislation; and
 - Specify the period it will cover.
5. There are a number of legally prescribed stages which need to be undertaken when preparing a neighbourhood plan, set out in the Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 (as amended). The plan should then be subject to examination by an independent examiner before proceeding to referendum, if that is the recommendation following the examination. After a successful referendum, if the local planning authority is satisfied that EU and human rights obligations have been met, the plan must be “made” and brought into force within 8 weeks.

The Sileby Neighbourhood Plan

6. A neighbourhood plan has been produced for Sileby parish, led by the parish council and prepared by the Sileby Neighbourhood Plan Advisory Committee

comprising members of the local community and parish councillors. The Committee has been supported by officers from the Council throughout the preparation of the plan, although it should be expressly noted that the resultant plan has not been prepared by the Borough Council. The Neighbourhood Plan is considered to be based upon robust evidence including statistical information along with community consultation and engagement.

7. The plan is considered to reflect local needs and priorities which have been identified through extensive consultation during the plan preparation process. Engagement activity undertaken by the Committee has included consultation events; a comprehensive questionnaire; a dedicated Facebook page; and, providing information through the parish newsletter.
8. The neighbourhood plan is considered to provide a simple, clear vision for the future development of the parish. This vision is to be realised by policies and actions which cover a number of areas including limits to development; design; housing; green spaces; heritage; biodiversity; flooding; renewable energy; community facilities; transport; employment; and infrastructure.

Key Stages in the Process

9. An application was received from Sileby Parish Council to designate the entire parish as a neighbourhood area on 6th December 2016 and the area was designated on the 20th January 2017.
10. Once designated the neighbourhood plan group began to gather evidence and identify the issues, vision and objectives to inform the plan. Extensive consultation was also undertaken with the local community, landowners, local groups and statutory consultees.
11. This enabled the creation of the Sileby Pre-Submission Draft Neighbourhood Plan which underwent a statutory consultation which ran for seven weeks from the 26th November 2018 to the 11th January 2019. A number of amendments were then made to the plan by the Advisory Committee in response to the representations received during the consultation.
12. The revised plan, along with other statutory submission documents, was submitted to the Borough Council on the 18th March 2019. Following confirmation from the Borough Council that all the necessary material had been submitted the Borough Council undertook a further 6 week statutory consultation on the submission documents from the 3rd May to the 14th June 2019.
13. During this consultation period the Council appointed a suitably qualified and experienced independent examiner, Mr Richard High, to conduct the examination. This took place in June and July 2019 and sought to ensure that the neighbourhood plan met a number of basic conditions in that it:
 - Has appropriate regard to national policy;
 - Is in general conformity with the strategic policies of the development plan for Charnwood;
 - Contributes to the achievement of sustainable development; and
 - Is compatible with EU obligations.

14. The examiner, following an initial reading of the documents, concluded that the documentation which was submitted and subject to consultation in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 was incomplete. To address this issue the Consultation Statement was amended to include further details on the Regulation 14 consultation; Appendices 3 to 7 were more clearly signposted; and, the assessment of individual sites in the site selection process was added to Appendix 3d along with a map of the sites. A further formal consultation on these documents was then held for 6 weeks from the 1st July to the 11th August 2019.
15. The examiner's report was issued on the 25th September 2019. This determined that *"Subject to the modifications that I have recommended, being made, I am satisfied that:*
- *The Sileby Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning Regulations 2012 (as amended) and that;*
 - *Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;*
 - *The making of the Plan would contribute to the achievement of sustainable development;*
 - *The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;*
 - *The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights and*
 - *The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.*

*I am therefore pleased to **recommend that the Sileby Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.***"

16. The neighbourhood plan was amended in line with the examiner's recommended modifications and was published, together with a decision statement confirming that the Borough Council was satisfied that the plan met the basic conditions and could proceed to a referendum.
17. The Borough Council held the referendum in Sileby parish on Thursday 21st November 2019. The referendum presented a single question upon which anybody registered to vote in the parish could answer 'yes' or 'no':

Do you want Charnwood Borough Council to use the Neighbourhood Plan for the Sileby area to help it decide planning applications in the Neighbourhood Area?

18. All neighbourhood plans are required to gain a majority of 50% plus one in favour at a local referendum in order to be made by the local planning authority. 920 votes (89.8%) were cast in favour of "Yes"; 104 votes (10.2%) were cast in favour of "No". It was declared by the Counting Officer that more than half of those voting had voted in favour of the Sileby Neighbourhood Plan.

19. In accordance with the Neighbourhood Planning Regulations, following the outcome of the referendum, it is now for the Borough Council to make the neighbourhood plan so that it formally becomes part of the development plan for Charnwood.
20. Section 38A of the Planning and Compulsory Purchase Act 2004, as amended, requires local planning authorities to make a neighbourhood plan as soon as reasonably practicable after the referendum is held. A time limit of 8 weeks being introduced by the Neighbourhood Planning (General) Regulations 2012 (as amended).

Final Stages

21. Charnwood Borough Council must publicise its decision to make the Neighbourhood Plan part of the development plan for the area and state the reasons for this. The Borough Council is also required to send a copy of the decision to the parish council; any persons making written representations on the proposal; the Environment Agency; Natural England; and, Historic England.
22. The Neighbourhood Plan must also be publicised on the website with details provided of where and when it can be inspected. Once made by the Council the plan is part of the development plan for the Borough and must be used to help determine planning applications in Sileby parish.

Appendix: Sileby Neighbourhood Plan 2018 – 2036



SILEBY

NEIGHBOURHOOD PLAN

2018 – 2036

Referendum version



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Foreword

The process of creating the Sileby Neighbourhood Plan has been driven by Parish Councillors and members of the community and is part of the Government's approach to planning contained in the Localism Act of 2011. Local people now have a greater say through the planning process about what happens in the area in which they live by preparing a Neighbourhood Plan that sets out policies that meet the need of the community whilst having regard for local, national and EU policies.

The aim of this Neighbourhood Plan is to build and learn from previous community engagement and village plans and put forward clear wishes of the community regarding future development. It has been produced with a realistic intention to deliver local aspirations within the context of the strategic planning framework, and to capture actions that are important to the community, but which need to be pursued as 'projects' through other delivery means.



This Plan has a vision firmly anchored on being a village where people of all ages and backgrounds are proud and happy to live, work and relax. Where facilities and social groups are better integrated. Where village vibrancy and community focus is celebrated. Where an increased environmental and sustainability offering enhances the natural environment and village features and where flexible infrastructure ensures proofing for the future.

Sileby Parish Council has overseen the development of the Neighbourhood Plan but has delegated its preparation to an Advisory Committee with Theme Groups made up of volunteers from the village along with Parish Council representatives, all supported by Neighbourhood Planning consultants 'YourLocale'. Volunteers and representatives have freely given lots of dedicated time, energy and expertise to bring the plan together in such a motivated way; this has been a collective effort from start to end.

The community is praised for engaging so enthusiastically to our 'calls to action' through questionnaires, social media, attending meetings and open events. Engagement with residents, service providers and the business community of Sileby Parish has enabled the process to be carried through and has helped us to identify and work through issues, ideas and solutions to draft the most relevant policies to shape the future development of Sileby. It includes some areas where the Parish Council will support development activity, and other areas such as "Local Green Spaces' that the community wish to protect.

We are grateful to Officers from Charnwood Borough Council who have supported us through the process, especially with guidance to help our theme group work to progress. The Parish Council wishes to express sincere thanks to all the Parishioners who kindly contributed to the development of the Neighbourhood Plan, YourLocale for their expertise that steered us through

the process and their unwavering support and to the funders (Locality and Awards for All) that have provided grants towards the costs to producing the Plan.

Sileby is an attractive, popular and progressive place in which to live and the contribution from people who care about their community and want to make it better for generations to come is greatly appreciated and admired. Let us now collectively get behind this Plan and shape the future development of Sileby.

Emma Compson
Chair

Elizabeth Astill
Vice Chair



Special thanks are noted for:

The Neighbourhood Plan Advisory Committee members

Ady Crawley, Cllr Billy Richards, Cllr Elizabeth Astill, Emma Compson, Jonathan Frost, Liz Jones, Peter Astill, Peter Small, Phillip Crawley, Shelly Mastericks, Simon Dalby, Cllr Valerie Marriott. Parish Council Clerk Rosemary Richardson and Deputy Clerk Julie Lovatt.

The Village Theme Group leads and members:

Housing – Jonathan Frost (lead), Ady Crawley, Simon Dalby, Cllr Liz Astill, George Waistell, Anthony Preston, John Adler **Transport** – Liz Astill/Peter Small (leads), Inga Vann, Phillip Crawley, Peter Astill, Sue Collington, Annette Williamson **Environment** – Liz Jones (lead), Cllr Valerie Marriott, Geoff and Kathy Platt, Eric Wheeler, Peter Campbell, Annette Williamson, Sue Astill, Darren Potter **Community Facilities** – Cllr Billy Richards (lead), Shelly Mastericks, Sue Collington, Karen Freaks, Emma Compson, Cllr S Haider **Employment** – Cllr Billy Richards (lead), Peter Astill, Phillip Crawley

1. Introduction

This is the Submission version of the Neighbourhood Plan for Sileby Parish. It has been prepared by the Sileby Neighbourhood Plan Advisory Committee, which brings together members of the local community and Parish Councillors and has been led by the Parish Council.

A Neighbourhood Plan is a new type of planning document that gives local people greater control and say over how their community develops and evolves. It is an opportunity for local people to create a framework for delivering a sustainable future for the benefit of all who live or work in that community, or who visit it.

As the Plain English Guide to the Localism Act 2011 states, “Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live”.

It enables a community to create a vision and set clear planning policies for the use and development of land at the neighbourhood level to realise this vision. This includes, for example, where new homes, shops and industrial units should be built, what new buildings and extensions should look like and which areas of land should be protected from development.

Neighbourhood Plans can be general or more detailed, depending on what local people want. They must, however, be in general conformity with Borough-wide planning policies, have regard for national planning policies and must be prepared in a prescribed manner.

All comments received through the pre-submission consultation process have been taken on board and the Neighbourhood Plan amended where appropriate. It is now ready to be submitted to Charnwood Borough Council who will consult on it further before arranging an Examination.

After that it will be put forward to referendum, where those on the electoral register in Sileby Parish will be invited to vote on whether or not they support it. Over 50% of those voting must vote yes for it to become a ‘Made’ statutory planning document.

After being ‘Made’, each time a planning decision relating to development in the Parish has to be taken by Charnwood Borough Council, or any other body, they will be required to refer to the Neighbourhood Plan (alongside the Borough’s own Core Strategy 2011 - 2028 and other relevant documents) and check whether the proposed development is in accordance with the policies the community has developed.

This Neighbourhood Plan contains a range of policies designed to address locally important issues. It also contains a number of Community Actions.

A mix of organisations will be needed to manage and deliver the community actions listed in the Neighbourhood Plan. Proactive consideration of effective ways to do this will make this plan feel very different this time round for the village.

Whilst it may be possible for Parish Councils to undertake some local project related work in certain circumstances (such as the project to improve the village website, and the capital project to extend the skatepark), generally Parish Councils do not have the capacity, in-house skills and sometimes powers to take up this role. Alternative bodies may be better placed and equipped to do this.

To respond to this situation, the Parish Council is exploring the potential to work alongside a delivery organisation and other groups to jointly take a lead on the delivery of specific projects and actions.

2. How the Neighbourhood Plan fits into the Planning System

The right for communities to prepare Neighbourhood Plans was established through the Localism Act 2011, which set out the general rules governing their preparation.

A Neighbourhood Plan forms part of the statutory Development Plan for the area in which it is prepared. This statutory status means that it must be taken into account when considering planning decisions affecting that area.

A Neighbourhood Plan is not prepared in isolation. It also needs to be in general conformity with relevant national and Borough-wide (i.e. Charnwood) planning policies.

For Sileby, the most significant planning document is the Charnwood Core Strategy, adopted in 2015. This sets out the strategic planning framework for the District's future development up to 2028. It contains a number of policies and objectives which are relevant to Sileby and which the Plan must be in general conformity with. These policies and objectives span issues such as the provision and location of new housing (the detail being provided through the discussion paper 'Towards a Local Plan for Charnwood' which is the subject of consultation as this Neighbourhood Plan is being written); providing strong and sustainable communities; protecting and enhancing historic character and local distinctiveness whilst protecting and enhancing natural habitats; and providing transport systems that reduce the need to travel. The Neighbourhood Plan has been drafted to be in general conformity with the policies contained in these documents.

Also important is the National Planning Policy Framework (NPPF). This sets out the Government's planning policies for England and how these are expected to be applied. The NPPF requires the planning system (including Neighbourhood Plans) to promote sustainable development and details three dimensions to that development:

- An economic dimension – they should contribute to economic development;
- A social dimension – they should support strong, vibrant and healthy communities by providing the right supply of housing and creating a high quality-built environment with accessible local services;
- An environmental dimension – they should contribute to protecting and enhancing the natural, built and historic environment.

In addition, Neighbourhood Plans must be compatible with European Union (EU) legislation. Relevant EU obligations in relation to the Neighbourhood Planning process are those relating to Strategic Environmental Assessments, protected European Habitats and Human Rights Legislation.

This Plan and the policies it contains are consistent with the NPPF, Charnwood Local Plan and relevant EU legislation. Full details of how the Plan complies with these legislative requirements are set out in the Basic Conditions Statement (to be made available with the Submission version of this Neighbourhood Plan).

Furthermore, these policies are specific to Sileby and reflect the needs and aspirations of the community.

It is important to note that not having a Neighbourhood Plan does not mean that development won't happen. Development will still take place, but without the policies in this Plan, which set out the type of development that is in keeping with our area's character, having any effect. Decisions will instead be primarily based on the Borough's policies rather than local criteria.



3. The Plan, its vision, objectives and what we want it to achieve

The Plan area encompasses the whole of the Parish of Sileby and covers the period up to 2036, a timescale which deliberately mirrors that for the emerging Local Plan.

Our vision:

Sees Sileby as a village where people of all ages and backgrounds are proud and happy to live, work and relax.

- It will provide strong support, facilities and housing for all, from the young to the very old.
- Public infrastructure (education, health and care facilities) will be excellent, fit for purpose for today and flexible for the needs of the future.
- High added value commercial activities will be incorporated into development where appropriate.

Sees movement between different parts of the village as being easy on foot, cycle, public transport, (car if necessary) and safe at all times of the day and night.

- Most traffic will by-pass the village leaving streets free for local traffic with adequate public parking. The need for cars will be reduced by better public transport and by better connected footpaths.

Sees the use of the many sports and recreation facilities being more integrated. The Park and its building will be redesigned to offer more flexibility and to facilitate inter-connection between social groups and societies.

Sees the village increase its environmental and sustainability offering, with tree and shrub planting, the brook widened and organised as an attractive and beneficial watercourse to enhance the natural environment and wildlife habitats.

- Electric vehicle charging will be embedded into highway developments and opportunities for energy self-sufficiency utilised.

Sees us shaping further employment and residential development to meet the changing needs of our community, integrating carefully and sympathetically with the facilities of the village.

- Homes will include a mix of design features including contemporary and traditional, adding to the village's vibrancy and community focus and including a mix of housing for young, elderly and infirm.

Principal objectives

- To provide a balanced range of housing choices which meet the diverse needs of all generations, by increasing the supply of smaller homes and homes for elderly 'down-sizers';
- To encourage high-quality design reflecting the rural character of the village;
- To protect and improve the provision of current facilities and assets which contribute to a vibrant community spirit (e.g. Village Hall, Pub, Cricket Pitch, Churches);
- To promote the development of new community facilities which enhance and enrich community life;
- To safeguard the most valued and 'special' open spaces in the parish from inappropriate development;
- To enhance the biodiversity characteristics of the parish;
- To promote development that is safe and that respects the character of neighbouring properties and preserves the rural aspect of the village providing a strong 'sense of place';
- To ensure that the village is at the forefront of technological advancements that will support village employment opportunities;
- To ensure that all listed buildings and any identified community or environmental heritage 'assets' are protected and improved; and
- Ensure development is compliant within the National Planning Policy Framework and the local plan and target growth identified by Charnwood Borough Council.

The Plan will be kept under review. It incorporates Planning Policies and Community Actions, which are not policies and will therefore not form part of the statutory development plan or be used in the determination of planning applications but represent actions to be taken by the Parish Council/another delivery organisation in support of the Neighbourhood Plan policies.

4. How the Plan was prepared

The Parish Council decided to undertake the formulation of a Neighbourhood Plan for Sileby and appointed an Advisory Committee to take the process forward. The Parish Council appointed Neighbourhood Plan consultants 'Yourlocale' to advise and assist the Advisory Committee.

The mandate was to drive the process, consult with the local community, gather evidence to support the development of policies and deliver the plan.



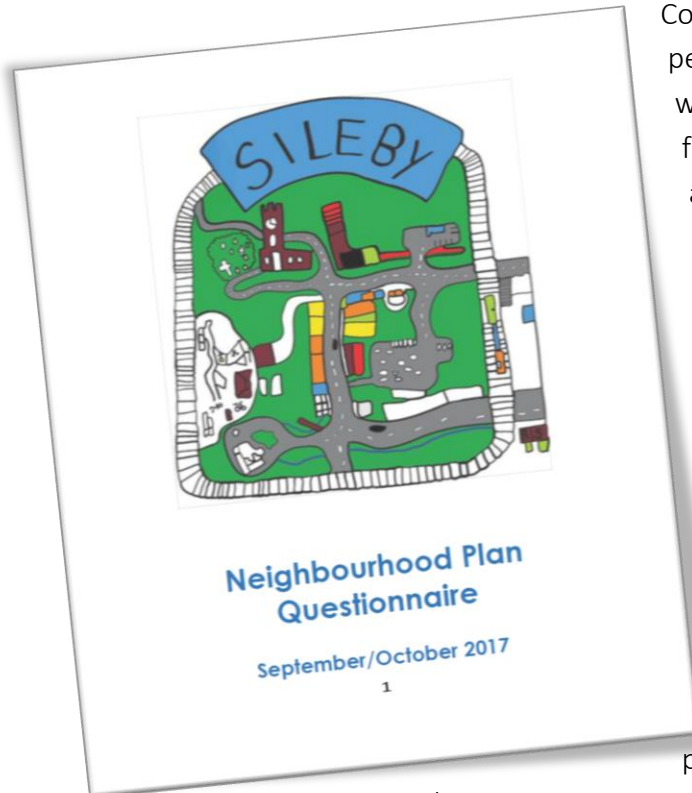
The whole of the Parish was designated as a neighbourhood area by Charnwood Borough Council on 10 February 2017. All Parishioners were invited to an initial Consultation Day which was held in September 2017 in the Parish Hall. The purpose of the Consultation was to find out which aspects of life in the village were important and highly valued, and which, if any, needed to change. A series of display boards and large-scale village maps were set out in the hall with each focussing on a topic relating to planning and development.

A total of 147 people attended the event and many comments recorded. The event was a great success. A summary of the responses is available in the supporting information.

A logo competition amongst local school children was judged at the event and a logo chosen which features in this document.

A comprehensive questionnaire was produced in late 2017 to obtain further information from the community. The questionnaire was made available to every household in the Parish by either hard copy or on-line. Responses were received from over 370 residents and provided very clear direction for the Plan and the future of the Parish.

A summary of the analysis was made available to every household through the Parish Web site.



Consultation events were held with young people in the community and theme groups were established to gather evidence and formulate draft policy ideas. These groups and the Advisory Committee met regularly reporting back to the Parish Council.

On 8 September 2018 an open event was held in the Parish Hall to allow Parishioners to view draft policy statements and make their comments which contribute to the plan. A total of 107 people attended this session and a further 65 people completed an on-line survey making a total of 172 responses. Information that was made available on that day was provided for people who were unable to

attend.

A wide range of comments were made which have been taken into account when finalising the Neighbourhood Plan.

Throughout the process, people were kept informed by regular updates in the Parish newsletter, discussion at Parish Council meetings and through a dedicated Facebook page that shared information and invited comment.

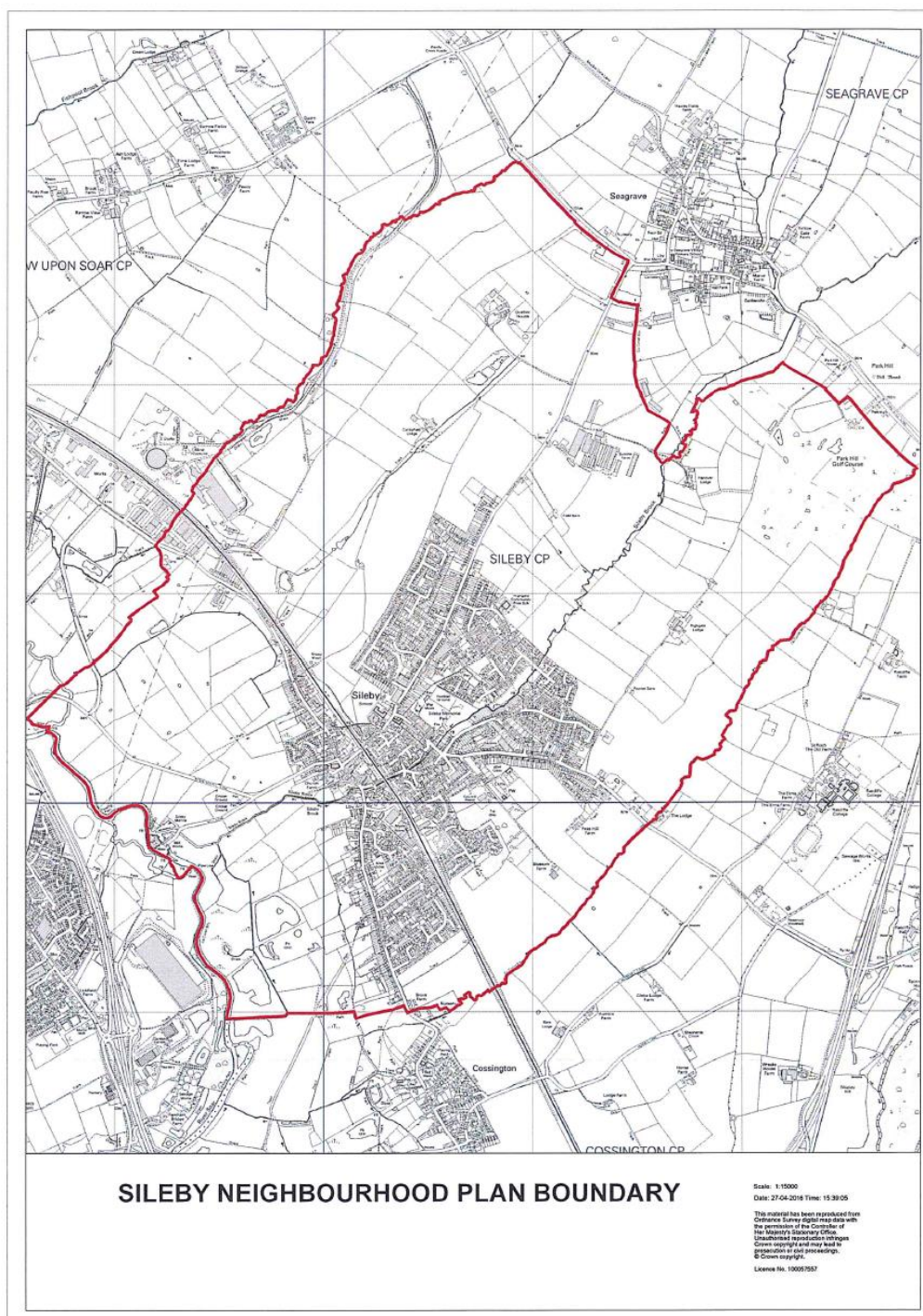


5. Our Parish

The Plan area comprises the whole of the Parish of Sileby, within the Borough of Charnwood, as shown in figure 1. High resolution versions of all figures are available in the supporting information.

The area was formally designated by Charnwood Borough Council on 10 February 2017.

Figure 1 – Parish of Sileby – Designated Area



5.1 History of Sileby

The current development of the proto-town of Sileby is a reflection of contemporary demands upon increased population and the need for housing, infrastructure and services. This is a far cry from the processes and events that allowed Sileby to evolve into its modern-day form.

The parish has produced evidence for human activity since at least the Mesolithic era and possibly earlier. Neolithic flint implements are found widely across the village. In 2011-12 early Iron Age structures were found in excavations off Seagrave Road. They were superseded by a small Romano-British settlement and roadway on the south westerly facing slope. Evidence for Roman occupation has been found elsewhere in the parish. There have been discoveries of various Anglo-Saxon and Viking artefacts in a number of places, but the evidence is slight.

Many former parish historians have firmly put the foundation of modern day Sileby to the Viking period. The word Sileby means 'Sighulf's village or estate'. Sighulf is a Viking personal name and has led many to assume that this is proof enough for the existence of a settlement. Others have taken this further and linked it to the Viking settlement of the East Midlands of about 840AD and given the village foundation date to this date. However, this evidence is highly circumstantial and even though Viking artefacts have been recovered no evidence has ever been found of a settlement, hamlet or village.

The first written record of the village occurs in the Domesday Book. It reveals that in 1066 Sileby was divided into three main landed estates, two of which were centred on former royal estate centres at Rothley and Barrow upon Soar. By 1086 the Normans had redistributed this land and Sileby's largest recipient and overlord was Hugh de Grantmesnil, with a man named Arnold as his tenant and Lord of the Manor.

In 1086 Sileby numbered at least a hundred people including a small core of sokemen (freeholders) which would have great implications for the later development of the village. By the mid-14th century Sileby manor had 22 freehold farms along with 43 customary smallholdings and a number of other cottages and tofts, suggesting a sizeable village population. In 1377 Sileby had the 5th highest recorded population in Goscot hundred, behind Loughborough, Ashby de la Zouch, Castle Donington and Barrow upon Soar.

Sileby's medieval economy revolved around its agriculture, especially in sheep rearing. In 1478 the common fields were named as Howefield, Welbeckfield, Candeby field and South field. Candeby or Canby field may have also been divided into two, making a total of five open fields.

No parish church was named at Domesday. There are hints to a church existing at Sileby during the late 11th century but the earliest reference to it is in 1220. Most of the current church dates from the late 13th and 14th centuries. Until 1450 the advowson (the right to present a priest) and tithes of Sileby parish church were held by the Lords of Sileby manor. On 3rd August 1450 John Mowbray, Duke of Norfolk and lord of Sileby manor appropriated the church and rectory at Sileby to Axholme

Priory in Lincolnshire. After the dissolution of the priory in 1538 the advowson was sold off to laymen and this heralded a serious decline in the church for over 150 years.

In 1629 Sir Henry Shirley sold his manorial holdings to his tenants, effectively making Sileby a freehold or 'open' village. In essence, there was not one person in control and making decisions at the village level. Open settlements had comparative freedom to develop, tended to be more populous, had greater numbers of the poor, had nonconformist chapels, and a greater element of social laxity. Compare Sileby with its haphazard housing development, chapels, shops and pubs to the controlled 'closed' village of Cossington to see the difference.

By the early 18th century the change in village ownership of the previous century had started to transform Sileby. Stronger church leadership led to the appointment of vicars and a new vicarage was constructed. Many small farms had been sold to outsiders and Sileby saw the rise of the tenant farmer. The framework knitting industry had been established by artisan masters around 1700. This industry accounted for 66% of all new Sileby apprentices registered between 1710 and 1750. By 1831 over 50% of the working population was engaged in framework knitting, mainly in family orientated working teams and often poorly paid.

On the 3rd June 1760 Sileby's landowners enclosed the village common fields, ending the communal aspect of agriculture that had existed for hundreds of years. Over 55% of the land was owned by 7 people, 4 of which were non-resident. Most farms were still based in the village centre but some owners opted to construct farm units out in the midst of their new fields. Outlying farms such as Quebec, Hanover and Belle Isle were built in the half century after enclosure.

Sileby had become an industrial village by the 1830s, with the first factory mentioned in 1860.

Advances in transportation such as the Leicester Navigation (1791) and the Midland Counties Railway (1840) aided in the movement of goods and people. The hosiery industry was eclipsed by boot and shoe making in the latter part of the 19th century.

Industrial growth also led to a significant growth of population

which in turn led to developments in services and infrastructure. Between 1801 and 1911, Sileby's population climbed from 1,111 to 3,082. Before 1914 Sileby could boast its own gas works, brewery,



**Crowds on Dudley's bridge with Brook Street in the background
c.1913-4**

4 brickworks, 3 schools, an adult school, 3 chapels, sewerage system, 2 political clubs, various sports teams, a library, railway station and 10 public houses or beerhouses!

Council house building was a feature of post first world war developments in the village with housing on Ratcliffe Road, Cossington Road and the Greedon estate constructed at this time. However, it was the industrial aspect of the village which still took precedence. Companies such as Harlequin, Excelsior, C. H Preston, Towles, Bradgate Textiles and others became major employers locally. Nevertheless, it was shoe manufacturer Newbold and Burton who were to have the greatest impact. Over time their site expanded to take over a central swathe of the village, and post-1945 they also purchased local shoe firms Lawson Ward and Moirs.



From the 1960s tougher trading and economic conditions meant harder times for Sileby's industries. Closures started to occur from this period until by 1995 when all but a handful of factories had closed down or production had switched elsewhere.

The late 1960s also saw the growth of private housing estate development. Estates such as Heathcote Drive and Charles Street/Chalfont Drive

added hundreds of houses to Sileby's housing stock and produced a suburban landscape out of the village fields. After 1995 the former factory brownfield sites also provided for private housing development with the Burton Road estate and Melody Drive resulting from this. This and current housing schemes on greenfield sites have all added to the suburban proto-town landscape that Sileby has been forced to adopt under local housing targets and legislation. This in turn has put pressure on local infrastructure which has not kept up with the pace of development.

Today, Sileby is a far cry from its former agricultural and industrial roots. It is now a bustling commuter village with a population of 7,835 serving towns and cities further afield. However, it is proud of its independent spirit, its freeholder roots and the



entrepreneurial drive and endeavour shown by its inhabitants. All this has moulded the cosmopolitan settlement we see today.

5.2 Sileby today

At the time of the 2011 Census, Sileby was home to around 7,835 residents living in 3,390 households. Analysis of the Census data suggests that between 2001 and 2011 the parish population grew by around 14% (958 people). During this period the number of dwellings rose by 18% (507). Furthermore, a more recent and alternative data source suggests the number of people living in the parish has continued to grow, increasing by around 270 between 2011 and 2014, representing a 3% population growth rate.



The area has a higher than average concentration of working age residents and school age children. There is evidence that the population is ageing and in line with national trends the local population is likely to get older as average life expectancy continues to rise.

There is evidence of under-occupancy in the Parish and a predominance of semi-detached housing and low value council tax banded properties. There is evidence of some overcrowding in households with dependent children.

Analysis of Land Registry data shows indication of significant housing development with new build residential sales representing 17% of all recorded residential sales between 1995 and 2015. Home ownership is relatively high and there is a particularly high share of households who own their homes with a mortgage or loan.

6. Meeting the requirement for sustainable development

The NPPF states that there are three dimensions to sustainable development: social, environmental and economic, all of which are important and interrelated.

a) Social

We have sought, through the Neighbourhood Plan, to safeguard existing open space for the future enjoyment of residents.

We are also seeking to protect existing community facilities and to deliver a mix of housing types so that we can meet the needs of present and future generations and ensure that we support the community's needs and its health, social and cultural wellbeing.

b) Environmental

In order to protect and enhance our natural, built and historic environment, we are seeking to ensure that housing development is of the right type in the right location, so that it does not harm but instead positively reflects the existing historic character of the area in order to:

- Protect the village identity and conserve the rural nature of its surroundings;
- Recognise the need to protect and, where possible, improve biodiversity and important habitats; and
- Provide for improved pedestrian facilities.

c) economic

Whilst the built-up parts of the parish of Sileby are primarily residential, there is a commercial element within the parish and a desire to ensure that appropriate economic activity is maintained as long as the local infrastructure supports it. We therefore wish to encourage employment opportunities in our area by:

- Supporting appropriate existing business development and expansion where the local infrastructure would not be adversely affected by the proposals; and
- Encourage start-up businesses and home working.

This document sets out local considerations for delivering sustainable development across Sileby Parish. Development proposals should meet the requirements of all relevant policies in the Local Development Plan.

7. Neighbourhood Plan Policies

A. General policies

Limits to Development

The purpose of a Limits to Development (LtD) is to ensure that sufficient sites for new homes and economic activity are available in appropriate locations within the parish that will meet the community's aspiration to avoid unwanted encroachment into the countryside.

Settlement Limits have been drawn by Charnwood Borough Council in the Adopted Local Plan (2011-2028) to define what has historically been seen as a suitable limit for local development. These Settlement Limits have been updated in preparation for the Local Plan update, but follow the principles contained within the Charnwood Settlement Limits to Development Assessment 2018.

For Sileby, this is mainly in the built-up area of the village. It defines where development would not be acceptable, generally in the least sustainable locations such as the countryside. Such growth would risk the loss of separation of hamlets and settlements to the detriment of the community and visual amenity of the Plan area.

The Neighbourhood Plan proposes to designate a Limits to Development for the village which will update and supersede the existing Settlement Limits currently used by Charnwood Borough Council, as it takes into account recent development that has taken place since the Settlement Limit was introduced and also recognises additional allocation of land for development.

Within the defined Limits to Development an appropriate amount of suitably designed and located development will be acceptable in principle, although all will be required to take into account the policies within this Plan.

Focusing development within the Limits to Development will help to support existing services within the village centre and help to protect the village's countryside setting, the natural environment and the remainder of the Neighbourhood Plan area from inappropriate development.

In statutory planning terms, land outside a defined Limits to development boundary, including any individual or small groups of buildings and/or small settlements, is classed as countryside.

It is national and local planning policy that development in the countryside should be carefully controlled. Development will only be allowed where it is appropriate to a rural location, such as for the purposes of agriculture, including (in principle) farm diversification, or if needed for formal sport and recreation uses or for affordable housing provision where there is a proven need.

This approach to development in the open countryside is supported through the Neighbourhood Plan to help maintain the setting of Sileby and retain the countryside surrounding the village as an attractive, accessible, distinct and non-renewable natural resource.

Methodology

The Limits to Development has been determined using the following criteria:

- a) The development sites with an extant planning permission for residential or employment land development on the fringes of the settlement as at 1st July 2018 have been incorporated within the boundary of the Limits to Development;
- b) The proposed residential site allocations within the Neighbourhood Plan have been included within the Limits to Development;
- c) Defined physical features such as walls, fences, hedgerows, woodland, gardens, streams, brooks, formal leisure uses and roads have been used as the defined boundaries;
- d) Non-residential land which is countryside, agricultural, paddock, meadow, woodland and/or another green-field use has been excluded;
- e) Sites with a strong historical heritage have been excluded;
- f) Open spaces and sports and recreational facilities which stand on the edge of the built form have been excluded;
- g) Isolated development which is physically or visually detached from the settlement has been excluded;
- h) Sections of large curtilages of buildings which relate more to the character of the countryside than the built form have been excluded;
- i) The curtilages of buildings which closely relate to the character of the built form and have enclosing features have been included.

POLICY G1: LIMITS TO DEVELOPMENT

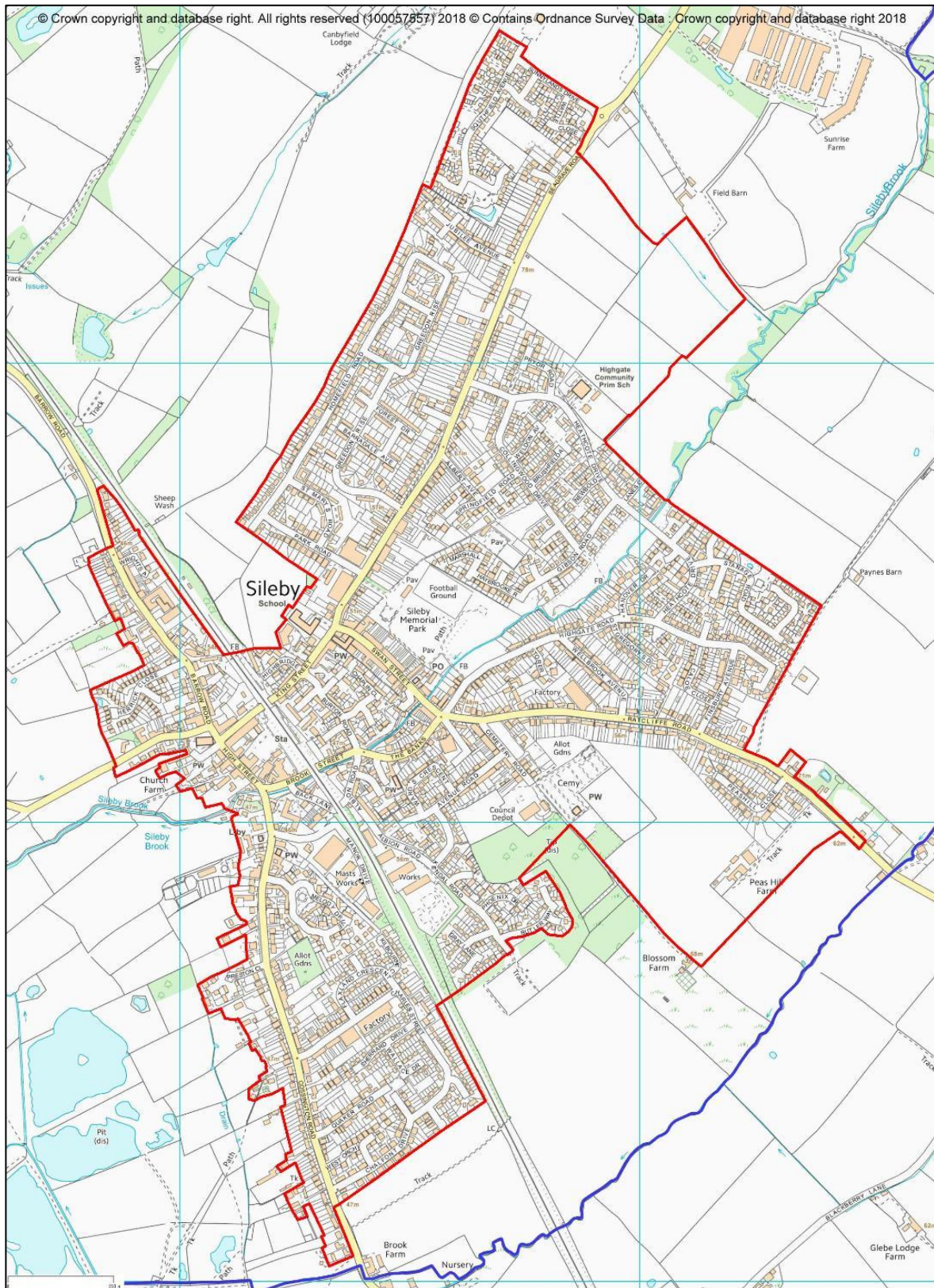
Development proposals within the Neighbourhood Plan area will be supported on sites within the settlement boundary as shown in Figure 2 (below) where the proposal complies with the policies in this Neighbourhood Plan.

Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies.

Appropriate development in the countryside includes:

- a) For the purposes of agriculture – including farm diversification and other land-based rural businesses;
- b) For the provision of affordable housing through a rural exception site, where local need has been identified;
- c) For the provision of a formal recreation or sport use or for rural tourism that respects the character of the countryside.

Figure 2 – Limits to Development



Design Principles

Sileby has a long and interesting history, resulting in a wide array of heritage assets and a distinctive local character. The biggest challenge is to balance the desire to protect the

character of the village with the need for it to grow and evolve in a sensitive and proportionate manner to sustain the community and its facilities.

The aim is to protect Sileby so that it retains its character as a unique and distinctive place. This can be achieved using the planning system to respond sensitively to the range of historic buildings, structures, landscapes and archaeology situated within the Plan area. It is this variety that makes Sileby the place it is. These assets form many of the key characteristics of Sileby, and future development should seek to enhance, reinforce and preserve this distinctive historic environment. Repeated house styles taken from a standard template will not be acceptable.

The adoption of design principles will help to maintain the unique feel of Sileby as a place. In this section therefore, the Neighbourhood Plan sets out planning policies which seek to identify and protect the distinctive elements which together provide the special qualities of the landscape setting and built heritage of Sileby. New development proposals should be designed sensitively to sit within the distinctive settlement patterns of the village. Existing settlement patterns have grown incrementally over time. The buildings date from many different periods, providing a richness and variety of styles and materials. This traditional rural character should be enhanced by new development and schemes should be designed to ensure that new buildings sit comfortably within the existing settlement pattern and are respectful of their surroundings.



The Charnwood Borough Council Sileby Conservation Area Character Appraisal (March 2007) says the following about the Conservation Area 'The Conservation Area was designated in March 1988 and covers an area of about 11 hectares in the centre of the village to the west of the railway line. It is centred on St Mary's Church, which stands at the staggered crossroads between Barrow Road -

High Street, running north south, and King Street - Mountsorrel Lane, running east west. The boundary of the Conservation Area generally defines the settlement that existed in 1884 and includes a broad range of built development that is representative of the mediaeval and post mediaeval settlement. The Area does not generally include the Victorian industrialisation and urban expansion of the village that took place outside the historic core'.

New development proposals should be designed sensitively to ensure that the quality of the built environment is enhanced wherever possible, particularly where schemes are located within or near the Conservation Area. New designs should respond in a positive way to the

local character through careful and appropriate use of high-quality materials and detail. Proposals should also demonstrate consideration of height, scale and massing, to ensure that new development delivers a positive contribution to the street scene and adds value to the distinctive character of the area

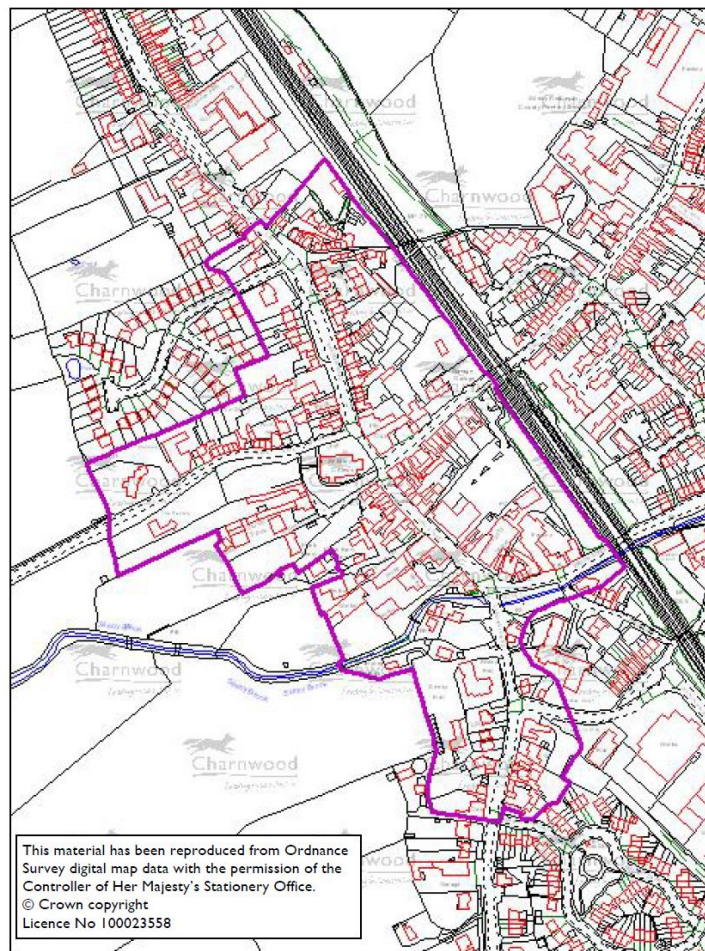
Figure 3: Sileby Conservation Area

There is therefore no overall theme for design in Sileby. A recent development of the former Maltings in the centre of the village is of a high quality and aesthetically pleasing and whilst the Neighbourhood Plan does not seek to impose a design theme on development, this latest development does establish a standard for design which future developments should also meet or seek to emulate.

Additionally, the design of any new housing should be sympathetic to any neighbouring properties where development is within the settlement

limits; where the development is outside the Limits to Development, or otherwise adjacent to open countryside, its effect on views into and out of the village will be an important factor. It may be possible to mitigate potential harm by careful consideration of height, siting and aspect and by appropriate screening.

Parking and vehicular movements are a particular issue in specific areas of the Plan area. A combination of older, terraced properties with no garages or off-road parking (particularly around the Village centre) and more modern houses with inadequate parking spaces to cater for larger modern cars is adding to the street parking problem that is severe in key areas within Sileby. The roads themselves and the street pattern in Sileby has developed over many centuries and is not suited to modern traffic. There is a serious issue with parking on the narrow streets in Sileby with the consequent detrimental effect on pedestrian and road safety and the ease by which traffic, including emergency and service vehicles, can travel within Sileby. The Neighbourhood Plan supports measures to minimise the impact of new development on parking issues and Policy G2 c), by adding detail to the Leicestershire County Council parking standards, is intended to help ensure that new development does not make an already problematic situation worse.



POLICY G2: DESIGN

This policy will apply to all new commercial and residential developments, including one or more houses, extensions and replacement dwellings. The following criteria should be met:

- a) New development should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Area, and proposals should clearly show within a Design and Access Statement (where appropriate) how the general character, scale, mass, density, materials and layout of development are sympathetic to any neighbouring properties and the surrounding area. Development which would have a significant adverse effect on the street scene, or the character of the countryside will only be permitted where any harm is clearly outweighed by the wider benefits of the proposal;
- b) Design principles that apply to the Conservation Area should be applied where development is adjacent to the Conservation Area to help ensure a controlled transition between the Conservation Area and new development outside the Conservation Area
- c) Contemporary or innovative design will be encouraged and supported where it makes a positive contribution to the character of the area and is compatible with the surrounding historic context;
- d) Development proposals should aim to maintain and enhance biodiversity by preserving as far as possible existing trees, hedges and wildlife habitats. Where appropriate developments are encouraged to include measures to enhance biodiversity which may include:
- e) Providing roof and wall constructions that follow technical best practice recommendations for integral bird nest boxes and bat breeding and roosting sites;
- f) Providing hedges or fences with ground level gaps for property boundaries that maintain connectivity of habitat for hedgehogs;
- g) Ensuring that any intruder switched security lighting is not constantly switched on and that any other site or sports facility lighting meets the best practice guidelines in Bats and Lighting (ref LREC 2014);
- h) Development should ensure the appropriate provision for the storage of household waste and any recyclable materials;
- i) With the development of Hybrid and electric vehicles all properties should include infrastructure and the available power supply that will support the charging of electric vehicles. Where possible, this should be within the property boundary.

B. Housing and the Built Environment

Introduction

Sileby is a large village in Leicestershire which is defined in the discussion paper 'Towards a Local Plan for Charnwood' as one of six Service Centres within the settlement hierarchy. Loughborough is the main social and economic focus for the Borough and performs an important role at the top of the hierarchy described as an 'Urban Centre', being the largest settlement, a market and university town and the only urban centre in the Borough. It provides accessible employment opportunities and higher order services to a wider area. Loughborough, along with Leicester City to the south of the Borough, provide the social and economic focus for residents in the Borough.

The hierarchy identifies four settlements as 'Urban Settlements' in the Borough. Three of these settlements, Shepshed, Birstall and Syston have a population of more than 10,000 and therefore fall in the government's definition of an urban area (Rural Urban Classification 2011). The fourth, Thurmaston has a population of 9,668 (2011 Census) and with natural and planned growth in this area, is expected to have a population of over 10,000 by the next census.

Six settlements are identified as Service Centres; Anstey, Barrow Upon Soar, Mountsorrel, Sileby, Rothley and Quorn. These settlements are the Borough's largest villages and all have a population of more than 3,000 people and all have a range of services and facilities to meet most of the day to day needs of the community and good accessibility to services not available within the settlement.

The 2011 Census data shows Sileby had a population of 7835 residents which is 4.72% of the Charnwood total. The population has increased by 16.14% in the 16 years since the previous census in 1995 along with a 5% growth of the total of the share of Charnwood's population. In 2011 Sileby had a housing stock of 3390 houses which was 4.89% of Charnwood's total stock. This is slightly above the population share (houses divided by people) of 4.72%.

At this time, Sileby had a housing to population percentage of 43.27% compared to a Charnwood proportion of 41.72% this has enabled future population growth to inform the future new build residential requirements.

Sileby Parish Council as part of its Neighbourhood Plan is looking to allocate reserve sites for residential development should housing need increase.

Through the Adopted Local Plan, Sileby, along with other Service Centres, has no specific housing allocation. However, the 2018 CBC discussion paper 'Towards a Local Plan for Charnwood' identifies the need for between 8,100 and 15,700 additional homes in the

Borough by 2036. Dwellings which achieve planning approval from April 2017 onwards will count towards this target.

The discussion paper confirms the settlement hierarchy and Sileby's position as a Service Centre and describes a range of options for distributing the housing requirement across the Borough but does not go as far as to identify housing distribution targets on a parish level.

The 2018 NPPF (para 66) addresses this issue as follows 'Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the Neighbourhood Planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority'.

Planning Practice Guidance supports this approach and says as follows 'Where a local authority's strategic policies do not include a housing requirement for a particular neighbourhood area, Neighbourhood Planning groups may request an indicative figure from the local authority if they wish to plan for housing. If, in exceptional circumstances, a local planning authority has been unable to provide an indicative housing requirement figure within a reasonable timeframe, then the Neighbourhood Planning group may need to determine a housing requirement figure for the designated neighbourhood area'. The PPG also states that this figure '... should be derived from the authority's housing need figure and take into consideration relevant policies and evidence such as the spatial strategy (or the emerging strategy if indicative figures are being set), the Housing and Economic Land Availability Assessment, the population of the neighbourhood area and the role of the neighbourhood area in providing services.

Following a very productive meeting to explore this issue between employees of Charnwood Borough Council, members of the Sileby Neighbourhood Plan Advisory Committee (NPAC) and YourLocale (the NPAC retained planning consultancy) in May 2018, a suggested way forward for agreeing the housing target for the Sileby parish up to 2036, was considered and agreed, in the absence of a proposed housing distribution target from the Borough Council.

Setting a housing growth target for Sileby

The NPPF confirms that 'Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies'. It is the intention that the emerging Neighbourhood Plan for Sileby allows for adequate residential growth in the parish up to 2036.

An allowance is made for the windfall development which has contributed a significant and consistent supply of housing in the parish over recent years and is expected to continue to do so in the future.

The policy proposed below is based upon the latest Housing and Economic Development Needs Assessment (HEDNA) produced by GL Hearn for the Leicester and Leicestershire Authorities and the Leicester and Leicestershire Enterprise Partnership in January 2017 and the Borough-wide housing target up to 2036.

Calculated on the basis of population share, Sileby has 4.72% of the Borough's population. On the basis of a straight proportionate increase, the parish would need to take an additional 382 houses if the CBC target is 8,100, or 741 homes if the borough-wide target is 15,700. It is considered appropriate to apply the population share as a straight proportion of Charnwood's population as Sileby sits in the middle of the settlement hierarchy – with more sustainable settlements above and below it.

Planning approvals in the Parish since April 2017 would be deducted from this figure as the Borough-wide targets are based on planning approvals from 2011 to March 2017. This would result in a residual growth figure for Sileby of between 382 houses and 741, minus any commitments.

Methodology to calculate the units required - CBC target of 8,100 population growth.

Gross total	382
Minus the following:	
Planning approvals since April 2017	496
Windfall allowance (7 p.a.)	126
Residual target	-240

Methodology to calculate the units required - CBC target of 15,700 population growth.

Gross total	741
Minus the following:	
Planning approvals since April 2017	496
Windfall allowance (7 p.a.)	126
Residual target	119

The CBC discussion document 'Towards a Local Plan for Charnwood' casts doubt on the likelihood of either of these options being the preferred option as an agreed target in the Local Plan once finalised.

It is acknowledged that the lower target may provide insufficient flexibility in the supply of land should circumstances change, whereas the higher target may put greater pressure on the environment, infrastructure and services.

For this reason, a third option under the Borough-wide housing requirement option is presented here – one which takes the middle range of the above higher and lower housing targets and is based on a housing target of 12,000 by 2036.

Methodology to calculate the units required - CBC target of 12,000 population growth.

Gross total	566
Minus the following:	
Planning approvals since April 2017	496
Windfall allowance (7 p.a.)	126
Residual target	-56

Based on the realistic target of a 12,000-population growth for Charnwood, housing target of 566 dwellings has been identified for Sileby, including planning approvals (since April 2017) and the windfall allowance the actual projected number of dwellings is 622. This leaves a residual of minus 56 dwellings meaning that the housing target for Sileby has already been exceeded. Having discussed this issue with Charnwood Borough Council the Sileby NPAC has made the decision to take this mid-range of the CBC housing growth targets as a more realistic and deliverable target which balances out the need for flexibility with minimising the impact on the infrastructure, environment and services across the Borough.

Adopting this method would result in a further 622 dwellings being built in the parish up to 2036.

In view of the uncertainty about the level of housing needed across the Borough, if a housing target for CBC is yet to be confirmed when the Neighbourhood Plan is being finalised, it is likely that the housing target set in the Neighbourhood Plan will be at the lower end of the growth projections, with reserve sites identified to reach the upper level should this be determined as the Borough-wide target when the emerging Local Plan is adopted. This approach does not predetermine any housing requirement figure identified through the Local Plan plan-making process and that the overall figure for Sileby neighbourhood area may change depending on the outcome of the Local Plan evidence.

Housing Allocations – Reserve Sites

The Sileby community questionnaire showed a generally negative perception towards extensive residential growth and in particular a fear that Sileby would “join up” with Barrow upon Soar, Seagrave and Cossington with further development on the outskirts of the village and lose its individual character and appeal. Substantial numbers of residential units have already been built and are currently allocated for development on the border of Sileby & Seagrave.

As set out above, the Parish has exceeded the agreed housing provision target required by Charnwood Borough Council. Nonetheless, the preparation of the Neighbourhood Plan has been pro-active in undertaking assessments of all identified potential residential site allocations through a sustainable site assessment (SSA) process.

The SSA process has been thorough and transparent and is detailed in appendix 3. It has resulted in the identification of a number of Reserve Sites to come forward if required during

the Plan period in the event that sites with planning permission are not able to be delivered during the currency of the Neighbourhood Plan, the final agreed housing requirement for Sileby exceeds the commitments and completions already accounted for or there is a recognised increase in housing need over the period covered by the Neighbourhood Plan. The process has highlighted commercial sites which remain across the Neighbourhood Plan area and are suitable for development where land owners have indicated a desire to develop.

The community consultation showed that redevelopment of redundant 'brownfield sites' instead of building on greenfield sites should be a priority. The NPPF (Section 11) encourages the effective use of land by giving 'substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.'

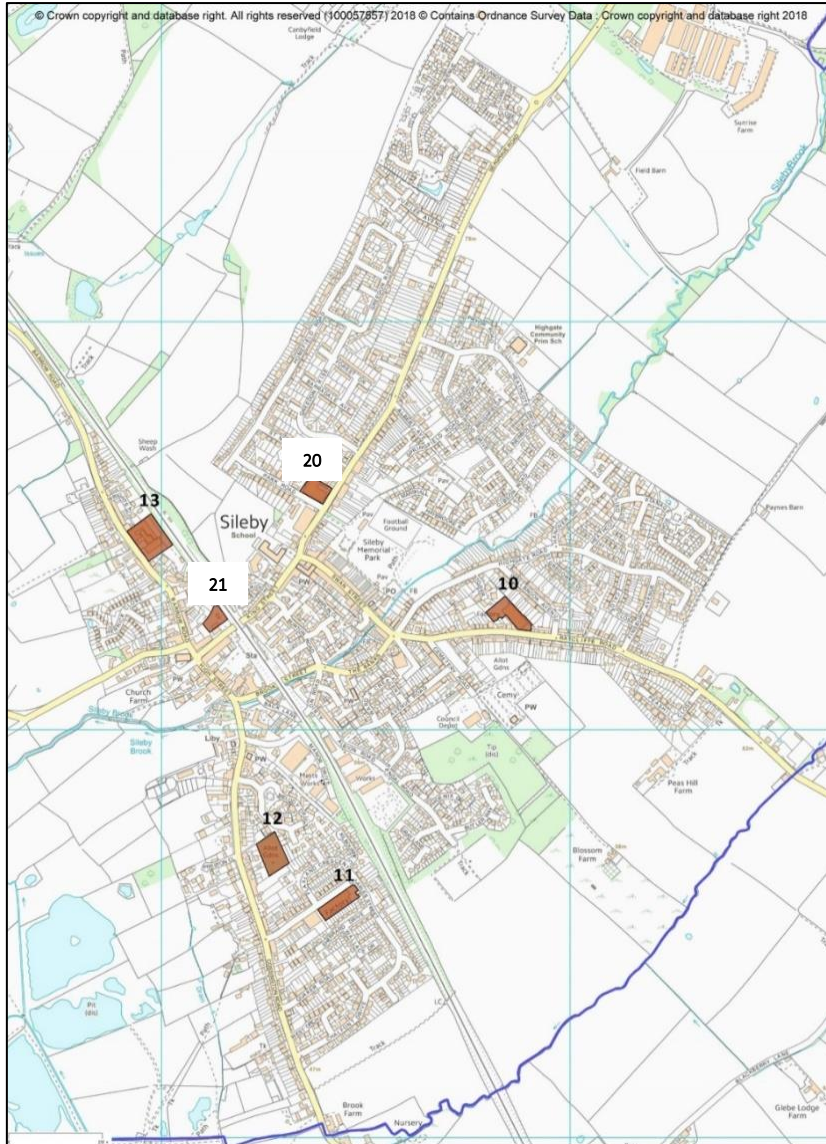
POLICY H1: RESERVE SITES

Planning applications for residential development on the following sites (see Figure 4) will be supported:

The Oaks, Ratcliffe Road (Site 10 for around 11 dwellings); 36 Charles St (Site 11 for around 11 units); Rear of 107 Cossington Road (Site 12 for around 18 units); Barrow Road (Site 13 for around 12 units); factory – corner of Park and Seagrave Road (Site 21 for around 11 units); 9, King Street (Site 22 for around 14 units) if:

- a) It is required to remediate a shortfall in the supply of housing land due to the failure of existing housing sites in Sileby to deliver the anticipated scale of development required;
- b) It becomes necessary to provide for additional homes in the Parish in accordance with any new development plan document that replaces the Charnwood Local Plan Core Strategy; and
- c) Any business or community uses can be satisfactorily relocated or if the need for residential development clearly outweighs the loss of these uses.

Figure 4 – Reserve Sites



Windfall development

Windfall sites are small infill or redevelopment sites that come forward unexpectedly and which have not been specifically identified for new housing in a planning document. These sites often comprise redundant or vacant buildings including barns, or a gap between existing properties in a built-up street scene. The Charnwood Borough Council Strategic Land Availability Assessment includes sites of 5 or more houses in the assessment.

Such sites have made a small but regular contribution towards the housing supply in the Parish for a considerable time. As there remain only limited opportunities for windfall development,

there is evidence that windfalls will continue to make a small contribution to housing provision in the Parish up to 2036.

POLICY H2: WINDFALL DEVELOPMENT

Residential development on infill and redevelopment sites within the settlement boundary will be supported where the development:

- a) Comprises a restricted gap in the continuity of existing frontage buildings or on other sites within the built-up area of Sileby or where the site is closely surrounded by existing buildings;**
- b) Respects the shape and form of Sileby in order to maintain its distinctive character and enhance it where possible;**
- c) Retains existing important natural boundaries such as trees, hedges and streams;**
- d) Does not reduce garden space to an extent where it adversely impacts on the character of the area, or the amenity of neighbours and the existing and future occupiers of the dwelling (s); and**
- e) Does not result in an unacceptable loss of amenity for neighbouring occupiers by reason of loss of privacy, loss of daylight, visual intrusion or noise in line with Charnwood Borough Council Planning Guidance.**

Housing Mix

Home ownership levels are relatively high with around 76% of households owning their homes outright or with a mortgage or loan. This is above the district (72%), regional (67%) and national (63%) rates.

Data from the 2011 Census shows the Parish to have a higher than average concentration of semi-detached residential dwellings (43%) which is above the district (39%), regional (35%) and national (31%) shares. There is also a higher than average proportion of terraced housing accounting for over 27% of the housing stock against 19% for the district, 21% for the region and 25% nationally. Detached housing represents around 20% of residential housing stock which is close to the 22% national rate but somewhat lower than the district (30%) and region (32%) rates. Detached and semi-detached represent 63% of the total housing stock in the Sileby Parish whereas terraced housing and flats provide 37% of accommodation spaces.

An ageing population will further increase under-occupancy across the village and the Neighbourhood Plan will therefore encourage people to move out of the larger detached properties that are under-occupied into more suitable and age-appropriate housing.

A detailed analysis of the housing provision in the Parish is provided in Appendix 3.

In particular, people with personal mobility issues that cannot be ameliorated in their existing housing do not have accessible standard housing available and there is considerable pressure on the Local Authority to provide expensive retro-fitting using disabled facilities grants to improve accessibility. A majority of the major National housebuilders have recognised the importance of meeting this demographic trend towards requiring more accessible housing and now construct all of their new build units to a minimum of building regulations M2 standard. Based upon a comprehensive assessment of current and future production of housing the HEDNA survey of 2017 also set out the requirement for a minimum of 4% of all new housing to be built to M3, wheelchair accessibility standard housing.

Since the 2011 census there has been an increase in new detached houses being built with 65% of all completed units being detached which brings the other dwelling types very close to the national averages as show below:

Accommodation Type, 2017

	Sileby		Change
	No	%	%
All household spaces (occupied + vacant)	3608	100.0	+6.4
Detached	829	22.92	+12.90
Semi-Detached	1495	41.43	-2.75
Terraced	944	26.16	-5.22
Flat, Maisonette or Apartment	321	8.89	-1.3
Caravan or Other Mobile or Temporary Structure	-	0.0	0.0

POLICY H3: HOUSING MIX

In order to meet the future needs of the residents of the Plan area, new housing development proposals:

- a) Should seek to create sustainable, inclusive and mixed communities by providing a mix of house types and size that reflect up to date published evidence of local need in Sileby, or, if this is not available a larger area including Sileby; and
- b) Are encouraged to construct to building regulations 2015 M4(2) “accessible housing” standard and, to include some housing at M4(3) “wheelchair housing” standard.

Additional development of smaller properties in the village centre or adjacent to it is a very well-favoured community approach which supports local traders and brings a vibrancy to the shared village centre facilities. A focus around centrally located bungalow / flats development where possible to enable a virtuous circle of population flow through the housing stock.

Affordable housing

The NPPF (2018) defines affordable housing as ‘housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)’. The definition goes on to list different types including affordable housing for rent (including social rent); starter homes, discounted market sale housing and other affordable housing routes to home ownership.

Social rented properties account for 9% of tenure which is lower than the district (12%), region (16%) and England (18%) rates. Shared ownership housing is also lower than Charnwood as a whole. This is an area that we wish to address.

Policy CS3 of the Core Strategy indicates that 80% of affordable housing should be social rented and 20% shared ownership. Since then the definition of affordable housing has widened to include starter homes and discounted market sales housing.

Many people support the need for social housing but feel it suffers a bad reputation and that residents don’t always maintain the properties as they would their own. Partly this is from social units being placed together in a development creating a “Social housing centre”. Affordable housing provision should therefore be developed on-site in a pepper-potted fashion, in effect a tenure blind approach.

POLICY H4: AFFORDABLE HOUSING

To meet identified needs within the community at least 30% of all new housing developments of 10 units or more will be affordable housing. In any new development at least two thirds of the affordable housing will be social or affordable housing for rent, and the remainder low cost starter homes for sale and shared ownership housing.

The affordable housing stock should be made available as an integral part of the development, should be visually indistinguishable from the equivalent market housing on the site and should be provided as individual units dispersed throughout the development, subject to a registered provider being prepared to deliver the units if applicable.

The achievement of Lifetime Homes Standards for affordable housing will be supported.

C. The Natural and Historic Environment

Introduction

This section of the Plan deals with the environmental component of *sustainable development*, as described in the National Planning Policy Framework. It balances the requirement for appropriate development in Sileby against the value of environmental features that can be shown to be both significant (for wildlife and history) and appreciated, in their own right and as community assets, by local people. It also deals with the broader environmental issues of concern to the community, like access to the countryside and renewable energy generation.

The MAPS in this section have been reduced to fit the document page size.

Full-size versions are available as *supporting documents*

Care was taken during preparation of the Plan to ensure that the policies (and the sites and areas of environmental significance covered by them) were not unduly restrictive on development during the Plan's lifetime. Less than 11% of the area of open, potentially developable land in the parish has been earmarked for environmental protection.

Area of undeveloped land in Sileby = 710ha

Area subject to environmental protection (all policies) in Sileby = 77ha (10.8%)
(includes sites with existing statutory protection and Open Spaces in the built-up area)

Landscape, geology and setting

Sileby is located in a small tributary valley flowing southwest, off the high ground of the

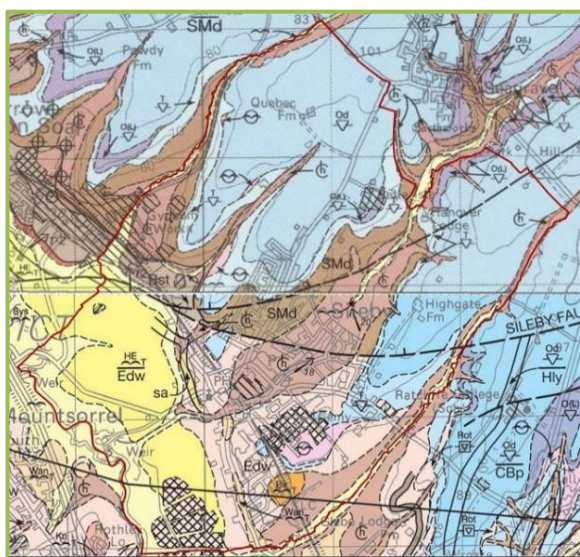


Fig. 5.1 Geology of Sileby.

Browns: Jurassic clay and limestone; blue:
ice age glacial clay, sand and gravel;
yellow: ice age river sand, gravel and silt

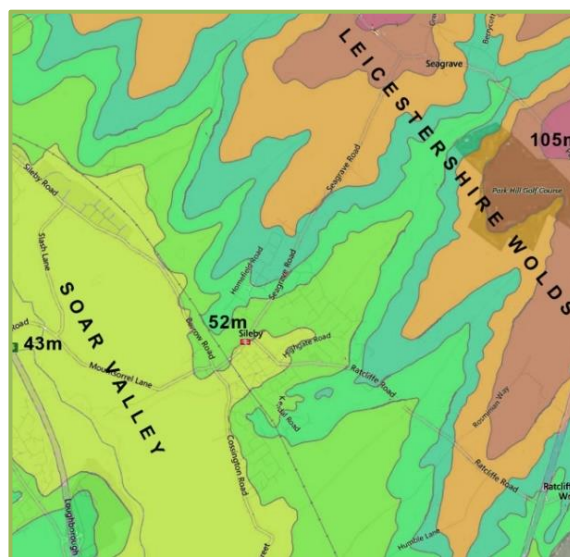


Fig. 5.2 Topography of Sileby

Leicestershire Wolds, into the wide vale of the river Soar. The northeast of the Plan Area is therefore open, with extensive westward views from a series of ridges formed by Sileby Brook (the village's own watercourse) and four other narrow valleys, while the southwest is a landscape of floodplain meadows and wetlands, with the meandering river Soar forming the parish boundary and the start of the distinctive landscapes of Charnwood Forest.

The Soar flows today in what was a 'braided' river valley during the ice ages; its floor is the gravel, sand and peat deposited by the many channels of the ice age river. The Wolds are formed by much older clays and limestones of Jurassic age – these are exposed in the beds of the Sileby and other brooks – covered by stony clay ('glacial till') left here by the ice sheets that covered the area some 300,000 years ago.

The highest parts of the Plan Area are at just over 100m above sea level while the lowest, at Sileby mill, is at 43m above sea level. Sileby village, at the boundary between Soar valley and Wolds, lies at 52m. The topographical amplitude combined with the parallel ridges and valleys of the Wolds gives Sileby a distinctive landscape, with views that are more impressive than the 60m height difference might suggest.

Historical environment

In heritage terms, it could be argued that Sileby has suffered a tarnished reputation due to its industrial past and its proximity to pretty 'chocolate box' villages such as Cossington and Seagrave. Unhelpful views such as that of venerable historian W. G. Hoskins who described the village as "one of the unloveliest villages one could find anywhere... red brick, dreary", seriously detract from seeing the village in its true historical context.

Like other Leicestershire parishes, Sileby's origins are ancient, with habitation known from the late prehistoric period, through the Roman occupation and on to the foundation of the present settlement in (probably) the 8th century; 'Sileby' (Sigulfr's farm) is an Old Norse (Danish) placename. Later development, including the size and layout of the medieval village and its farmlands, are still represented by earthworks and other tangible evidence. However, what makes Sileby's historic environment rich and characteristic is its 'modern' history. Although there are



Barrow Road, Sileby. These 18th and 19th century workers' cottages are significant local heritage assets

twelve Listed Buildings in the parish, this number is low when compared to Barrow upon Soar (26), Cossington (19), and other adjacent villages. This is because the recording and preservation of Sileby's historic assets has been dominated by conventional historical thinking: agricultural, medieval or culturally significant features are recognised, while industrial heritage, along with important large scale post-medieval infrastructure, has been largely ignored.

The Leicestershire & Rutland Historic Environment Record (HER) database has begun to correct this by recording these industrial and post medieval structures. This Plan continues with this objective, aiming to provide protection, at appropriate levels in the Planning system, for the most important features of Sileby's historic environment of all ages and types.

Natural environment

Two millennia of settlement have had a profound effect on whatever native habitats existed here before the advent of agriculture. The surviving semi-natural areas are the result of the interaction between the changes wrought by Sileby's people and natural ecological processes over this timespan. Still remaining, and to be cherished, are a few areas of woodland, species-rich hedgerows, watercourses and ponds, disused gravel pits, and floodplain grassland of ecological value. Because these survivors are now few, and concentrated only in a few areas of the parish, the community has come to realise that, if any biodiversity is to be maintained in the Plan Area (for its intrinsic value and for its contribution to residents' health and wellbeing), what remains should be protected and nurtured wherever possible.

Existing environmental designations

The Plan Area is located in National Character Area (NCA) 94 *Leicestershire Vales*. NCAs are landscape areas defined by Natural England for Planning purposes. There are 13 areas of *Priority Habitat* (as defined by Natural England), together with six Local Wildlife Sites (LWS) designated by Leicestershire County Council ecologists and endorsed by Charnwood Borough Council. Cossington Meadows, the largest Wildlife Trust nature reserve in Leicestershire, lies partly in Sileby parish and includes an important area of floodplain grassland.

There are twelve Listed Buildings, 36 further sites and features of historic significance (Leicestershire & Rutland Historic Environment Records), of which six are of relevance to the Neighbourhood Plan, and 10 non-designated historic buildings (Leicestershire & Rutland Historic Environment Records).

Environmental inventory

An environmental inventory (Appendix 4) of Sileby was carried out between November

2017 and May 2018. The work comprised two elements:

- Review of all existing designations and available information, and
- Fieldwork to identify sites and features of natural and historical environment significance in the context of the Plan Area.

The review compiled information from many sources, including: DEFRA, Natural England, Historic England, Leicestershire & Rutland Historic Environment Records, Leicestershire & Rutland Environmental Record Centre records (biodiversity and geology), Environment Agency, British Geological Survey Old maps (Ordnance Survey, manuscript), British History Online, Local history and archaeology publications, local knowledge.

Fieldwork reviewed all open and currently undeveloped land in the Plan Area, and significant species, habitats, landscape characteristics, earthworks and other extant features were checked.

These data, along with all relevant site-specific information from the existing information review, were mapped and tabulated, and each site was scored and evaluated using the nine criteria for Local Green Space selection in the *National Planning Policy Framework* 2018:

Figure 6 Environmental inventory scoring system used in the Plan

Criterion (NPPF 2012)	Score range			Notes
ACCESSIBILITY	0	1-3	4	e.g. private, no access (0) – visible from public place – accessed via PRoW – fully open to the public (4)
PROXIMITY / LOCAL	0	1-3	4	Distant (0) --- fairly near to --- adjoins (3) or is within (4) settlement
BOUNDED	0	1-3	4	Individual parcel of land (not an undefined or large area)
SPECIAL TO COMMUNITY	0	1-3	4	Opinion of local people e.g. via questionnaire or at consultation events
RECREATIONAL / EDUCATIONAL USE	0	1-3	4	Actual or potential, informal sports, dog-walking, Forest School use, informal or official open space, etc.
BEAUTY (including views)	0	1	2	Subjective, relative (give justification); use consultation map results
TRANQUILITY	0	1	2	Subjective, relative (give justification)
HISTORICAL SIGNIFICANCE	0	1-3	4	Extant, visible evidence. Number of periods/features/records etc. / Relevant existing designations (Historic Environment Records)
WILDLIFE SIGNIFICANCE, GEOLOGY	0	1-3	4	Richness of species and habitats (Priority (BAP) spp. / Priority habitats) / relevant existing designations (Habitat Survey, Local Wildlife Sites / site of geological/industrial history significance)
[Maximum possible score]	32			

Site-specific policies



Local Green Spaces

Of the approximately 170 inventoried parcels of open land in the parish, some 47 were identified as having notable environmental (natural, historical and/or cultural) features. These sites were scored, using the nine criteria for Local Green Space designation noted in the *National Planning Policy Framework 2018* (see Fig. 6 for the criteria and scoring system adopted for this Plan).

Two sites score 75% (24/32) or more of the maximum possible and meet the essential requirements for designation as Local Green Space as outlined in the National Planning Policy Framework (NPPF paragraph 100). Their statutory protection will ensure that these most important places in Sileby's natural and human environment are protected.

Figure 7: Local Green Spaces
Pink shading indicates existing (additional) statutory protection



Ref.	EVIDENCE	NPPF (2012) ELIGIBILITY CRITERIA									
		Access /4	Proximity /4	Bounded /4	Special /4	Rec/Ed /4	Beauty/ Views /2	Tranq. /2	History /4	Wildlife /4	TOTAL
	<p>Memorial Park CBC Open Space (policies map) A very well-used, multi-function public open space Includes Sileby Brook (part of wildlife corridor)– mature trees lining bank. Kingfishers and other birdlife. Modified stream profile, but retains some natural aspects. Small fish present.</p>	4	4	4	4	4	1	1	2	2	26
	<div></div> <div></div> <div>Sileby Memorial Park, Summer 2017</div>										
	<p>St Mary's churchyard Mounded site, likely to be on an early Christian or pre-Christian sacred site, with retaining stone walls. Setting for Listed Grade II* church (from c.1300, restored 19thC). Part of a tranquil oasis close to the otherwise urban village centre. Headstones include Swithland Slate (good late 18th century carving). Mostly mown grass, some rougher areas, mature ornamental shrubs and trees including a large yew. Locally important for invertebrates, birds, bats, etc.</p>	4	4	4	4	2	2	2	3	3	28
	<div></div> <div></div> <div>St Mary's churchyard, Sileby, Summer 2017</div>										

POLICY ENV1: PROTECTION OF LOCAL GREEN SPACE

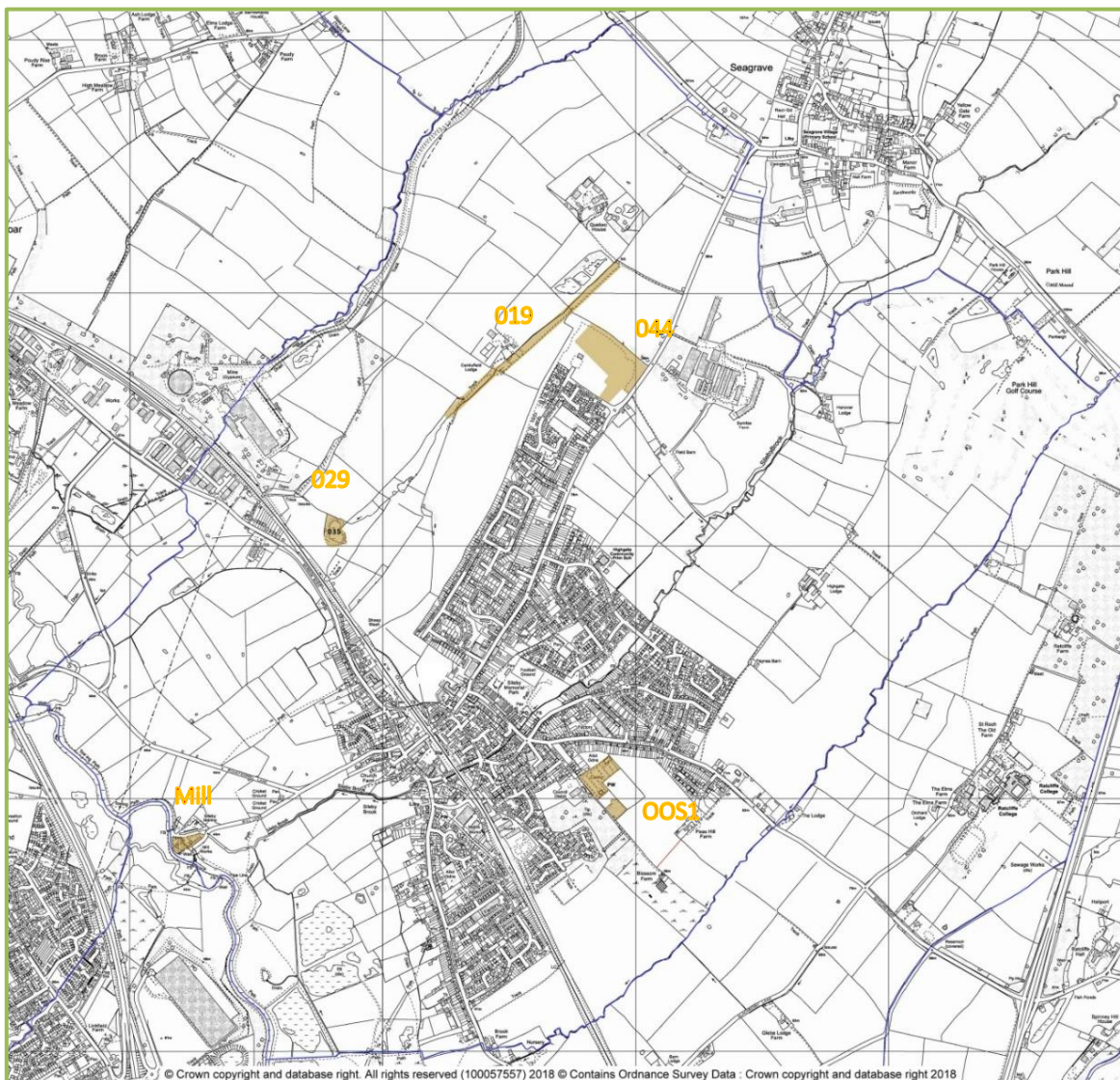
The sites listed below and shown in figure 7 above are designated as Local Green Spaces, where development will only be supported in very special circumstances, unless it is consistent with the function of the Local Green Space.

- St Mary's churchyard
- Memorial Park

Sites of environmental significance

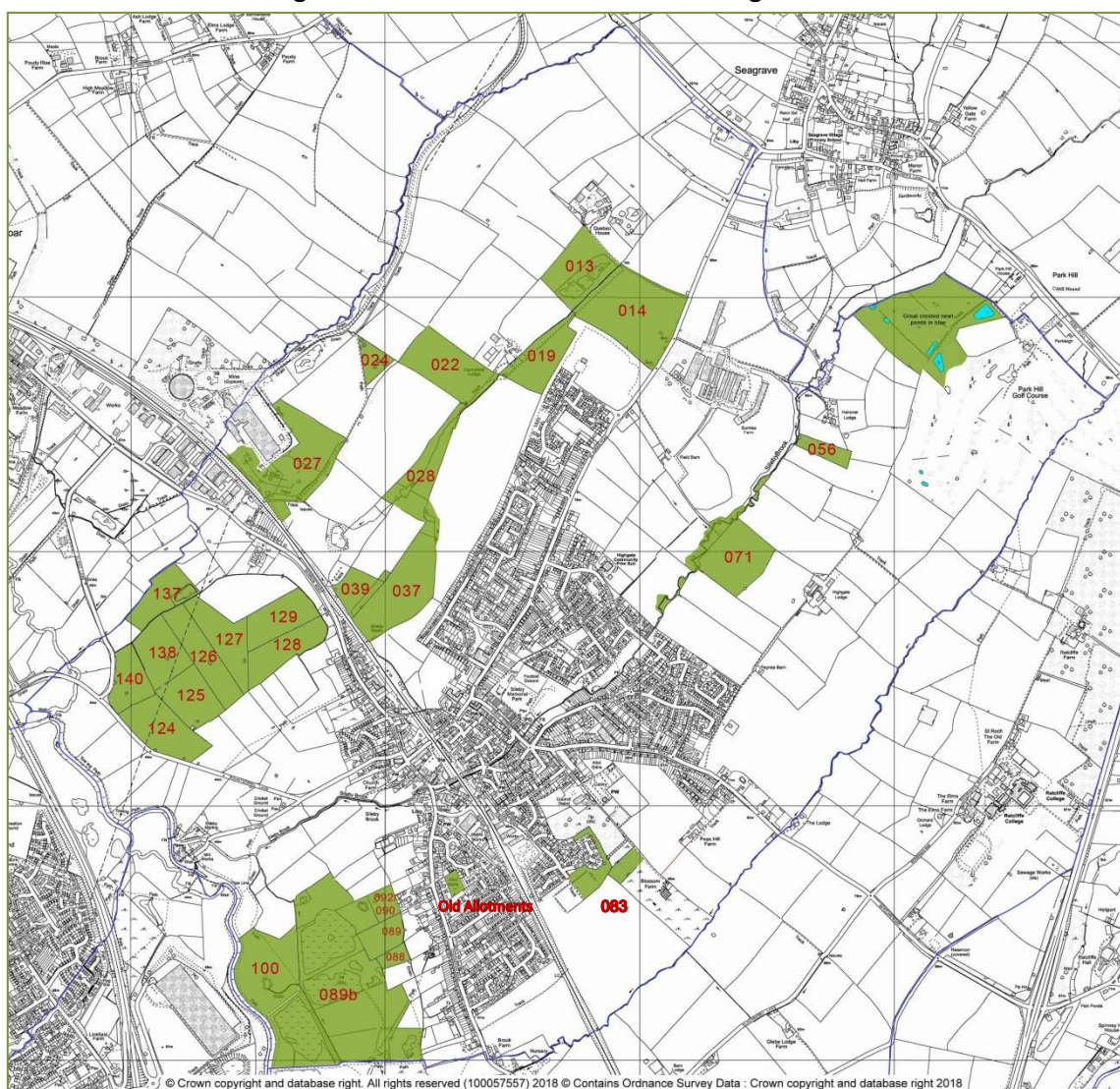
A group of inventory sites scores highly for 'history' and 'wildlife' (scoring at least 4 / 8 under these two criteria) but, because their community value scores are not high enough they are not eligible for Local Green Space designation and protection. The features for which the identified sites have been selected and notified are listed in the environmental inventory (Appendix 4). The maps (Figures 8.1, 8.2) show their locations.

Figure 8.1: Sites of historical environment significance



The **historical environment** sites comprise a) sites with *extant and visible* archaeological or historical features recorded in the Leicestershire & Rutland Historic Environment Records database and mapped by Historic England, b) sites with proven buried archaeology and c) other sites of historical and social significance identified in local records and during the inventory process. Areas of ridge and furrow (medieval field systems) are also of high historic environment significance, but unless these sites coincide with other historic features they are covered by Policy ENV 5, while buildings and other built environment heritage features are dealt with in Policy ENV 4.

Figure 8.2: Sites of natural environment significance



The **natural environment** sites comprise a) those where *priority habitats* occur (Natural England mapping) or where *biodiversity action plan (BAP) species* have been recorded as breeding or as regular visitors; b) sites identified as ecologically significant by Leicestershire County Council and Charnwood Borough Council, comprising *Local Wildlife Sites* and *Sites of Importance for Nature Conservation (SINCs)*, and c) sites identified during the inventory process as being of high biodiversity significance in the context of the Plan

area.

Destruction or significant harm to these sites, the loss of any of which would result in a reduction of the present already low level of biodiversity in the Plan Area, should be avoided; failure to do this would be effective non-compliance, at parish level, with the relevant sections of the *Wildlife & Countryside Act 1981*, the *Conservation of Species and Habitats Regulations 2010* and European Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

It might be argued that parish-level biodiversity makes such a small contribution to national biodiversity that it can be ignored when individual development proposals are under consideration, but the biodiversity of England consists *only* of the sum of all the wildlife sites in all its parishes. Destruction of any one of these sites in Sileby will reduce national, as well as local, biodiversity. The community is determined not to contribute inadvertently to loss of wildlife through inappropriately located development proposals.

POLICY ENV2: PROTECTION OF SITES OF ENVIRONMENTAL SIGNIFICANCE

The sites listed and mapped (figures 8.1 and 8.2) are identified as being of local (or higher) significance for their natural and/or historical environment features. They are ecologically important in their own right, their historical features are extant and have visible expression, and they are locally valued.

Development proposals which would destroy or harm the species, habitats or features occurring on these sites should not be approved unless the need for and benefits arising from development adequately outweigh/compensate their damage/loss.

Important Open Spaces

A group of sites scored highly in the inventory (scoring at least 75% of the possible total under the relevant criteria) for their outstanding community value. They have been identified in fieldwork, community consultations and in Parish records; a majority are existing Open Space, Sport & Recreation (OSSR) sites but some are newly proposed for designation in this Plan.

Applying CBC OSSR typologies in *Charnwood Open Space Strategy 2013 – 2028*) these sites comprise:

- Parks
- Natural and semi-natural open space
- Amenity Green Space
- Provision for Children and Young People
- Outdoor Sports Facilities
- Civic Spaces
- Cemeteries, disused churchyards and other burial sites
- Allotments
- Green Corridors

Charnwood Borough Council's *Open Spaces Strategy 2013-2028* identifies shortfalls in

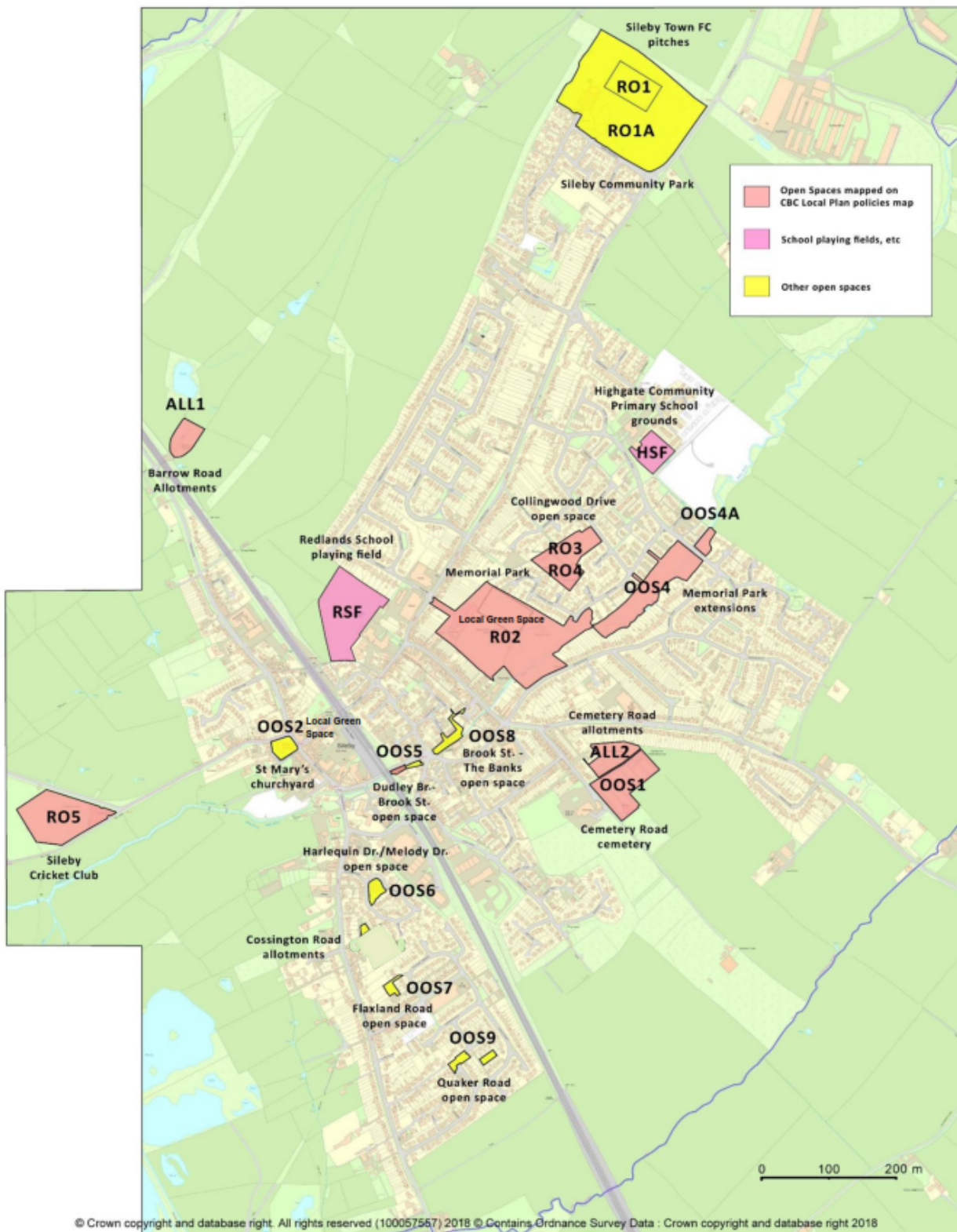
provisions of natural and semi-natural open space, outdoor sports facilities, allotments and cemeteries in Sileby. Their value as open space *within and close to the built-up areas* and/or their current, or potential, value, as community resources are recognised in this Policy.

POLICY ENV3: IMPORTANT OPEN SPACES

The following sites (listed below and mapped in Fig. 9 and detailed in Appendix 5) are of high value for sport, recreation, amenity, tranquillity or as green spaces within the built-up area. Development proposals that result in their loss, or have a significant adverse effect on them, will not be supported unless the open space is replaced by equivalent or better provision in an equally suitable location; unless it can be demonstrated to the Parish Council that the open space is no longer required by the community or, in the case of the sites in part c), Policy CF4 applies.

- a) Sites protected in the Charnwood Local Plan
 - Collingwood Drive Open Space
 - Sileby Town Cricket Club
 - Memorial Part extensions to Heathcote Drive and northeast of Heathcote Drive
 - Dudley Bridge to Brook Street Open Space
 - Cemetery Road cemetery
 - Barrow Road Allotments
 - Cemetery Road Allotments
- b) Additional Important Open Spaces identified by Sileby Neighbourhood Plan
 - New Sileby Town Football Club Pitches
 - Sileby Community Park
 - Harlequin Drive/Melody Drive Open Space
 - Flaxland Crescent Open Space
 - Brook Street to The Banks Open Space
 - Quaker Road Open Space
- c) Open Space on Educational Sites (also referred to in Policy CF4)
 - Redlands School playing fields and grounds
 - Highgate Community Primary School grounds

Figure 9: Important Open Spaces



Buildings and structures of local significance

LISTED BUILDINGS

Twelve buildings and structures in the Plan Area have statutory protection through Listing at Grade II* or II. The Neighbourhood Plan lists them for reference, and to note that new

development will be required to take into account their *settings* (Figure 10) as defined, on a case by case basis, by Historic England. Their location within, or close to, sites designated or noted for protection in the Plan's Policies and Community Actions contributes to these sites' evidence of significance.

Figure 10: The settings of Listed Buildings in Sileby
Circles and polygons are individual structures' indicative settings



Listed Buildings in the Plan Area

CHURCH OF ST MARY

List Entry Number: 1230687

Grade: II*

WAR MEMORIAL AT SILEBY MEMORIAL PARK

List Entry Number: 1278459

Grade: II

13 AND 15, BARROW ROAD

List Entry Number: 1278496

Grade: II

FREE TRADE INN PUBLIC HOUSE

List Entry Number: 1278497

Grade: II

35 AND 37, COSSINGTON ROAD

List Entry Number: 1230686

Grade: II

POUNDSTRETCHER

List Entry Number: 1230689

Grade: II

7, KING STREET

List Entry Number: 1230690

Source: <https://www.historicengland.org.uk/listing/the-list/>

Grade: II

33, LITTLE CHURCH LANE

List Entry Number: 1230691

Grade: II

35, LITTLE CHURCH LANE

List Entry Number: 1230693

Grade: II

QUEBEC HOUSE FARMHOUSE, SEAGRAVE ROAD

List Entry Number: 1230695

Grade: II

BARN AND TWO OUTBUILDINGS AT QUEBEC HOUSE FARM, SEAGRAVE ROAD

List Entry Number: 1230696

Grade: II

THE MALTINGS, HIGH STREET

List Entry Number: 1392226

Grade: II

LOCAL HERITAGE LIST

The Neighbourhood Plan identifies a number of other buildings and structures in the built environment of Sileby that are considered to be of local significance for architectural, historical or social reasons (details in Appendix 6). Their inclusion here records them in the Planning system as non-designated *heritage assets*.

POLICY ENV4: BUILT ENVIRONMENT: NON-DESIGNATED HERITAGE ASSETS

The structures and buildings listed here (figure 11, below) are non-designated local heritage assets. Development proposals that affect an identified non-designated building or structure of local historical or architectural interest or its setting will be expected to conserve or enhance the character, integrity and setting of that building or structure. The benefits of a development proposal, or of a change of land use requiring planning approval, will need to be balanced against the significance of the heritage asset and any harm that would result from the development.

- 1. Site of former non-conformist chapel, Mountsorrel Lane**
- 2. Barrow Road façade**
- 3. The Banks**
- 4. Underhill, Barrow Road**
- 5. Chine House at Sileby Hall, 12 Cossington Road**
- 6. The Angel Yard, Little Church Lane**
- 7. Ladkins chimney, Seagrave Road**
- 8. Workshop/factory at rear of 100 King Street**
- 9. Goose Green farmhouse, 69 Barrow Road**
- 10. Former Bellringers' Arms public house, 11 Brook Street**
- 11. Sileby Mill**
- 12. Community Centre, High Street**
- 13. General Baptist Chapel, Cossington Road**
- 14. Back Lane bridge**
- 15. Brook Street bridge**
- 16. King Street bridge**
- 17. Underhill bridge**
- 18. Old hosiery factory, Barrow Road**
- 19. Sileby Primitive Methodist Chapel, King Street**
- 20. Methodist Chapel Sunday School, Swan Street**

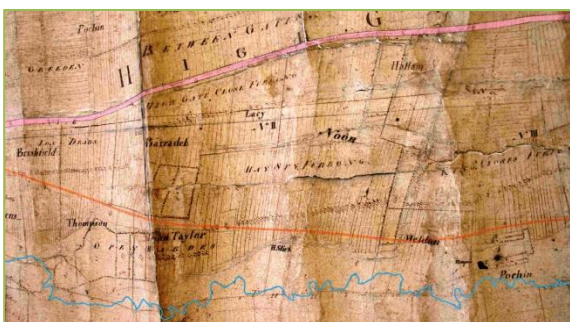
For details of buildings and structures in the Local List of non-designated heritage assets see Appendix 6.

Figure 11: Local Heritage List for Sileby
Buildings and structures of local significance (non-designated *heritage assets*)



Ridge and furrow

Like other parishes in the English Midlands, Sileby was farmed using the open field system from (probably) around 800AD. The rotation system used in Sileby allocated about three-quarters of the parish for arable, in three large 'fields', along with some areas of permanent pasture, especially a substantial strip in the floodlands of the Soar valley. Centuries of ploughing of the arable lands, using ox-teams and non-reversible ploughs, produced deep furrows with ridges between them.



Highgate Field, mapped in 1758 just before Enclosure, showing furlongs (plough strips)

When these fields were 'Enclosed' – in Sileby's case in several stages, culminating in the Parliamentary Enclosure Award of 1760 – to be taken out of cultivation in favour of permanent grass for more profitable livestock, the ridges and furrows were 'fossilised' to form a record of a medieval way of village life. This ridge and furrow then survived until the mid-20th century, when expansion of the village as a small industrial centre plus a combination of intensive arable production with sand and gravel quarrying resulted in the destruction of most of this

feature of Sileby's historical heritage.

In most English parishes the loss has been between 70% and 90% since 1950. In recognition of the threat to what still remained, English Heritage (now Historic England) instigated a mapping

Following Historic England's recommendation and practice, this Plan recognises all of these survivors as *non-designated heritage assets*. Every effort should be made to ensure that new development is located so that none of these few surviving areas is damaged or destroyed.

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POLICY ENV5: RIDGE AND FURROW

The areas of ridge and furrow earthworks mapped above (Figure 12) are local non-designated *heritage assets*.

Any loss or damage arising from a development proposal (or a change of land use requiring planning permission) is to be avoided unless it is unavoidable to achieve sustainable development; the benefits of such development must be balanced against the significance of the ridge and furrow features as heritage assets and the significance of any loss or damage.

General policies

Biodiversity, hedges and habitat connectivity

Sileby's history and location means that, from an ecological point of view, it has only a small amount of the Plan Area available for wildlife. Of the (approximately) 925 hectares, 230 is housing, commercial and industrial development, 500 is intensively managed farmland, golf courses and other sports facilities, and 150 is floodplain (grazing meadows and open water). The latter includes areas of acknowledged county- and local-level biodiversity importance, but otherwise this is a parish with relatively few sites of biodiversity value. The community recognises three opportunities, in conformity with the letter and spirit of relevant sections of the *Wildlife & Countryside Act 1981*, the *Conservation of Species and Habitats Regulations 2010* and European Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, for improving this situation:

- Conserving the remaining areas of natural and semi-natural habitat
- Welcoming local farmers' adoption of diversification, lower-intensity management regimes and Countryside Stewardship agreements
- Encouraging and taking part in biodiversity enhancement through habitat creation
- Protecting the wildlife corridor across the parish and through the built-up area provided by Sileby Brook

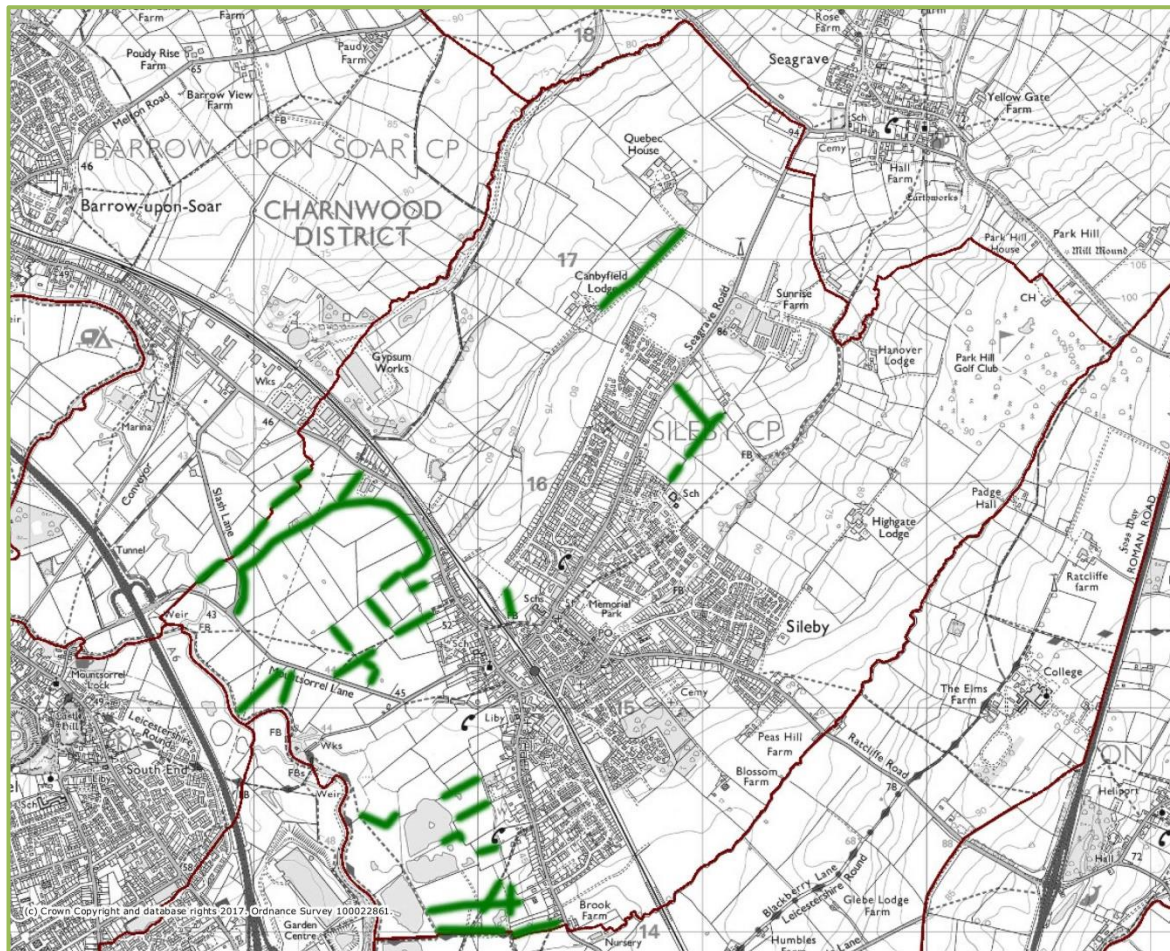
Policy ENV6 deals with biodiversity protection and enhancement, protection of the most ecologically significant hedgerows in the parish, and protection of habitat connectivity (wildlife corridor)

The Parish lies within Natural England *Natural Character Area 94 Leicestershire Vales*. The *Character Area Profile* for NCA 94 (which is a DEFRA guidance document for local Planning in England) includes the following *Statement of Environmental Opportunity*:

Manage, conserve and enhance the woodlands, hedgerows, streams and rivers – particularly the river Soar [...] – in both rural and urban areas, to enhance biodiversity and recreation opportunities; improve water quality, flow and availability; benefit soil quality; and limit soil erosion.

As a response to this statement of opportunity, Community Action ENV 1 records a community aspiration to protect and enhance local biodiversity in the longer term, in ways that are not currently covered by site-specific planning policy and decisions. It is based on ecological data held by and guidance from Leicestershire County Council and Charnwood Borough Council and comprises outline suggestions for river re-wilding and species-targeted habitat creation.

Figure 13: Hedges of biodiversity and/or historical significance



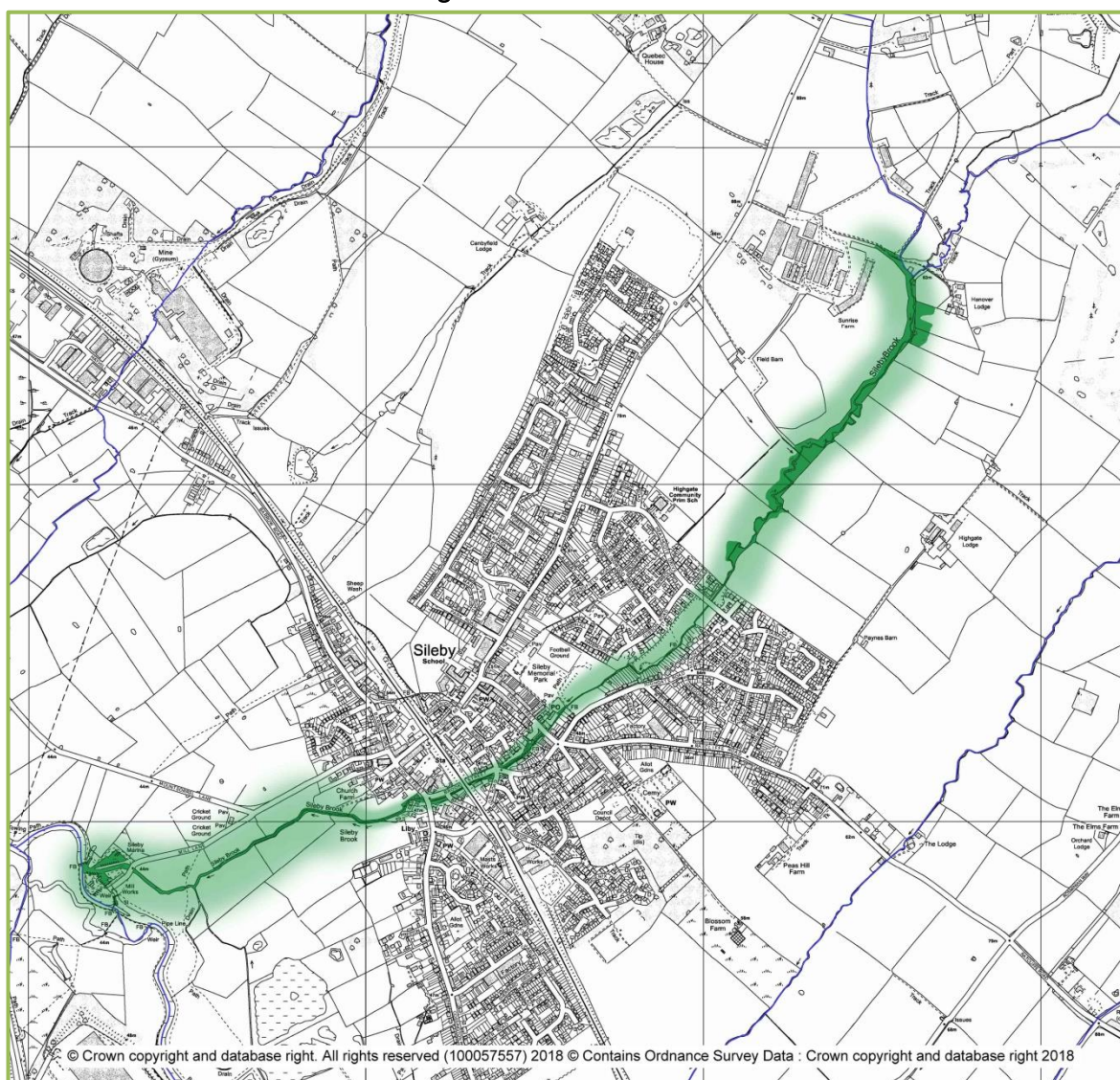
POLICY ENV6: BIODIVERSITY, HEDGES AND HABITAT CONNECTIVITY

Development proposals will be expected to safeguard locally significant habitats and species, especially those protected by relevant English and European legislation, and, where possible, to create new habitats for wildlife.

Development proposals which result in significant harm to biodiversity (figure 13 above) will be resisted unless the benefit of development outweighs the impact and provided it can be adequately mitigated, or, as a last resort compensated for.

Development proposals should not damage the features of, or adversely affect the habitat connectivity provided by, the wildlife corridor identified on the map below.

Figure 14: Wildlife corridor



Important Views

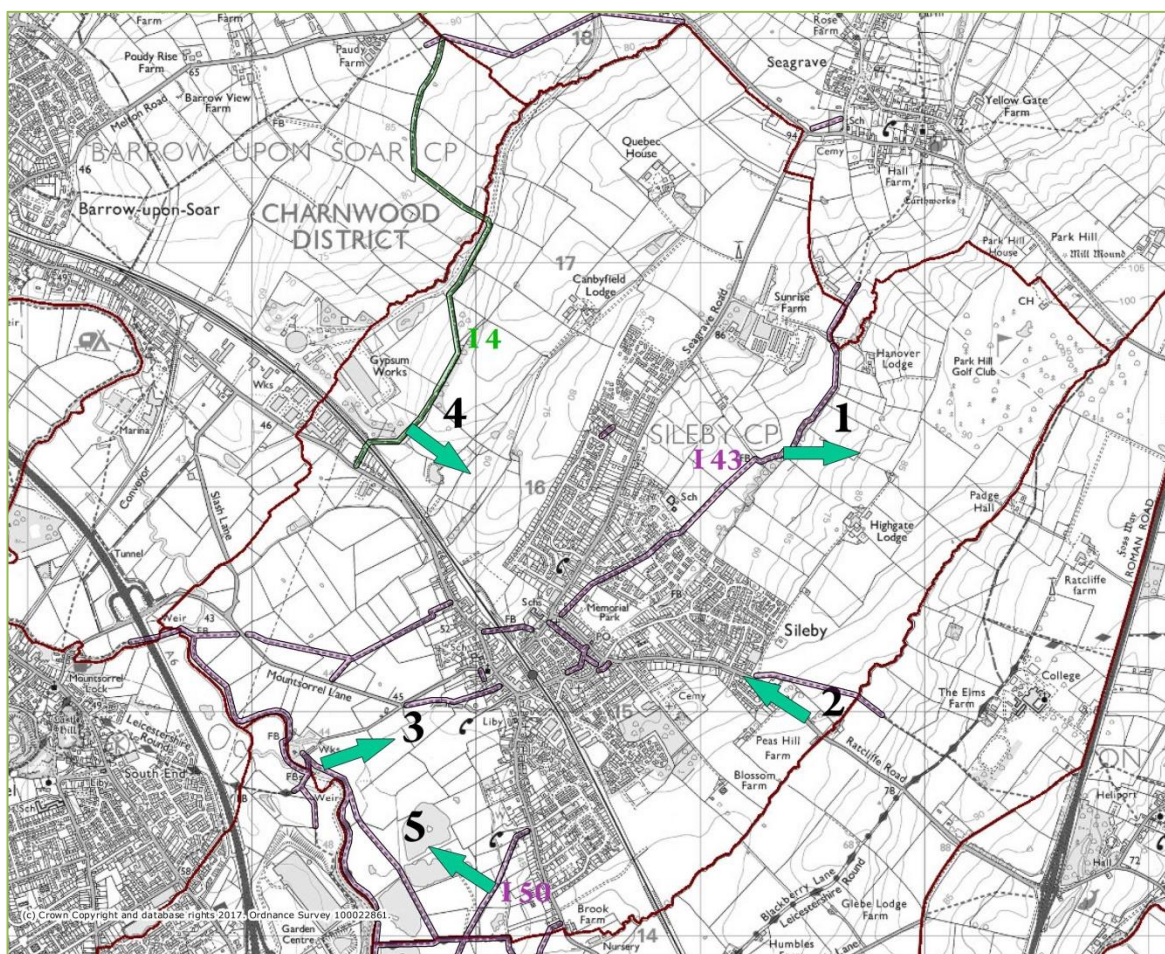
Consultation during the Neighbourhood Plan's preparation identified a widely-held wish to protect what remains of Sileby's rural setting, and its relationship with the surrounding landscape, including its position in a narrow tributary valley, at the edge of the Leicestershire Wolds, overlooking the wide Soar valley.

One of the main ways in which residents expressed this wish was by describing a number of highly-valued views within and around the village and toward it from the surrounding countryside. These consultation findings were supported by the environmental inventory, which although principally aimed at identifying sites of environmental significance also confirmed that five of the described views were of high landscape value and were accessible from public spaces, roads or rights of way (below, figure 15).

1. From footpath I 43 east across the wooded defile of Sileby Brook and up the hillside toward the mainly pastoral fields surrounding Hanover and Highgate Lodges.

2. From the top of Peas Hill on Ratcliffe Road, northwest down the hill into Sileby village.
3. From Sileby Mill east toward Sileby village over the northern section of Cossington Meadows.
4. From bridleway I 4 on the valley-side spur in the area of good wildlife habitat beside the gypsum works, southeast over the picturesque valley leading from Canbyfield Lodge (this is the route of an ancient trackway).
5. From footpath I 50 northwest over Cossington Meadows nature reserve.

Figure 15: Important views. See text for descriptions



POLICY ENV7: PROTECTION OF IMPORTANT VIEWS

Development proposals must consider, assess and address, with mitigation where appropriate their impact on the important views listed below and illustrated in figure 15.

Building for biodiversity

Residents in the Plan Area want their communities to play their part in the sustainable development of Charnwood Borough. As noted in the National Planning Policy Framework, Planning Authorities should, through their policies, contribute as fully as possible to the aims of *Biodiversity 2020* DEFRA, 2011. New multiple housing development in Sileby should be designed to incorporate the current (at time of every Planning Application best practice standards and methods

for biodiversity protection and enhancement.

POLICY ENV8: BIODIVERSITY PROTECTION IN NEW DEVELOPMENT

Proposals for new development (two or more houses) should incorporate measures for the protection and enhancement of local biodiversity, as follows:

- Where there is evidence of the significance of the location as a foraging area for bats, site and sports facility lighting should be switched off during 'curfew' hours between March and October, following best practice guidelines in *Bats and Lighting* (Leicestershire & Rutland Environmental Record Centre 2014). Maximum light spillage onto bat foraging corridors should be 1 lux.
- Existing trees and hedges of ecological or amenity value on and immediately adjacent to new development sites should be retained and protected whenever possible. Where this is not demonstrably practicable, the developer should be requested by means of a planning condition or obligation to plant and maintain replacement trees and shrubs on at least a one for one basis. The replacement planting should be either on-site or in suitable locations within the plan area, using where practicable, native tree and shrub species that have been grown entirely within the UK.
- Sustainable Drainage and landscaping schemes should be designed to incorporate measures for habitat creation and biodiversity enhancement and should include a resourced management plan to maintain the designed biodiversity value of these features.

COMMUNITY ACTION ENV 1: BIODIVERSITY – The Parish Council/another delivery organisation in conjunction with other bodies will maintain the environmental inventory list of known sites of biodiversity interest prepared for this Plan.

The Parish Council/another delivery organisation will work with community groups, landowners, funding bodies and other organisations to enhance the biodiversity of the Parish by creating and/or managing habitat sites (e.g. wildflower meadows, woodland, wetland) on suitable parcels of land, and particularly to:

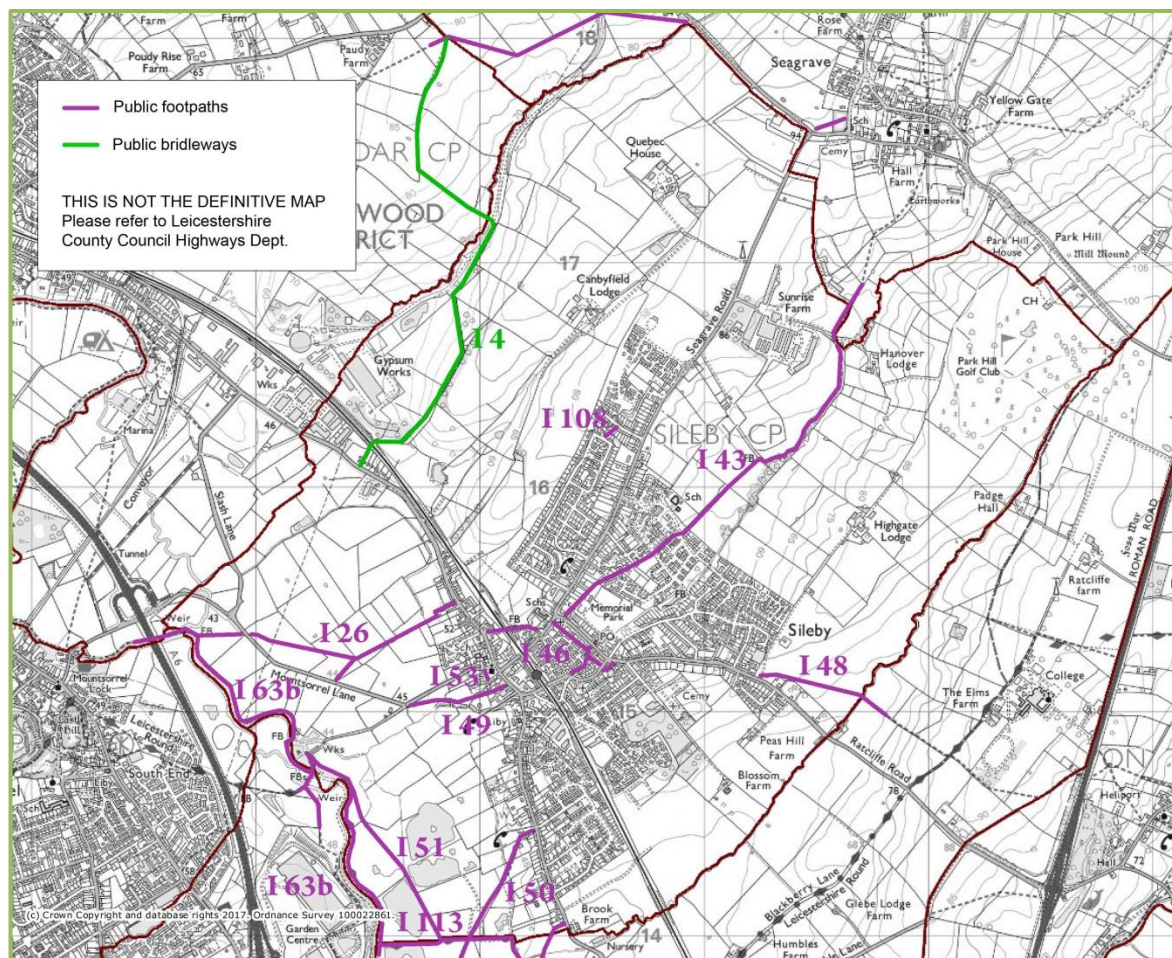
- Increase the quantity of suitable breeding and terrestrial habitat for great crested newts in the western part of the parish.
- Increase woodland cover in the eastern part of the parish.
- Create, improve and manage habitats adjacent to existing watercourses and local wildlife sites.

Footpaths and bridleways

The existing network of footpaths and bridleways in the Plan Area is well-used and highly valued. Also characteristic of the village is a group of traditional 'jitties', the walking routes that were used by villagers to access workplaces – the small factories and workshops of which a small number survive from the 18th and 19th centuries. The jitties are a historic part of local heritage but are still used regularly by residents for getting to the shops, to school and to the railway station.

There are well-known benefits to physical and mental health and wellbeing from walking, while the footways within the built-up area have a role in Sileby's modern infrastructure. The Plan encourages their maintenance and use and requires developers to make provision for their protection and enhancement, alongside Leicestershire County Council.

Figure 16: Public Rights of Way in Sileby



POLICY ENV9: FOOTPATHS AND BRIDLEWAYS

Development proposals that result in the loss of, or have a significant adverse effect on, the existing network of footpaths and bridleways will not be supported. Development proposals that include diversion of a footpath or other pedestrian right of way, where it is appropriate and possible, should recreate its previous character (e.g. historic village footway ('jitty'), green lane) by the use of appropriate materials and landscaping.

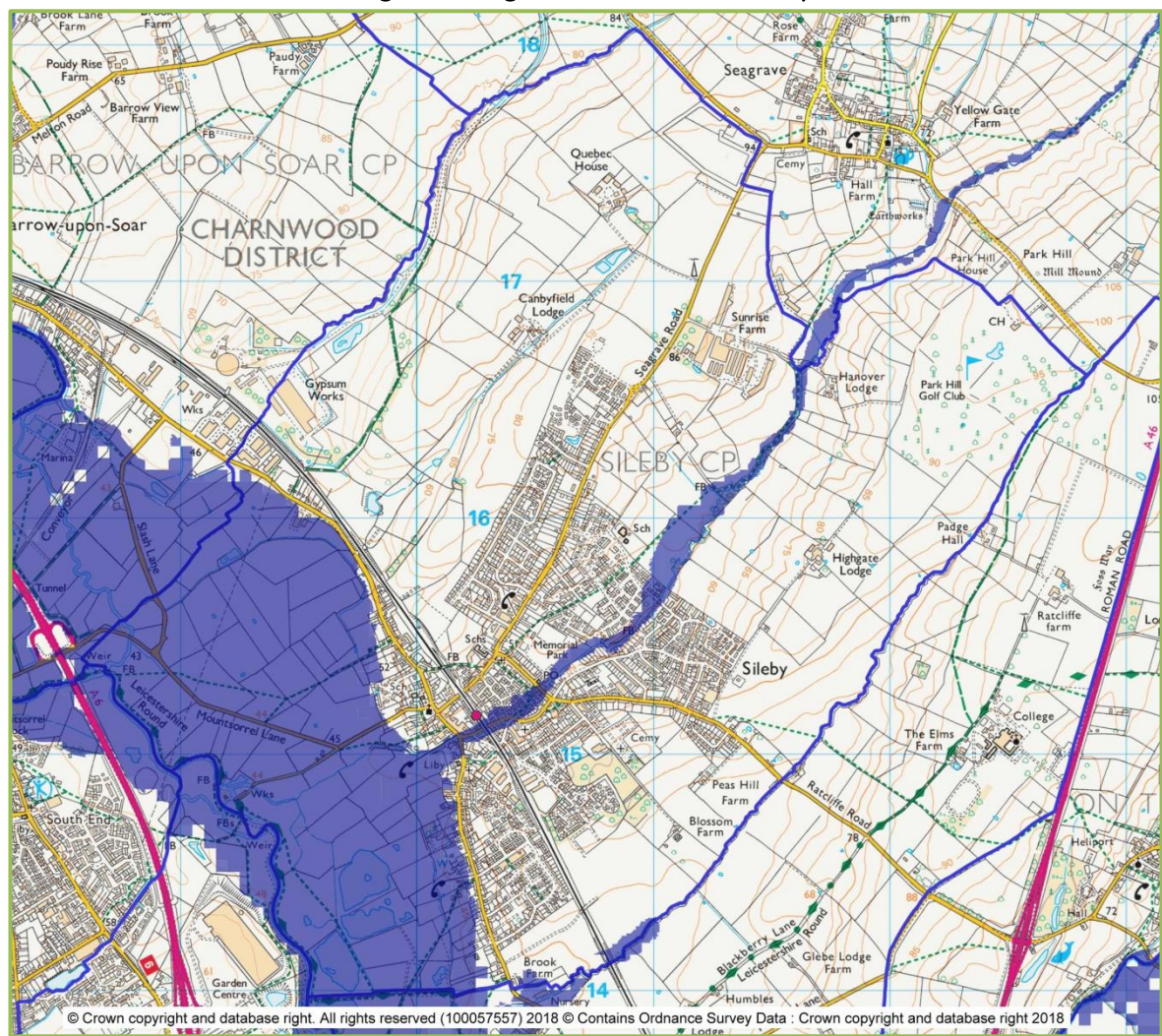
Flood risk

The whole of the Soar valley, including the open countryside immediately adjacent to the Limits to Development specified in this Plan (see figure 2) is in flood risk zone 3, as is a narrow strip, including in the centre of the village, along the course of Sileby Brook. The village section of the

latter benefitted from mitigation works by the Environment Agency in the early 2000s, but it is recognised that, as flood risk increases in response to the effects of climate change, further works (combined with re-wilding, upstream and in areas where flooding does not affect infrastructure or properties) will be necessary.

National regulations require the planning of new development to apply sequential and exception tests and to avoid areas of high flood risk (Zone 3). They also clarify the circumstances in which site-specific flood risk assessments may be required. Much of the development envisaged in the Neighbourhood Plan is likely to be on brownfield sites where high rates of run off are likely unless measures to mitigate them are included in the proposal.

Figure 17: High flood risk areas in Sileby



POLICY ENV10: FLOOD RISK AND BROWNFIELD SITES

Development proposals on brownfield sites should include measures to reduce the surface water run-off rates to as close to the pre-development (greenfield) rate as possible having regard to the viability of the development and the implications for sustainable development.

Renewable energy generation infrastructure

A large solar energy generation array already exists in the northwest of the Plan Area, and two large wind turbines are located within sight of many areas of the parish with extensive landscape viewpoints.



Solar farm at the western edge of the Plan

Local opinion is that no further large-scale energy generation infrastructure should be required in the parish; moreover, it appears that there are few, if any, remaining locations where such developments would be technically practicable.

The following policy is in conformity with Charnwood Borough Council Local Plan (2011-2028) Policy CS 16, which supports renewable energy development 'having regard to the impact on the ... landscape, biodiversity, the historic environment ... and other amenity considerations', while 'wind energy development [will only be permitted] if the site is in an area identified as suitable ... in a Neighbourhood Plan'.

POLICY ENV11: RENEWABLE ENERGY GENERATION INFRASTRUCTURE

Proposals for small-scale renewable energy generation and energy storage facilities will be considered favourably, on their merits, providing that conditions regarding habitats and species, heritage assets, landscape character, noise and visual impact are in place.

D. Community Facilities and Amenities

Villagers place widespread importance on Sileby having its own range of affordable and accessible indoor and outdoor community facilities and amenities. There is a heightened desire to see village facilities and amenities protected, improved and new ones introduced to address supply and demand challenges that have resulted from the cumulative impact of rapid housing growth in the village, changing lifestyle needs, aspirations and technological advances.

Consultation findings from the village questionnaires overwhelmingly show widespread support for age specific facilities (76%), sports hall (65%) and to a slightly lesser degree (but which was identified as high priority by some sports clubs) an all-weather pitch (43%). This level of support is especially strong when considering that a portion of those responding will potentially not benefit from them directly.

Village concerns are consistently targeted at the piecemeal approach to village infrastructure by housing developer contributions, such as 1) small dispersed play areas rather than pooling developer contributions into a more major scheme, 2) formula based contributions for minor extensions to existing infrastructure such as schools and GP

surgeries as opposed to pooling developer contributions and other strategic investment into more visionary provision of a new school or health & wellbeing centre.



Often small design considerations to new places and the enhancement of existing places will lead to improved community environments and opportunities. Achieving as many of The Ten Principles of Active Design (see supporting information) will be welcomed, as these will optimise opportunities for active and healthy lifestyles.

A more satisfactory approach for delivering the needed and wanted future infrastructure in Sileby will be through joined up master planning between developers and statutory providers, involving extensive community engagement. A village community facilities options appraisal will be delivered to provide the local detail and preferred facility solution(s), guided by the Local Authority strategies for indoor and outdoor provision across the Charnwood borough, and the local sports profile covering insights on sports participation, facilities, health economic and demographics.

Retention of Community Facilities

The important village requirements that are consistently highly prioritised in community consultations are: GP surgeries (97%), surrounding environment (91%), local schools and nurseries (84%), dog waste bins (51%), upkeep of significant buildings (77%) and library (70%).

Responses to community consultations offer a good insight into the concerns, aspirations and creative thinking of Sileby Parishioners.

POLICY CF1: RETENTION OF COMMUNITY FACILITIES AND AMENITIES

Development leading to the loss of an existing community facility or which detrimentally impacts on the function and value of a facility to the community will not be supported unless it can be demonstrated that:

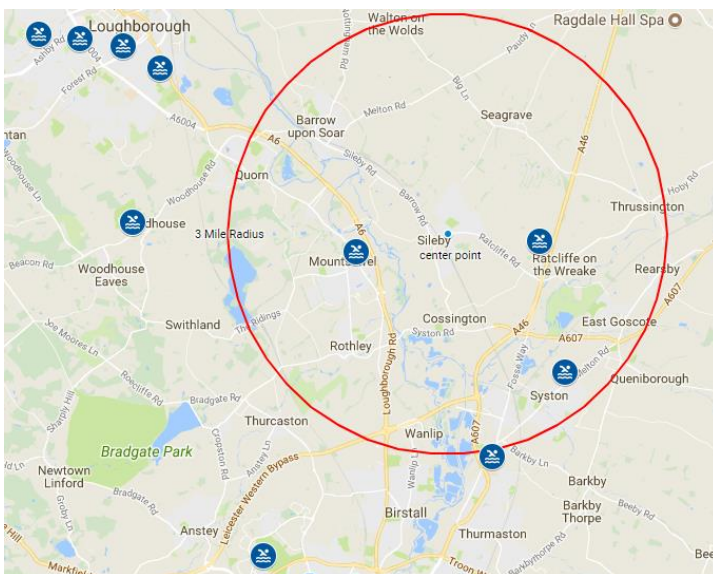
- a) There is no longer any need or demand for the existing community facility; or
- b) The existing community facility is no longer economically viable; or
- c) The proposal makes alternative provision for the relocation and wherever possible, enhancement of the existing community facility to an equally or more appropriate and accessible location within the village which complies with the other general policies of the Neighbourhood Plan.

Important existing facilities include: primary schools, the Community Centre, the Library, allotments and other significant community buildings.

New and Improved Community Facilities

There is a wealth of ideas about developing more opportunities on the Memorial Park, parking solutions, leisure facilities, shops, opportunities for children and young people, public toilet facilities, public transport and community events. Every opportunity to widely consult and engage the community will be welcomed.

Through the improvement of community facilities, we want to encourage fit for purpose



spaces for a wider range of groups and activities for all ages. The storing of equipment for all current activities at the community centre and Pavilion is limited. Although a swimming pool has historically been wanted by villagers, and in recent surveys has repeatedly been referred to, there exists an adequate supply of pools to meet demand pool within a 3-mile radius, at centres in both Syston and Mountsorrel.

The questionnaires sent out to residents, local clubs and community groups also highlighted the need for improved facilities, more availability and storage access. 76% of the respondents want more age-related facilities and the needs assessment survey will identify the age groups as lacking. This could be solved by the other need requested by 65% of respondents which was a Sports Hall, the benefits of investing in this type of building can expand the number of

sports clubs to include hockey, 5 a side football, netball, basketball, dancing, gymnastics etc. The engagement evening that was had with members of the Guides confirmed that some children take part in numerous activities within other towns and villages similar and that there are even more that are unable to have the same access or opportunities. A sports hall can be complemented by having all weather pitches available, this was only supported by 43% of respondents but having a combined facility increases the capacity of the village for sports throughout the year and expands the types of activities and number of sessions for all demographics.

The village severely lacks in facilities that can support the needs of those with any form of disability and many of the buildings are not accessible. The theme group has assessed the limitations currently seen by the local GP's and advocate preventative forms of health care, having adequate sporting facilities will only serve to reduce the strain on health care and allow more members of the community to live happier and healthier lifestyles.

People with dementia are a large and growing group and their need for a clear and legible environment is generally consistent with the needs of other people with disabilities. The Alzheimer's Society Friendly Communities Charter and the Local Government Association publications and Planning Practice Guidance set out useful principles.

POLICY CF2: NEW AND IMPROVED COMMUNITY FACILITIES

Proposals that improve the quality and range of community facilities will be supported where the development:

- a) Meets the design criteria in policy G2;
- b) Will not result in unacceptable traffic movements that generate increased levels of noise, fumes, smell or other harmful disturbance to residential properties
- c) Will not generate a need for additional parking which cannot be catered for within the curtilage of the property;
- d) Is of a scale appropriate to the needs of the locality and conveniently accessible for residents of the village wishing to walk or cycle;
- e) Takes into account the needs of people living with both physical and mental disability. This includes people living with dementia.

Community Action CF 1 – The Parish Council/another delivery organisation will use the findings from the Village Needs Assessment for Community and Sports Facilities to negotiate with key stakeholders including CBC, Sport England and Parishioners to consider ways to address any shortcomings that are identified.

Assets of Community Value

The designation of a community facility as an Asset of Community Value provides the opportunity to give it added protection from inappropriate development. In addition, if an asset is 'Listed' the Parish Council or other community organisations will then be given the opportunity to bid to purchase the asset on behalf of the local community, if it comes up for sale on the open market.

The Localism Act 2011 defines an 'Asset of Community Value' as "a building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future". The Localism Act states that "social interests" include cultural, recreational and sporting interests.

To date, no community facilities have been formally designated as Assets of Community Value. However, through the consultation process, a few community assets have been identified which are considered important for community life. The Parish Council therefore intends to use the mechanism of designating them as Assets of Community Value to further ensure that they are retained.

The inclusion of a specific policy in a Neighbourhood Plan with respect to Assets of Community Value provides the opportunity to give it formal recognition in the planning system. It ensures that the Listing' of an Asset of Community Value is a material consideration (i.e. it must be taken into account) when a planning application is being considered that may affect the Listed Asset.

POLICY CF3: ASSETS OF COMMUNITY VALUE

Development that would result in the loss of or has a significant adverse effect on a designated asset of community value will not be permitted unless in special circumstances, such as the asset is replaced by an equivalent or better provision in terms of quantity and quality in an equally suitable location or it can be clearly demonstrated that it is not viable or is no longer needed.

Schools

Sileby has 2 Primary Schools (Redlands Primary School and Highgate Primary School) and a small specialist College (Homefield College) that supports individuals with Learning disabilities. Both Primary schools have relatively new Headteachers who are bringing bold and progressive changes to the schools and looking to work more collaboratively for the benefit of students of Sileby. The schools are the only secure community infrastructures where resources for sports and creative arts can preside. Each Primary school is expanding its services and will achieve a maximum capacity of 420 pupils and doing so will require further

investment in order to provide the high level of quality education our children deserve in Sileby.

The Neighbourhood Plan encourages the opening up of school sports facilities to the wider community, when they are not required by the school, by a Community Use Agreement to be a planning condition attached to any successful planning application for school expansion or replacement.

POLICY CF4: SCHOOLS

Proposals for the expansion of existing schools in the village are supported where it can be demonstrated that:

- a) It would have appropriate vehicular access, and does not taking, account of appropriate mitigation measures, have a severe impact upon traffic circulation;
- b) It would not result in an unacceptable loss of recreational space available to the school; and
- c) The development would not result in an unacceptable loss of amenity to residents or other adjacent users.

Proposals for the creation of a new school would be supported where it can be demonstrated that the development:

- a) Would be safely accessible for pedestrians and cyclists, and is well related to bus routes and/or there is adequate provision for waiting school buses to park;
- b) Has appropriate vehicular access, and does not taking, account of appropriate mitigation measures, have a severe impact upon traffic circulation; and
- c) Would not result in an unacceptable loss of open space, amenity to residents or other adjacent users.

The use of a Community Use Agreement will be required to prevent facilities being underused and to help ensure a viable and sustainable business model over the longer term.

Community Action CF 2: The Parish Council/another delivery organisation will continue the dialogue with both schools to discuss what facilities that they are able to accommodate if the village is identified to be lacking certain facilities or services from feedback on the Village needs appraisal.

Health and Wellbeing

Currently Sileby has 2 Medical Centres and the equivalent of less than 4 full time GP's between them. Both practices are situated in buildings in locations where they have

restricted planning. Generally, Residents of Sileby are very satisfied with the level of service provided, however there are already legitimate concerns over appointments and availability of GPs.

The first purpose-built health centre was The Banks Surgery built in 1979 and extended in 1984. Highgate surgery was built in 1998 to cope with a further increase in the population to 6,805 in 1991 when life expectancy was 73.7.

The population of Sileby is now 10,000 people with a life expectancy of 80+ and yet there has been no increase in the number of GPs or provision of additional premises to cope with the growing population number or the demands of complex medical conditions being cared for in the community (ref 3). The demands of technological advances i.e. Skype consultations, increased telephone consultations, advances in screening requirements or the predicted increased life expectancy of the patient population will also impact on future healthcare provision and will need to be accommodated in any future planning (ref 4).

POLICY CF5: HEALTH AND WELLBEING

Proposals for additional GP premises that increase the accessibility of health and wellbeing services for residents living in Sileby will be supported providing that the development:

- a) Would not lead to an unacceptable impact on highway safety or the free flow of traffic, taking account of any mitigation measures and would not cause unacceptable disturbance to residential amenity in terms of noise, fumes or other disturbance; and
- b) Will include adequate parking provision.

Community Action CF 3: Discussions with CBC & CCG around brand-new medical centre to provide more preventative services locally, due to restrictions on current medical centres ability to increase capacity. (See supporting information).

The Parish Council/another delivery organisation will continue the dialogue with the existing Medical Centres to ensure Sileby residents have access to 'Care Closer to Home' (reference: <https://www.gov.uk/guidance/moving-healthcare-closer-to-home>) and provide more high quality services within their current infrastructure.

The Parish Council/another delivery organisation will arrange meetings with Key Stakeholders to propose and agree potential solutions for the lack of flexibility the current infrastructure has and its impact on providing high quality of healthcare services for the next 70 years.

The Parish Council/another delivery organisation will meet with the Pharmacy providers within the village to discuss service provision matters identified by residents with a view to improving existing services including technological advances to meet future demands.

References

1. Sileby village history pack held at Sileby library.
2. visual.ons.gov.uk
3. www.bma.org.uk
4. www.nao.org.uk/improving-patient-access-to-general-practice

Parks and Play Areas

Sileby has three smaller children's parks and one larger Memorial park. The Memorial park currently has a recently extended skatepark, mini enclosed basketball court and is currently used as a pitch for five a side football by the Sileby Juniors. This space is widely under used particularly the open space as it is prone to flooding. Through consultation with the village it was identified that Sileby would benefit from an all-weather pitch supported by 76% and a sports hall supported by 65%. The current Pavilion is used by the local college and the junior football team. A current space which is under used. After conversations with the schools they were interested in wanting to enable their students to access community sports facilities including fields and areas for forest school.

The results of the questionnaire demonstrated that 76% felt that age related facilities for under 12's at parks was important. In the comments of the survey villagers also felt that there was not provision for older children. After surveying the local parks, the age range of facilities Sileby doesn't cater for are the 8-11 and 12-16 age brackets.

Consultation identified that enhancement of the play parks was strongly supported, and additional play equipment would be welcomed.

Community Action CF 4: The Parish Council/another delivery organisation will task the Parks working group to seek support towards utilising the full potential of the Sileby's Parks for the benefit of all demographics.

Noisy Sports

The Parish is popular for sporting and recreational activities. The vast majority of these activities can be undertaken in the Parish without issue.

There have been some concerns that the enjoyment and the quality of the countryside and in some instances residential amenity can be spoilt by noise and other disturbance from some sporting and recreational activities where for example they involve (though not exclusively) loud team sports activities and gun sports – often known as 'noisy sports'. It is important that such noise generating sports are situated in appropriate locations and designed, so that they do not affect noise sensitive development, unless the noise impact can be minimised to an

acceptable level.

POLICY CF7: NOISY SPORTS

Proposals for the permanent use of land for noisy sport will be supported provided that:

- a) Their noise impact on noise sensitive development or areas valued for their tranquillity can be adequately mitigated through a scheme of noise mitigation measures; and
- b) They would not result in excessive noise levels at the boundaries of noise sensitive development.

E. Transport and Road Safety

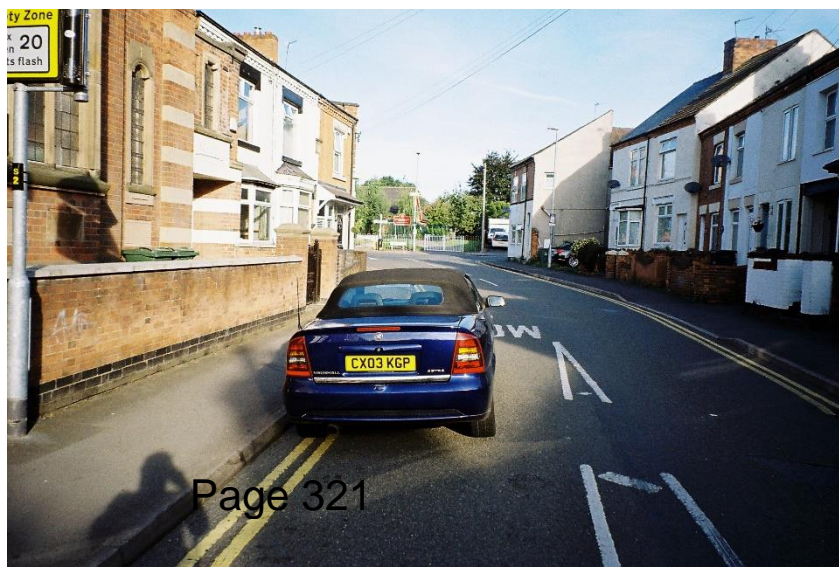
Parking

Village Centre Parking Problems

Sibley continues to suffer from a shortage of vehicle parking spaces in the village centre. The NP consultation surveys and questionnaires highlight that the lack of car parking is of major concern to residents. Two thirds of questionnaire respondents expressed concerned about off-street or on-street car parking.

The King Street Car Park is well established and provides suitable access and good connections to the village centre. It is predominantly owned and managed by Charnwood Borough Council and provides free parking for 93 spaces; 5 of which are designated for disabled parking spaces. A survey conducted by the NP Transport Theme Group showed that during most weekdays the King Street Car Park will be full; with peak occupancy tending to coincide with play group start and finish times. Also, the Transport Theme Group survey shows that business owners believe they are losing significant business because centre parking is difficult and unpredictable. Further the survey indicates that typically 15 of the 55 all day parking spaces are occupied by train users, who take advantage of the free car parking. This causes frustration to residents and businesses in the village centre. That said,

many village centre business owners and their employees use this car park for long stay parking; from our theme group survey we observed that typically 41 cars belonging to centre businesses



Additionally, the King Street Car Park has a variety of other long and short duration users; including clients of the shops, hair and beauty salons, takeaways, nurseries, The Horse and Trumpet, Sileby Liberal and Working Men's Club, The Green Place, Sileby Community Centre, St Mary's Church, offices and The Banks Doctors' surgery, as well as residents of the flats above the businesses. As Sileby has a range of shops people from the nearby villages (particularly Cossington, Seagrave, Walton on the Wolds, Wymeswold and Burton on the Wolds) use these facilities where they are not available in their own village.

In theory the Pavilion Car Park has some potential to solve Sileby car parking problems. This park has 43 spaces and is owned and administered by the Sileby Parish Council. However, it is consistently identified as being underutilised because (1) it is located approximately 650m from the centre of the village and (2) it only opens during day-light as it is unlit. Consequently, many potential users tend not to consider this a public car park suitable for short stay, village centre access.

A report commissioned by CBC in 2015 recommended that an additional 10-20 spaces of village centre car parking will need to be provided by 2025. This forecast was made by anticipating strategic growth in the Borough in line with the current CBC Core Strategy (2011-2028). However, by first quarter 2018 the then planned housing development for Sileby had already exceeded the 2025 CBC strategic target of at least 3,000 new dwellings across the Borough. Indeed, since April 2014 planning consents for Sileby alone have been granted for an additional 496 dwellings. What is more, ongoing updating of the CBC strategy may well necessitate further new houses within the Borough by 2035; and this almost certainly will lead to more vehicles and greater parking needs near to the village centre.

Increased demand for Sileby car parking will also be influenced by other new developments situated at the edge of the village, consequent upon residents from outlying villages (Quorn, Mountsorrel, Cossington, Seagrave, Walton and Rothley) accessing the Sileby shops and business and using the train station for access to Leicester, Loughborough and other destinations. In addition, possible impacts on Sileby of the major Leicester City Football Club development proposal at Park Hill Seagrave, are not yet known, although it is acknowledged that the club are taking these issues into account through their transport assessment.

In summary therefore: the status quo on parking in Sileby is highly troublesome and this has raised significant concerns to the Parish Council. This inadequate parking situation is set to become far worse in the wake of new housing and business development planned, both for Sileby and other nearby sections of the Soar valley. In this challenging climate of housing growth, the NP Transport Theme Group have considered multiple stages of car park improvement, namely with potential to address (A) the current lack of suitable parking spaces and (B) stages of additional vehicle use that will naturally follow planned stages of CBC housing and business development

The NP Transport Theme Group would support the recommendations of the CBC Car Park Deliverability Report for the provision of an additional 10 parking for the King Street Car Park following removal of the current public toilets and the recycling area; thereby introducing a

new element of short stay spaces along with a ticketing machine to assist with enforcement. In tandem we support the recommendation for improved lighting, security and signage for the Pavilion Car Park on Seagrave Road as a secondary long stay car park; also, thereby increasing its availability via 24-hour opening. Subsequently, as the demand for additional spaces grows over time we recommend that the Pavilion Car Park should provide additional car parking targeted at long stay spaces, well suited to commuters. This recommendation is based upon the fact that there is sufficient land to the east of the Pavilion site to extend Sileby vehicle parking to accommodate on going population growth as new housing developments come on stream and conditional on the availability of s106 monies (£88,000) allocated from the Peashill Development.

Local businesses have indicated their support for this proposal, and also promise to support the imposition of a maximum stay of 4 hours to allow for appointments. Business owners also support our proposal of a 'scheme of permit parking for businesses' along with our proposed 'ticketing of short stay parking'.

Traffic flow capacity

As indicated previously a significant percentage of respondents to the questionnaire showed concerned about on-street car parking problems in Sileby. Those concerns are also held by members of the Transport theme group even more strongly following their conducting a study of traffic flows through the Sileby road network. This traffic flow study showed that largely because of the nature and widespread frequency of on-street parking in Sileby the effective capacity of the Sileby road network is much reduced in parts and at times from its intended design capacity of 900 vehicles per hour, to circa 300 vehicles per hour. Indeed on-



street parking is allowed through much of that network; i.e. along a significant proportion of the length of the five radial roads that link the outside world to the centre of the Sileby village, and also along much of the length of village centre link roads. As a consequence, major traffic

obstructions result. Additionally, within our study on more than half of the Sileby roads we observed that actual peak traffic flows on most weekdays, during mornings and afternoons the actual traffic flow peaks exceeded or were close to exceeding capacity. This means that currently the Sileby road network operates very close to its maximum flow rate and that any significant increase in vehicle population, such as following housing growth, might completely deadlock the Sileby road infrastructure, which is key both to the Sileby village and the wider Soar Valley.

The Transport Theme groups' report on its traffic flow measurements, observations, calculations and concerns (Sileby Traffic Studies) about the legally permitted on-street parking through most roads in the village centre. This report explains that normally cars are only parked on one side of roads; but that occasionally cars are also parked on both sides, sometimes partially on pavements. Generally, this is informally permitted (i.e. is legal) because much of the Sileby housing does not have integral parking facilities and that withdrawing that on-street parking permission would likely cause mayhem. Also, presently there are insufficient CBC, LCCHA and Sileby PC resources to enforce any village wide on-street parking ban, even though during 2018 the UK government intends to fine vehicles parked on pavements.

In Sileby there are also frequent incidents of illegal and inconsiderate parking opposite junctions, on double yellow lines, pavements, outside schools and nearby pedestrian crossings. This further leads to significant obstruction to public transport, further slows the traffic flow through the village and in some instances causes danger to pedestrians. These incidents increase during school drop off and collection times. The Transport Theme groups 'mapping of the on-street parking, legal and illegal parking problems demonstrate the widespread nature of the on-street parking problem in Sileby. Additional off-street car parking is essential to maintain the vitality and viability of the Sileby Village Centre.

POLICY T1: PUBLIC CAR PARKING

The extension and improvement of existing off-street car parks to provide additional spaces and cycle parking to serve the Village Centre will be supported. The loss of Village Centre car parking will not be supported unless it is replaced by equivalent or better car parking provision in terms of quality, quantity and location.

New developments within the limits to development are to incorporate additional car parking spaces in accordance with the LCC Highways standards for residential and commercial development.

The following Community Actions will be pursued in support of improved off-road car parking provision in Sileby:

1. The Parish Council/another delivery organisation will work with LCC/CBC Car Parking to carry out the following improvements to the King Street Car Park: the marking of at least 50 short stay parking spaces; enforcement of short stay parking; support for allocated permit parking for central village businesses and to improve signage for additional car parking spaces at The Pavilion Car Park.
2. The Parish Council/another delivery organisation will work with LCC/CBC to deliver 24-hour parking at The Pavilion Car Park; improve access; lighting, safety and surveillance of the Pavilion Car Park.

3. The Parish Council/another delivery organisation will work with LCCHA and LCC/CBC to devise and implement improved on-street parking schemes; which limit the obstructions to traffic flows through the Sileby road network, such as via means reported by the Transport Theme group in their on-street parking report (Sileby Off Street Car Parking Observations).
4. The Parish Council/another delivery organisation to work with LCCHA to provide set in parking spaces on Cossington Road, Seagrave Road
5. The Parish Council/another delivery organisation will work with CBC to ensure that restricted parking zones are enforced and the problem 'on-pavement parking' is addressed.
6. The Parish Council/another delivery organisation LCC and CBC ensure increased enforcement of parking restrictions.
7. The Parish Council/another delivery organisation will work with CBC, LCCHA and East Midlands Trains to monitor on-going car parking demands and assess future needs.
8. The Parish Council/another delivery organisation, Charnwood Borough Council, Leicestershire County Council and local business should work together to encourage residents and employees out of their cars by using the footpaths and cycle ways and be more pro-active in promoting their use, including promoting more cycle parking facilities

Roads

Within the village, many people have raised concerns about congestion – particularly in King Street, Mountsorrel Lane, Cossington Road, Swan Street, Seagrave Road, Ratcliffe Road, Heathcote Drive, Finsbury Avenue, Highgate Road, Park Road and Barrow Road. This is often caused by bus stops and extensive on street parking on the narrow village centre streets which are not designed for modern traffic. Excessive on street parking in Cossington Road, Seagrave Road, Swan Street, Mountsorrel Lane, Highgate Road, Heathcote Drive, Finsbury Avenue, Cemetery Road, Ratcliffe Road and Barrow Road also impedes vehicle flow and access in both peak and off-peak periods.

The expansion of Sileby and surrounding villages is constrained without public investment in the necessary works. Residents have said that they were affected by traffic flow issues in and out of the village at peak times.



Within Sileby a projected increase in traffic flows is expected to result in increased delays in the village especially at locations such as, Mountsorrel Lane, Barrow Road, King Street, High Street junctions. The BSSTS concluded that any additional development, over

and above that already committed, will have severe impacts.

The following Community Actions will be pursued in support of improving the road network in Sileby:

1. The Parish Council/another delivery organisation will undertake further surveys, including specific junction modelling, and will use the information gained to assess the impact of future development and potential mitigations.
2. The Parish Council/another delivery organisation will liaise with the Leicestershire County Council Highways Department to consider the reduction of speed limits on King Street, Heathcote Drive and Swan Street and the provision of parking restrictions in the area of the Schools, alongside identifying alternative ways of bringing children into school.

Rail

Sileby railway station is located on the Midland Mainline between Leicester and Loughborough. The station was reopened in 1994 as part of phase one of the Ivanhoe Line. The station is served Monday to Saturday by East Midlands Trains who operate local services from Leicester to Nottingham and Lincoln via Loughborough. There is no Sunday service or late evening service. Annual rail



passenger usage has increased significantly over recent years – increasing in Sileby from 74,769 in 2005/6 to 123,694 in 2015/16 (Network Rail figures). The service is used by school children to access secondary education at Barrow

upon Soar. The train service is used by residents from other villages in the Soar valley who take advantage of the free car parking available in the adjacent car park.

The station has a ticket purchasing machine. Rail travellers make extensive use of the other spaces in this car park. The station is only accessible by many steps, so it is unsuitable for people with mobility problems.

The questionnaire survey invited residents to identify measures that would encourage greater use of local rail services.

POLICY T3: SILEBY RAILWAY STATION

Improvements to off-street car parking, access and facilities at Sileby Railway Station are supported.

The following Community Actions will be pursued in support of improving the railway service in Sileby:

1. The Parish Council/another delivery organisation will work with East Midlands Trains Community Rail Team to ensure the available funding for secure cycle parking is utilised for Sileby Station.
2. The Parish Council/another delivery organisation and Leicestershire County Council will work with Community Rail Team to improve the station appearance, possible addition of lighting under the bridge on King Street and on the High Bridge Public Footpath.
3. The Parish Council/another delivery organisation, MP, Leicestershire County Council and community groups lobby for train service late extension at the next franchise consultation.

Bus Service

The village is served by the Kinch Bus Number 2 route linking the village to Cossington, Barrow on Soar, Quorn, Loughborough, Birstall and Leicester. This is a 30-minute Monday to Saturday daytime service and buses run hourly during the evenings, Sundays and Bank Holidays. The last bus at night departs Leicester at 11.05pm. Roberts coaches also operates the no 27 service every 75 minutes linking the village to Loughborough, Walton, Seagrave, Mountsorrel, Syston and Thurmaston Shopping Centre Monday to Saturday daytime. The service is fully subsidised by Leicestershire County Council and its long-term future beyond June 2019 is uncertain.

Our survey shows a high level of usage, including use by schoolchildren to access secondary education in Barrow on Soar and Quorn. It also showed that people would like to see more frequent and cheaper bus services with improved shelters and service information. Some would like to see the bus stops being better located with routes extended to serve the new

outlying estates and Loughborough University and College. There are suggestions for a late-night service link to the Skylink Service.

POLICY T4: BUS TRANSPORT

Where appropriate, development proposals shall include layouts that provide safe and convenient routes for walking and cycling and access to public transport that connect to other developments and to key destinations such as the village centre, GP surgery and schools.

The following Community Action will be pursued in support of improving the bus service:

The Parish Council/another delivery organisation will liaise with Leicestershire County Council Highways Authority and transport operators to maintain the current level of bus services and to encourage better availability and promotion of public transport in the evenings and at weekends.

Walking and Cycling

Feedback from the questionnaire indicated that 70% of respondents considered the existing footpath provision in the village was adequate. A quarter of the survey respondents walk to work.



The village centre is criss-crossed with jitties running between roads. These are narrow in places and poorly lit. Pavements in the village centre also vary in width with narrow areas around the village centre at King Street junction and Brook Street junction with the High Street.

The bridleway from Barrow Road Sileby to Waltham on the Wolds provides a good link with the Wolds villages to the north and west but relies on use of existing congested roads to connect with a circular route.

The Grand Union Canal towpath is underutilised as a connective route to Mountsorrel or Cossington and the national cycle route.

There are good opportunities in Sileby

to make walking and cycling more attractive alternatives to the car and link into the existing cycle routes linking Leicester and Loughborough.

There are concerns about cycle safety on the links to Mountsorrel and Quorn where the road is narrow and unlit and Barrow Road which is also narrow and subject to speeding motorists.

The Neighbourhood Plan will promote, encourage and support sustainable modes of transport through the maintenance, upgrading and, where appropriate, creation of new footpaths and cycleways that extend and enhance the existing networks.

POLICY T5: WALKING AND CYCLING

New development should retain, and where appropriate incorporate, linkages to the Public Rights of Way network and key destinations such as the village centre, GP Surgeries, leisure facilities and neighbouring villages.

The following Community Actions will be pursued in support of improving walking and cycling in Sileby:

1. Working with SuSTRANS, Leicestershire County Council and Charnwood Borough Council, the Parish Council/another delivery organisation will seek to improve the provision for off-carriageway cycling and cycle parking in appropriate locations.
2. The Parish Council/another delivery organisation will pursue the Leicestershire County Council and Charnwood Borough Council to ensure that public footpaths and pavements are well maintained, have adequate drainage and are well lit.
3. The Parish Council/another delivery organisation in conjunction with Leicestershire County Council and Charnwood Borough Council to improve directional signage for pedestrian routes within the village

Canal

The Soar River and Grand Union Canal have provided links between the industrial areas and



the centres of commerce but now are used mainly for recreation. The close proximity of the river to Sileby regularly causes the major routes serving the village to flood. Boat hire from the Sileby Mill provides water transport and recreational opportunities. The old towpath links the

neighbouring villages of Cossington and Mountsorrel.

POLICY T6: CANAL

Development proposals affecting the biodiversity, historic heritage or setting of the canal will be required to protect or enhance those features. Developers will be required to support the objectives of the river Soar & Grand Union Canal Strategy and any related community initiatives.

The following Community Action will be pursued in support of improving Canal in Sileby:

Working with SuSTRANS, Leicestershire County Council and Charnwood Borough Council, the Parish Council/another delivery organisation will seek to improve the towpath connectivity to the Soar Valley, Loughborough and Leicester even in flood conditions.

The range of evidence relating to transport studies is available in Appendix 7.

Business and Employment

Existing and New Employment

Sileby is a semi-rural parish with limited employment opportunities and close to the significant employment centre of Loughborough and the cities of Leicester, Nottingham and Derby.

Supporting the economy through growth of small businesses in the Parish is therefore an important theme of the Neighbourhood Plan. Respondents to the questionnaire felt that any new business should be in keeping with and not in detriment to the rural, traditionally industrial and residential nature of the Parish.

As small businesses and start-ups expand they will need space that can only be found elsewhere. In the Questionnaire, 81% of respondents were in favour of affordable premises for start-ups and 65% of respondents were in favour of a small business park or new office units which would include shared office facilities and resources through which a small number of local employment opportunities would be created. Cost-effective centralised facilities located outside the residential area, would reduce any conflict between business activity and residential housing.

POLICY E1: EMPLOYMENT

Development proposals for new employment related development or the expansion of existing employment uses will be supported where it can be demonstrated that it will not generate unacceptable impacts (including noise, fumes, smell and vehicular movements); they respect and are compatible with the local character and surrounding uses and where appropriate protect residential amenity.

Development proposals that result in the loss of, or have a significant adverse effect on, an existing employment use will not be permitted unless

- a) It can be demonstrated that the site or building is not viable for employment uses and has been marketed for this purpose at a price which reflects the market value for at least a year; or
- b) In the case of sites identified for housing in Policy H1, there is a demonstrable need for housing which outweighs the value of the sites for employment purposes, or the existing employment uses can be satisfactorily relocated.

Farm Diversification

There are several working farms in the Parish, managed directly or farmed on a contract basis. Given potential challenges facing the agricultural economy, the Neighbourhood Plan will seek to support farming businesses within the Parish as they are considered essential to maintaining a balanced and vibrant rural community.

The conversion of farm buildings can enable diversification through sustainable re-use to provide opportunities for new businesses which can generate income and offer employment opportunities for local people. Subject to the proper consideration of residential amenity, visual impact on the countryside, heritage, environmental and highway safety issues, Neighbourhood Plan policies will support farm businesses by:

- Promoting a sustainable farming and rural economy in Sileby Parish;
- Promoting the diversification of rural businesses;
- Encouraging businesses to provide a wider range of local produce, services and leisure facilities, to provide local employment and attract visitors to the Parish;
- Maintaining and enhancing the local environment of rural and agricultural lands.

The change of use of some rural buildings to new uses is already permitted under the General Permitted Development Orders. The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 allows, under certain circumstances, the change of use of agricultural buildings to residential use and change of use of agricultural buildings to registered nurseries providing childcare or state-funded schools, under the prior approval system.



POLICY E2: FARM DIVERSIFICATION

The re-use, conversion and adaptation of rural buildings and the construction of well-designed new buildings for commercial use will be supported where it:

- a) The use proposed is appropriate to the rural location and respects the local character of the surrounding area;
- b) The development will not have an adverse impact on any archaeological, architectural, historic or environmental features;
- c) The local road system is capable of accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site; and
- d) There is no significant adverse impact on neighbours – e.g. through noise, light or other pollution, increased traffic levels or flood risk.

Homeworking

The benefit of supporting home working is that it helps to promote local employment activities whilst reducing the dependency of the car for long journeys to employment sites outside the Parish. However, people may not have a suitable space within their home from which to run a business, or they may wish to distinctly separate their work and living spaces. The construction of extensions, the conversion of outbuildings, and the development of new freestanding buildings in gardens from which businesses can operate will be supported to maximize the opportunities for entrepreneurial activity and employment in Sileby Parish

POLICY E3: HOMEWORKING

Proposals for the use of part of a dwelling for office and/or light industrial uses, and for the erection of small-scale free-standing buildings within its curtilage, extensions to the dwelling or conversion of outbuildings for those uses, will be supported where:

- a) Such development will not result in unacceptable traffic movements and that appropriate parking provision is made;
- b) No significant and adverse impact arises to nearby residents or other sensitive land uses from noise, fumes, light pollution, or other nuisance associated with the work activity; and
- c) Any extension or free-standing building should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction.

Broadband Infrastructure

The modern economy is changing and increasingly requires a good communications infrastructure as a basic requirement for commonly adopted and effective working practices. The internet is driving business innovation and growth, helping people access services, opening up new opportunities for learning and defining the way businesses interact with and between their employees, with their customers and with their suppliers.

This is particularly important in rural settings such as Sileby where better broadband will enable home working, reduce dependence on the car, enable small businesses to operate efficiently and compete effectively in their markets, improve access to an increasing number of on-line applications and services provided by the public and private sector to help to reduce social exclusion. It is also important for the successful functioning of the schools and health facilities.

The 2011 Census highlights how people are working differently to a generation ago

In Sileby Parish only 2.4% of people work from home compared to 3.2% across the Borough. This demonstrates the shortcomings of the current level of service. Conversely, 8.5% are self-employed, higher than district levels (6.4%). This community needs to have access to the highest levels of connectivity.

The need for high speed broadband to serve Sileby is therefore very important.

POLICY E4: BROADBAND INFRASTRUCTURE

Proposals to provide access to a super-fast broadband service for new development (of at least 30mbps) and to improve the mobile telecommunication network that will serve businesses and other properties within the Parish will be supported. This may require above ground network installations, which must be sympathetically located and designed to integrate into the landscape.

Tourism and Visitor Economy

Services: Sileby has emerging tourist services throughout the village. Sileby Mill and Boat Yard based on the River Soar and Grand Union Canal offer narrow boat hire. A café operates at the mill yard during the summer months. Sileby has takeaway restaurants and serves the wider area. In recent years three additional cafes have opened in the village centre and the existing café has been refurbished, all are proving popular with residents. There are five local pubs, The Swan, The Freetrade, The Horse and Trumpet, Sileby Working Men's Club and Sileby Cons Club.

Attractions: Over the past few years a vibrant music scene has emerged in Sileby, which includes The Sileby Summer Jam Weekend, Sileby Winter Jam and Music at The Green Place. The Green Place also provides open-air film nights, craft weekends and children's themed weekend and holiday events. Historically Sileby was renowned for its Gala Day when local organisations and businesses prepared floats that toured the streets and congregated on the Memorial Park. In recent years the Gala has been revived but has struggled to take off due to Committee capacity. The bonfire night celebrations hosted by Sileby Cricket Club and Redlands School are very popular local events and draw large crowds.

There are many local tourist attractions within ten miles of the village, including the National Space Centre and Richard III Visitor Centre in Leicester, Bradgate Park, Beacon Hill and Swithland Woods in Charnwood Forest. The only National Trust property in Leicestershire is located at Stoneywell. The Great Central Railway is the premium tourist attraction in the locality (see Go Leics). The stations at Loughborough and Quorn, are accessible from Sileby using public transport. Additional heritage attractions include Mountsorrel Railway Project and the proposed National Railway Museum attraction on the Great Central Line at Birstall. Leicester festivals such as Diwali are easily accessible from Sileby using public transport. Nottingham and Newark are 30minutes away by car and can also be reached by rail. Loughborough is promoting tourism with recent events including the Edible Forest Festival and Loughborough Arts Event.

Limited Accommodation for Tourists: There is limited official accommodation in Sileby with only one self-catering cottage (Canbyfield Lodge) listed. However, properties are listed on AirBNB which suggests an emerging market for tourism. The closest B&B Accommodation is on the A46 at Thrussington or the Hunting Lodge at Barrow on Soar. There is just one Caravan and Motorhome Certified Location (Meadow Farm View) whilst Barrow on Soar provides sites at Barrow Marina, Pillings Lock and Proctors Park.

Leicestershire’s tourism strategy recognises the importance of tourism in providing ‘sustained and sustainable growth and playing an increasingly significant role in the success of the economy, creating a strong sense of place and improved quality of life for Leicestershire people’ (tourism strategy for Leicestershire, 2016). This is also in accordance with Paragraph 83 of the NPPF (2018) which encourages planning policies that support sustainable rural tourism.

POLICY E 5: TOURISM AND VISITOR ECONOMY

Development proposals will be supported where they do not have adverse unacceptable residential or visual amenity impacts. The loss of tourism and leisure facilities will not be supported unless they are no longer viable or alternative provision is made available.

8 Monitoring and Review

The Neighbourhood Plan covers the period up to 2036. During this time, it is likely that the circumstances which the Plan seeks to address will change.

The Neighbourhood Plan will be regularly monitored. This will be led by Sileby Parish Council on at least an annual basis. The policies and measures contained in the Neighbourhood Plan will form the core of the monitoring activity, but other data collected and reported at the Parish level relevant to the delivery of the Neighbourhood Plan will also be included.

The Parish Council proposes to formally review the Neighbourhood Plan in 2024 or to coincide with the review of the Charnwood Local Plan if this cycle is different.

CABINET – 16TH JANUARY 2020

Report of the Head of Customer Experience Lead Member: Councillor Thomas Barkley

Part A

ITEM 13 WRITE OFF REPORT FOR BUSINESS RATE PROPERTIES

Purpose of the Report

To seek Cabinet approval to write off irrecoverable debts in line with Financial Procedure Rules.

Recommendation

That the following debts be written off:

- 1) £23,849.60 owed by JPH Sports Ltd;
- 2) £33,086.38 owed by Phoenix Pub Group Ltd; and
- 3) £20,495.66 owed by CMJ Brothers Ltd.

Reason

The normal enforcement / recovery and tracing of these debts have been exhausted and Write Off is now the only alternative. The Council's financial procedures require any debt over £20,000 be approved by Cabinet.

Policy Justification

The Collection of Business Rates (National Non-Domestic Rates) is a statutory function.

Implementation Timetable including future Decisions and Scrutiny

Irrecoverable debts will be written off immediately following approval.

Report Implications

The following implications have been identified for this report

Financial implications

The calculations are complex but, generally, the Council's share of the cost of writing off business rates is 20%. This equates to around £15,486 in respect of the write-offs proposed. The Council maintains a financial provision for business rate write-offs and this decision will have no impact on the Council's budget.

Risk Management

There are no risks associated in this report.

Key Decision: No

Background Papers: None

Officer to Contact: Karey Barnshaw
Head of Customer Experience
01509 634923
karey.barnshaw@charnwood.gov.uk

Part B

1. **JPH Sports Ltd** took out a lease for Arena Pool & Snooker, 53 Swan Street, Loughborough with effect from 17th April 2018. Agents for the company advised that they considered the rating valuation to be excessive to the extent that commercial trading would not be viable and had contacted the Valuation Officer to challenge the rateable value. The Council agreed to hold enforcement action for a short time whilst their agents negotiated with the Valuation Officer but the challenge was unfortunately not successful and, facing imminent enforcement action, the company ceased to trade at the beginning of April 2019.

The company was dissolved by the Registrar of Companies on 1st October 2019.

The director of the company had been Mr. Jake Harman.

2. **The Phoenix Pub Group Ltd** traded The Wild Lime, 22-23 Market Street, Loughborough from April 2016. The liability for the 2017/2018 non-domestic rate charge was disputed which delayed the enforcement of the debt. A weekly payment plan was agreed but was not maintained. The company had ceased to trade by the time Enforcement Agents acting for the owners distrained on goods on 22nd December 2017.

The company is not dissolved but it is considered that it would be difficult to justify the cost to the Council of taking insolvency proceedings against the company as this action would be unlikely to recover any dividend.

The director of the company had been Mr. Delroy Johnson.

3. **CMJ Brothers Ltd** traded The Wild Lime, 22-23 Market Street, Loughborough from 21st February 2018. No payments were made and the company had ceased trading by the time that another tenant took the property over on 6th July 2018.

Insolvency proceedings were commenced but it is considered that it would be difficult to justify the cost of pursuing these proceedings against the company as the action is unlikely to recover any dividend.

The director of the company had been Mr. Ciaran Twomey.

The Business Rates team have concluded that the outstanding sums should be written-off because they are no longer appropriate to retain as debts in the accounts as assets to the Authority. It seems prudent to write-off now rather than carry debts which are very unlikely to be recovered. In the scenario that the Council does receive some dividend towards the debt, the write-off would be reduced to take account of any payment received.

	Outstanding Rates	Outstanding Costs	Total Balance	Liabe Period
Account 96276928 JPH Sports Ltd, Arena Pool & Snooker, 53 Swan Street, Loughborough	£23,734.60	£115.00	£23,849.60	17 th April 2018 to 30 th September 2019
Account 9626930X Phoenix Pub Group Ltd, Wild Lime, 22-23 Market Street, Loughborough	£33,026.38	£60.00	£33,086.38	1 st April 2017 to 21 st December 2017
Account 96272935 CMJ Brothers Ltd, Wild Lime, 22-23 Market Street, Loughborough	£20,435.66	£60.00	£20,495.66	21 st February 2018 to 5 th July 2018

Appendices

None