



**SCRUTINY COMMISSION**

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To: Councillors Bailey, Baines, Bolton, Draycott (Vice-Chair), Hadji-Nikolaou, Parsons and Rattray (Chair) (For attention)

All other members of the Council  
(For information)

You are requested to attend the meeting of the Scrutiny Commission to be held in council offices on Monday, 13th January 2020 at 6.00 pm for the following business.

Chief Executive

Southfields  
Loughborough

3rd January 2020

**AGENDA**

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 5 - 11  
To approve the minutes of the meeting of the Commission held on 9th December 2019.
3. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS
4. DECLARATIONS OF THE PARTY WHIP

5. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES  
11.16

No questions were submitted.

6. PRE-DECISION SCRUTINY OF ANY SPECIFIC FINANCIAL  
MATTERS TO BE CONSIDERED BY CABINET

There are no items of this nature on the Cabinet agenda for the Commission to consider.

7. CABINET ITEMS FOR PRE-DECISION SCRUTINY

The following items have been identified for pre-decision scrutiny from the Cabinet agenda for 16th January 2020:

- |     |   |           |
|-----|---|-----------|
| (a) | Corporate Plan 2020-2024<br>A report of the Chief Executive to present the final version of the Corporate Plan for 2020-2024 for recommendation to Council will be considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet.   | 12 - 27   |
| (b) | Private Sector Licensing Scheme<br>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 will be considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet. | 28 - 134  |
| (c) | Design Supplementary Planning Document<br>A report of the Head of Planning and Regeneration to seek approval for the adoption of the Design Supplementary Planning Document will be considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet.  | 135 - 202 |
| (d) | Charnwood Grants Strategic Partners 2020/21 - 2021/22<br>A report of the Head of Neighbourhood Services to put forward proposals for the Strategic Partner Grant Scheme funding for 2020/21 and 2021/22 will be considered for pre-decision scrutiny in order to make recommendations to the Cabinet.                                 | 203 - 228 |

8. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET  
RESPONSE 229 - 230

A report of the Cabinet setting out its responses to recommendations of the Committee on pre-decision scrutiny items.

9. PROGRESS WITH PANEL WORK 231 - 241

A report of the Head of Strategic Support to review progress with Scrutiny Panels and agree the detail of the Scoping Document for the 'Parking Enforcement and Enhancement' Panel.

10. BUDGET SCRUTINY PANEL

A report of the Budget Scrutiny Panel following its scrutiny of the Council's draft budget for 2020/21. To Follow.

11. SCRUTINY WORK PROGRAMME 242 - 250

A report of the Head of Strategic Support enabling the Commission to review and agree the scrutiny work programme.

12. SCRUTINY COMMISSION WORK PROGRAMME 251 - 264

A report of the Head of Strategic Support setting out the list of forthcoming Executive Key Decisions and the Group's Work Programme for consideration, in order to identify items for future scrutiny.

For information, further meetings of the Group are scheduled as follows:

10th February 2020

9th March 2020

6th April 2020

## SCRUTINY QUESTIONS

What topics to choose?

- What difference will scrutiny make?
- Is this an area of concern – public/performance/risk register?
- Is this a corporate priority?
- Could scrutiny lead to improvements?
- What are the alternatives to pre-decision scrutiny?

Pre-decision scrutiny

- What is Cabinet being asked to agree?
- Why?
- How does this relate to the overall objective? Which is ...?
- What risks have been identified and how are they being addressed?
- What are the financial implications?
  
- What other options have been considered?
- Who has been consulted and what were the results?
- Will the decision Cabinet is being asked to take affect other policies, practices etc.?

Basic Questions

- Why are you/we doing this?
- Why are you/we doing it in this way?
- How do you/we know you are making a difference?
- How are priorities and targets set?
- How do you/we compare?
- What examples of good practice exist elsewhere?

## SCRUTINY COMMISSION 9TH DECEMBER 2019

PRESENT: The Vice Chair (Councillor Draycott)  
Councillors Bailey, Baines, Bolton, Hadji-Nikolaou,  
Parsons and Gerrard

Head of Strategic and Private Sector Housing  
Democratic Services Manager and Democratic  
Services Officer (SW)

APOLOGIES: Councillor Rattray

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, 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.

### 74. MINUTES OF THE PREVIOUS MEETING

Matters arising from the previous minutes:

Minute 64 (item iv) (Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities) was referred to. The Democratic Services Manager provided an update about "Following the Council Pound". It was noted that the Procurement Manager had advised an element of proportionality be applied with regards to the involvement of the Scrutiny Commission in external contract procurement. A clause could be introduced into contracts to allow suppliers to attend the Commission when the contract was considered to have a significant impact on finances and communities and could be incorporated into the procurement toolkit template documents. Noting that any clause of this nature would require clearing from Legal Services.

With regards to existing contracts it was considered that incumbent suppliers would agree to any reasonable request to attend Commission meetings without having a contractual obligation to do so, providing that they were made aware of the questions that would be put to them as set out in the Scrutiny Witness Charter. The Commission welcomed the response and asked the Democratic Services Manager to liaise with the Procurement Manager to update procurement documentation as appropriate.

The minutes of the meeting of the Commission held on 11th November 2019 were then approved.

Councillor Baines arrived at the meeting at 6:04pm.

### 75. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

76. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

77. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

78. PRE-DECISION SCRUTINY OF ANY SPECIFIC FINANCIAL MATTERS TO BE CONSIDERED BY CABINET

There were no items of this nature for the Commission to consider.

79. CABINET ITEMS FOR PRE-DECISION SCRUTINY

80. HOMELESSNESS AND ROUGH SLEEPERS STRATEGY

A Cabinet report of the Head of Strategic and Private Sector Housing was considered to present the proposed Homelessness and Rough Sleepers Reduction Strategy 2019-2022 and Action Plan for pre-decision scrutiny (item 7a on the agenda filed with these minutes).

The Head of Strategic and Private Sector Housing attended the meeting to assist with the consideration of this item. It was noted that there had been a typographical error in the title of the report, which should read 'Homelessness and Rough Sleeping Reduction Strategy 2019-2022.' In addition, it was stated that there were ten performance indicators rather than nine as indicated in the text in the performance section of the Strategy.

The Head of Strategic and Private Sector Housing gave the following responses to questions raised;

- i. There was an out of hours number to prevent rough sleeping, details of the out of hours service procedure were on the Council's website. An on-call Housing Officer was available via telephone to provide advice and where applicable enable access to emergency accommodation where possible.
- ii. The Council had consulted on the Homelessness and Rough Sleeping Reduction Strategy through the Homeless Strategy Steering Group and the Registered Providers Benefit and Liaison Group. There had not been significant updates within the relevant aspects of the strategy and so there had not been any resident involvement at this stage. Customer surveys would be utilised to develop an understanding of resident satisfaction.
- iii. The recommendations in the report included references to financial implications although specific budget details were not included within the report. It was felt that without specific financial figures it was difficult to comprehensively scrutinise the strategy. The Commission felt that reports selected for pre-decision scrutiny should include additional financial information when any financial implications were referred to in the recommendations.

- iv. Private Sector Landlords had to follow a legal procedure and provide evidence and satisfactory reasoning for serving a Notice to evict tenants, take court action and obtain a bailiff's warrant were applicable.
- v. Nationally, the most common reasons for homelessness included family breakdown and ending Assured Shorthold Tenancies in the private rented sector. Legislation required the Council to assist residents in obtaining six-month tenancies. However, the Council aimed to assist residents in obtaining 12-month tenancies when trying to prevent and relieve homelessness.

## **RESOLVED**

1. that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Strategic and Private Sector Housing.
2. that the information on the number of children in homeless households be raised as a concern with Cabinet.
3. that reports selected for pre-decision scrutiny should include additional financial information, such as relevant sections of the Medium-Term Financial Strategy, when any financial implications were referred to in the recommendations.

## Reasons

1. The Commission, having carefully considered the report felt the Cabinet should approve the recommendations set out.
2. To ensure transparency in the number of children in homeless households in the Borough.
3. To enable the Commission to effectively scrutinise reports selected for pre-decision scrutiny.

## 81. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to the recommendations of the Commission on pre-decision scrutiny items (item 8 on the agenda filed with these minutes).

**RESOLVED** that the Cabinet's responses to the Commission's recommendations be noted.

## Reason

The Commission was satisfied that it added value where appropriate and welcomed the Cabinet's consideration of the Commission's views and recommendations as part of its decision making process.

## 82. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support was received to review progress with Scrutiny Panels and to approve the content of the Scoping Document for the 'How the Council can Generate Commercial Income' panel (item 9 on the agenda filed with these minutes).

The Democratic Services Manager attended to assist in the consideration of this item. The following summarises the discussion:

- i. Digitisation and Transformation of Services Panel - the scoping document would be received following information from the Cabinet on the Forward Programme. This would allow the panel to align their work on digitisation and transformation within the existing forthcoming workstreams. It was agreed that the scoping document should be received following the receipt of further information.
- ii. The Future of Local Government in Leicestershire Panel - as Leicestershire County Council would be considering options in late February 2020 it was considered sensible to postpone this Panel to a later date. It was noted that Cabinet would consider the proposals of Leicestershire County Council as a policy issue.
- iii. Waste Services and Waste Management Panel – North West Leicestershire District Council were undertaking a trial regarding Waste Management which had similar objectives to the panel established. It was suggested that Councillor Rattray, Chair of the panel investigate this further.
- iv. Scoping documents for proposed panels should be approved by the Scrutiny Commission prior to the commencement of the Panel. Panel Chairs should ensure a scoping document was submitted to the Commission before the commencement date.
- v. Parking Enforcement and Enhancement Panel - Councillor Howe, as Chair, to be consulted by Councillor Baines on the purpose of the Panel so a scoping document can be produced.

### **RESOLVED**

1. that the Commission approve the content of the Scoping Document for the 'How the Council can Generate Commercial Income' Panel as set out in appendix 2.
2. That the following changes be made to the Scrutiny Panels:
  - Digitisation and Transformation of Services Panel – start date pending following receipt of additional information.

- The Future of Local Government in Leicestershire Panel – postponed until a later date.
- Waste Services and Waste Management Panel – Councillor Rattray as Chair investigate the trial regarding Waste Management being undertaken at North West Leicestershire County Council.

### Reasons

1. to ensure timely and effective scrutiny, noting on this occasion that the panel had commences its work in the interests of expediency.
2. To ensure timely and effective scrutiny.

### 83. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support enabling the Commission to review and agree the scrutiny work programme (item 10 on the agenda filed with these minutes).

The Democratic Services Manager assisted with the consideration of the item.

It was noted that in addition to the changes listed in the report, the Neighbourhoods and Community Wellbeing Scrutiny Committee removed the Charnwood Grants – Strategic Partners (2020/21 – 2012/22) item at their meeting on 26th November 2019.

The Neighbourhoods and Community Wellbeing Scrutiny Committee were due to consider a report on the Children and Families Wellbeing Service, including consultation with external partners, at their meeting on 10th March 2020. The Scrutiny Commission had agreed a panel on Children’s Centres and consultation with external partners to commence in Spring 2020. It was acknowledged that this could create duplication of work and it was agreed by the Commission that the Chair and Vice Chair of the Neighbourhoods and Community Wellbeing Scrutiny Committee continue to undertake this review and provide an update to the Commission.

### **RESOLVED**

1. that following the review of the Scrutiny Work Programme set out in the Appendix to the report, and scheduled scrutiny of those matters, be noted, and that the Neighbourhoods and Community Wellbeing Scrutiny Committee should review the Children and Families Wellbeing Service as proposed and that an update be received by the Scrutiny Commission. The Children’s Centres scrutiny panel would not be required following the receipt of this report.
2. that the Commission agreed the Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item.

### Reasons

1. To ensure timely and effective scrutiny. The Commission considered that it would be beneficial for the Neighbourhoods and Community Wellbeing Scrutiny

Committee to review the Children and Families Wellbeing Service as proposed and to avoid duplication of work, the Children's Centres scrutiny panel should be removed.

2. To ensure that the information contained within the Scrutiny Work Programme is up to date.

#### 84. SCRUTINY COMMISSION WORK PROGRAMME

A report of the Head of Strategic Support was considered, to enable the Commission to consider its work programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny (item 11 on the agenda filed with these minutes).

The Democratic Services Manager assisted with the consideration of this item and gave the following responses:

- i. The Draft Local Plan was due to be considered by the Commission in January 2020. It was noted that the Commission wished to receive the Planning Services' responses to the consultation prior to Cabinet. The Democratic Services Manager agreed to liaise with the Planning Service about this matter.
- ii. The Air Quality Review and Assessment Report 2019 was due to be received by the Commission in January 2020. However, it was anticipated that the report would be postponed due to a delay in information from the Department for Environment, Food and Rural Affairs (DEFRA). It was agreed by the Commission that the report be deferred and received at its meeting on 9th March 2020.

#### **RESOLVED**

1. that forthcoming Executive Key Decisions or decisions to be taken in private by the Executive, set out in Appendix 2 to the report, and scheduled scrutiny of those matters, be noted, and that further items be scheduled for scrutiny as follows:
  - Insurance Arrangements – 13<sup>th</sup> February 2020
2. that the Commission's current work programme be noted and updated following this meeting, in accordance with the decisions taken during consideration of this item and at this meeting and any items of pre-decision scrutiny that require changing due to their reprogramming by the Cabinet. Changes made by the Commission to its Work Programme are as follows;
  - *Air Quality Review and Assessment Report 2019 – From 13th January 2020 to 9th March 2020.*
3. that the Democratic Services Manager liaise with the Planning Service in order for the Commission to receive responses to the consultation prior to Cabinet.

#### Reasons

1. To ensure timely and effective scrutiny.
2. To ensure timely and effective scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.
3. To ensure that the Commission has sufficient time to scrutinise responses as the Local Plan is a significant document.

The meeting ended at 6.46pm

NOTES:

1. 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 the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Scrutiny Commission.

## CABINET – 16TH JANUARY 2020

### Report of the Chief Executive

#### Part A

#### ITEM 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 13<sup>th</sup> 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 12<sup>th</sup> 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

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## 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 31<sup>st</sup> August and 21<sup>st</sup> 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.

<b>Residents Feedback</b>	<b>How this is addressed in the draft Corporate Plan</b>
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 13<sup>th</sup> 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 12<sup>th</sup> 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?
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).
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.
Results from other appropriate service specific consultations were also used to influence the content of the Corporate Plan 2020-2024.

■ **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

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.

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)

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.

The following information was highlighted as pertinent from analysis of the 551 responses to the Residents Survey (2019):

- 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 & Thurcaston 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%).
- *Being able to go to sports and leisure facilities:* Residents under 35 (57%) are less likely to be satisfied than those aged 35-44 (73%) or those aged 55-74 (74%).
- *Being able to go to sports and leisure facilities:* 65% of those without a disability report satisfaction compared to 81% of those with a disability (limited a lot).
- *Encouraging and investing in business and jobs:* 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%).
- *Feeling safe in my home and the local area:* 83% of 35-44 year olds report satisfaction compared to 94% of 65-74 year olds.
- *Climate change and looking after the environment:* 70% of 45-54-year olds report satisfaction compared to 84%-85% of 18-44 year olds and 90% of those aged 65-74.
- *My rubbish collected on a regular and reliable basis:* 93% of 35-44 year olds report satisfaction compared to 100% of 18-24 year olds.
- *Availability of affordable housing to buy:* Residents aged 18-24 (52%) are less likely to be satisfied compared to older residents (64%-84%).
- *Availability of affordable housing to rent:* 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).
- *Cleanliness and tidiness of my local area:* 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%).
- *My rubbish collected on a regular and reliable basis:* 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).

	<b>Comments</b>
<b>Age</b>	<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>
<b>Disability (Physical, visual, hearing, learning disabilities, mental health)</b>	<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>
<b>Gender Reassignment (Transgender)</b>	<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>
<b>Race</b>	<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>
<b>Religion or Belief (Includes no belief)</b>	<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>
<b>Sex (Gender)</b>	<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>
<b>Sexual Orientation</b>	<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>
<b>Other protected groups (Pregnancy &amp; maternity, marriage &amp; civil partnership)</b>	<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 &amp; maternity and marriage &amp; civil partnership.</p>
<b>Other socially excluded groups</b>	<p>The actions and objectives within the Corporate Plan 2020-2024 also cover a variety of other groups such as; rural</p>

<p>(carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)</p>	<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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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.

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.

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.

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).

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.

**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?

If any negative impacts occur/ potential barriers arise then this will be monitored and evaluated via our Corporate Customer Complaints Procedure.

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.

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.

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.

■ **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 Head of Strategic and Private Sector Housing Lead Member: Councillor Smidowicz and Councillor Mercer

#### Part A

#### ITEM 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 17<sup>th</sup> 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 3<sup>rd</sup> 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, 17<sup>th</sup> January 2019 – Agenda Item 8 and Minute 75.  
 Overview Scrutiny Group, 14<sup>th</sup> 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](http://www.charnwood.gov.uk/committees/managing_student_occupancy_scrutiny_panel)

Officer to contact:

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## **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 1<sup>st</sup> 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 30<sup>th</sup> 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*

**23<sup>rd</sup> December 2019**

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DRAFT

## 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.

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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 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.

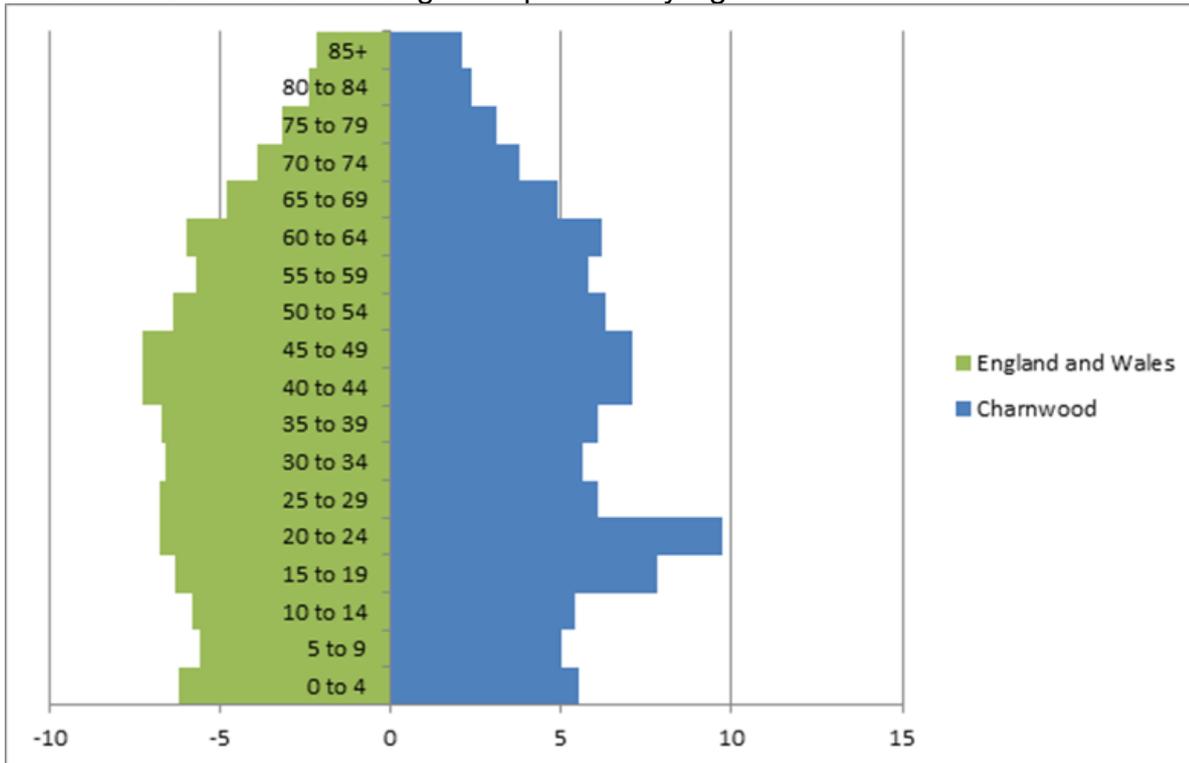
The 4 tables below provide details of the increase in population, age, projected growth and proportion comparisons with Leicestershire, East Midlands and England and Wales:

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 Overseas 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
<b>% migrant households in Private Rented Property</b>		<b>73%</b>	<b>68.5%</b>	<b>72 %</b>

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 <sup>st</sup> March 2019	3,949
• Saved Charnwood Local plan 2004 Allocation	40
Supply Sub total	14,464
To be found	5,930

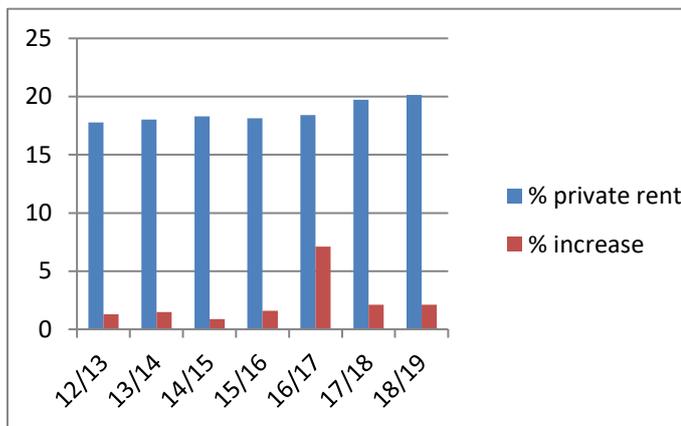
Source: Draft Charnwood Local Plan 2019-2036

## 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 30<sup>th</sup> 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 Thurcaston	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%).

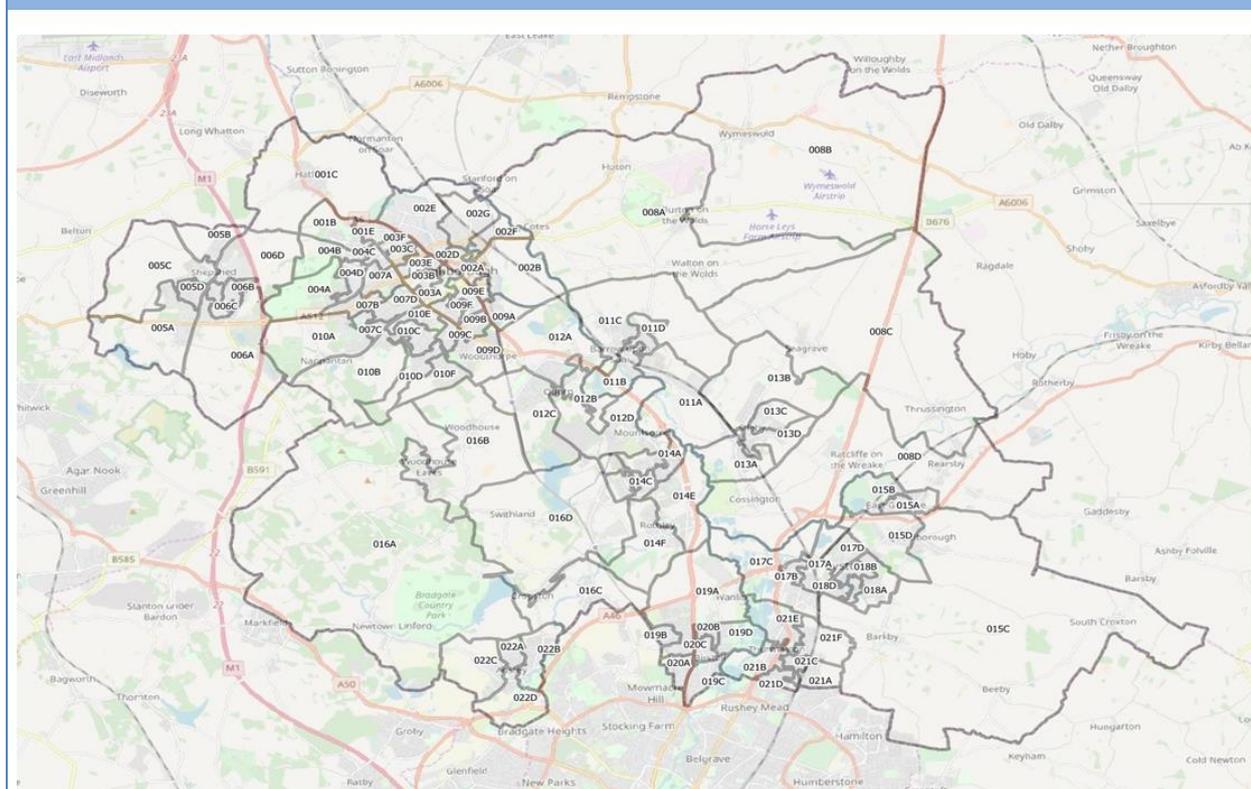
Table 2.12: HMO by Property Type

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%
<b>Total</b>	<b>2,442</b>	<b>100%</b>

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 HiMORG 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%
<b>Total</b>	<b>99</b>	<b>100%</b>

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 1<sup>st</sup> August to 31<sup>st</sup> 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
<b>Total</b>	<b>167</b>	<b>419</b>	<b>424</b>	<b>315</b>	<b>389</b>	<b>445</b>

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
<b>Total</b>	<b>45</b>	<b>47</b>	<b>71</b>	<b>83</b>	<b>49</b>	<b>42</b>

### **HMO Enforcement Action**

The Council has a Corporate Enforcement Policy and the Service areas have Polices 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 (licenced 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.

<b>2018</b>	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)
<b>2019 (to 5/11/19)</b>	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.
<b>Total</b>	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.

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## 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 their 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 <sup>nd</sup> Visit No Access	1	2	0	0	0	0	3
3 <sup>rd</sup> 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
<b>Total</b>	<b>80</b>	<b>117</b>	<b>53</b>	<b>51</b>	<b>38</b>	<b>59</b>	<b>398</b>

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.

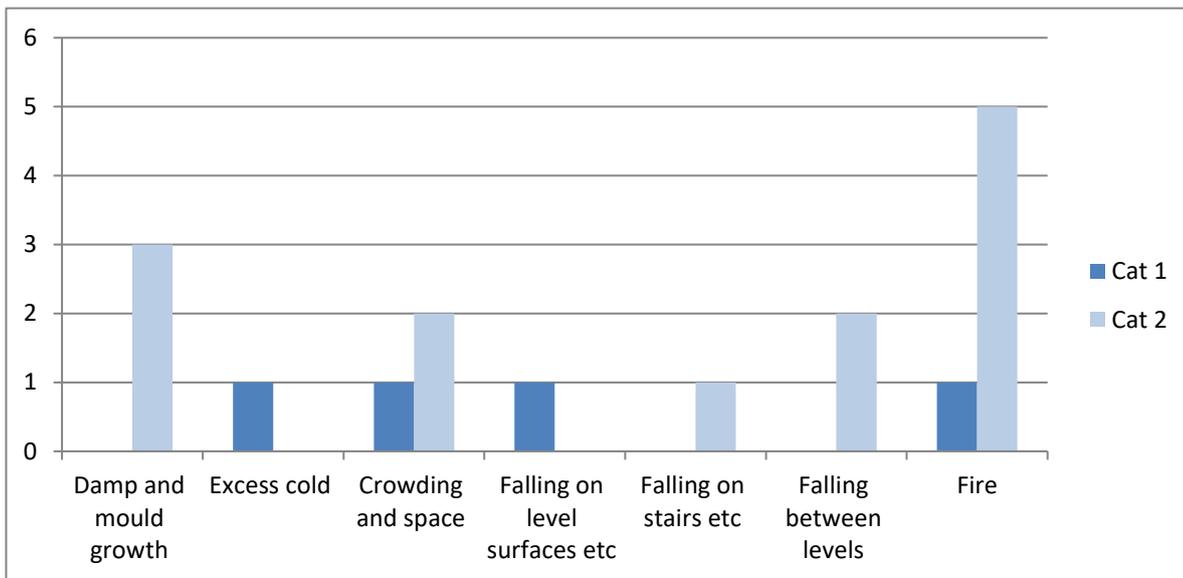
Out of the 26 non licensable HMOs inspected there were 17 hazards found, some properties having numerous hazards present. Over a third of the hazards relate to fire

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

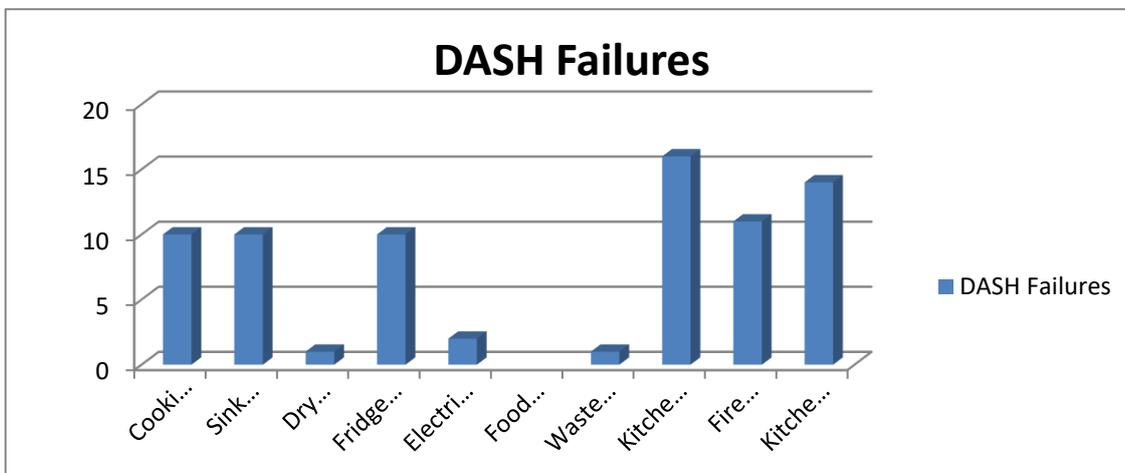
Delivering decent homes is a commitment in the national strategy for neighbourhood renewal and has a key role to play in narrowing the gap between deprived neighbourhoods and the rest of the country.

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/rivers 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
<b>Charnwood</b>	<b>73.48</b>
Leicester	121.76
<b>Force average</b>	<b>83.53</b>

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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 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%
<b>Total</b>	<b>1,495</b>	<b>100%</b>

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%
<b>Total</b>	<b>2,085</b>	<b>100%</b>

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
	<b>HMOs</b>	<b>ASB</b>
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 Thurcaston	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
<b>Total</b>	<b>2,442</b>	<b>1,466</b>

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:

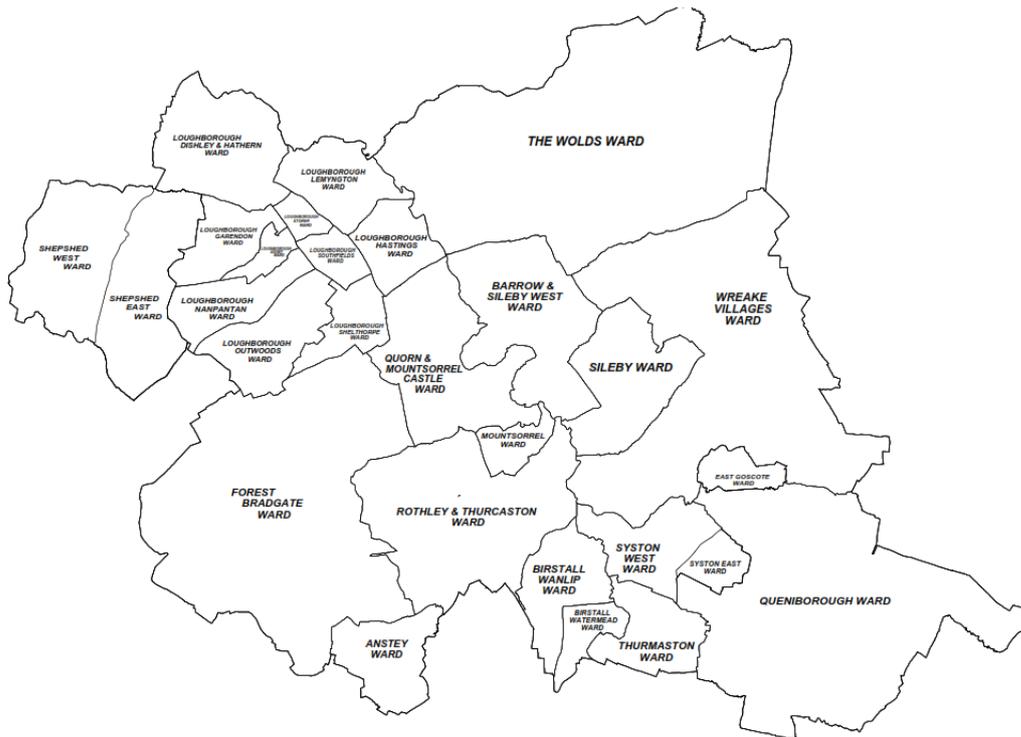
Section 254 HMOs – this includes buildings containing bedsits and/or non self-contained flats, shared houses and hostels.

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>

	same protection as people in licensed HMOs.  Without Additional Licensing there is significant and growing disparity in HMO market.	
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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

11<sup>th</sup> 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 1<sup>st</sup> 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 <sup>st</sup> payment £563 2 <sup>nd</sup> payment £305 Total Payment £868	Fee for a new licence or a renewal application submitted after the expiry date of the previous licence  1 <sup>st</sup> payment on application 2 <sup>nd</sup> payment due when draft licence issued
Basic Licence Application Fee - DASH Accredited Licence Holder	1 <sup>st</sup> payment £563 2 <sup>nd</sup> 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 <sup>st</sup> payment on application 2 <sup>nd</sup> payment due when draft licence issued
Renewal Licence Application Fee	1 <sup>st</sup> payment £563 2 <sup>nd</sup> payment £220 Total Payment £783	Where the application is received by the Council prior to the expiry of the existing licence  1 <sup>st</sup> payment on application 2 <sup>nd</sup> 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 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 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.

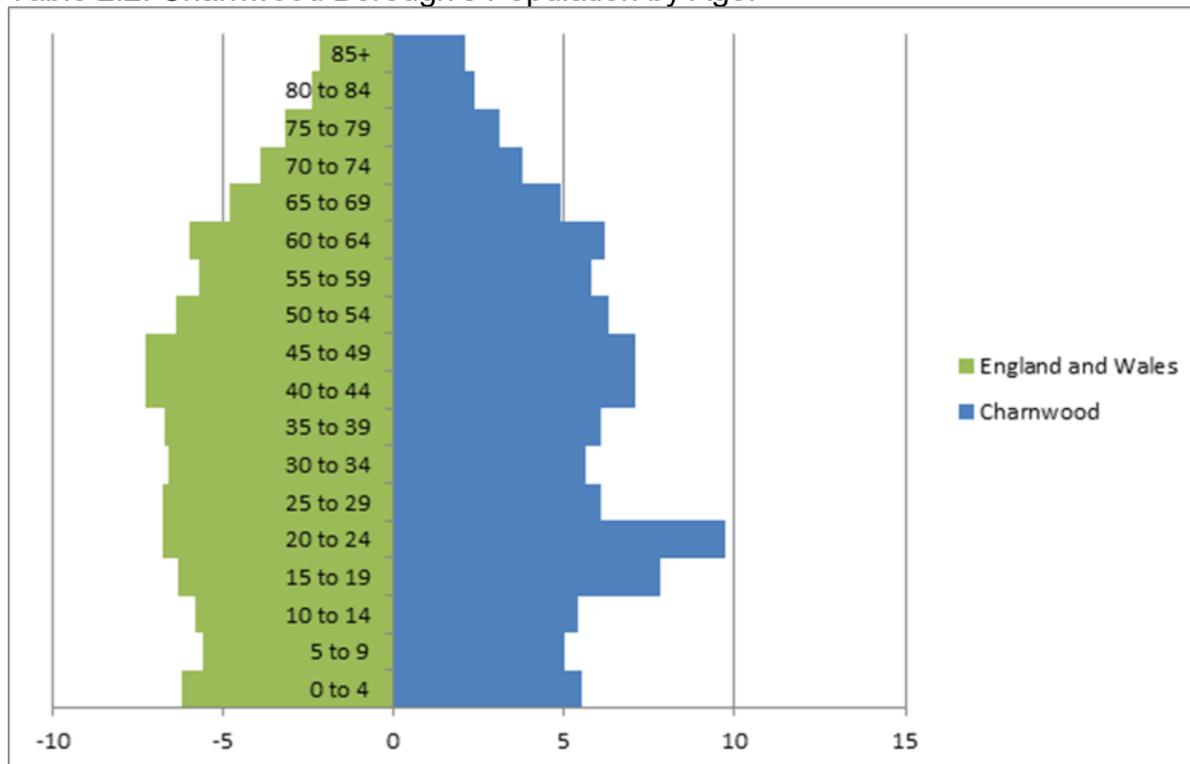
The 4 tables below provide details of the increase in population, age, projected growth and proportion comparisons with Leicestershire, East Midlands and England and Wales:

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
<b>% migrant households in Private Rented Property</b>		<b>73%</b>	<b>68.5%</b>	<b>72 %</b>

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 <sup>st</sup> 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

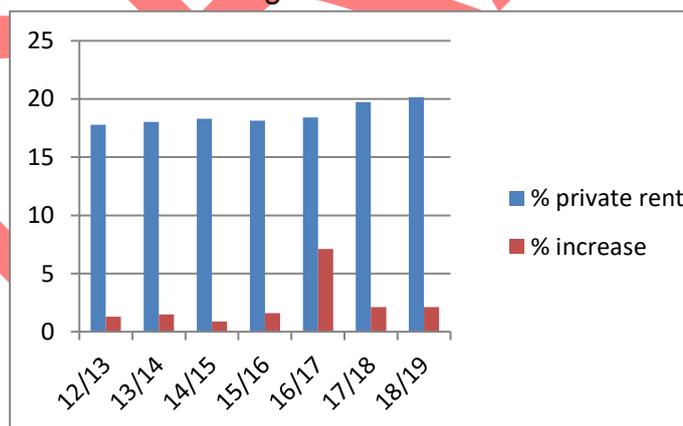
There are an additional 5,930 homes required to meet the housing needs for the Borough up to 2036 once commitments are taken into account.

### 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)	<b>19.4% (535)</b>
Loughborough Lemyngton	2011	49.1% (1,327)	19.2% (518)	<b>28.8% (778)</b>
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
<b>Charnwood</b>	<b>73.48</b>
Leicester	121.76
<b>Force average</b>	<b>83.53</b>

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%
<b>Total</b>	<b>1,495</b>	<b>100%</b>

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%
<b>Total</b>	<b>2,085</b>	<b>100%</b>

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 Polices 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.

<b>2015</b>	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.
<b>2016</b>	15	Hazards: Excess cold, Excess heat, Overcrowding. Action: Improvement Notice. Outcome: Complied with.
<b>2017</b>	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.
<b>2018</b>	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)
<b>2019 (to 5/11/19)</b>	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.
<b>Total</b>	<b>89</b>	

## 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
<b>Owner Occupier</b>	40	33	28	24	20	14	159
<b>Private Rented - Single Family</b>	21	37	14	11	8	11	102

<b>Dwellings</b>							
<b>Licensed HMO</b>	1	4	3	0	3	2	13
<b>Non licensable HMO – inspected</b>	1	5	0	12	0	8	26
<b>Unoccupied HMO accommodation</b>	0	0	0	0	0	0	0
<b>Vacant</b>	2	5	1	0	2	7	17
<b>2<sup>nd</sup> Visit No Access</b>	1	2	0	0	0	0	3
<b>3<sup>rd</sup> Visit No Access</b>	8	26	4	1	4	7	50
<b>Refused Access</b>	5	5	3	3	1	10	27
<b>To inspect</b>	1	0	0	0	0	0	1
<b>Total</b>	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.

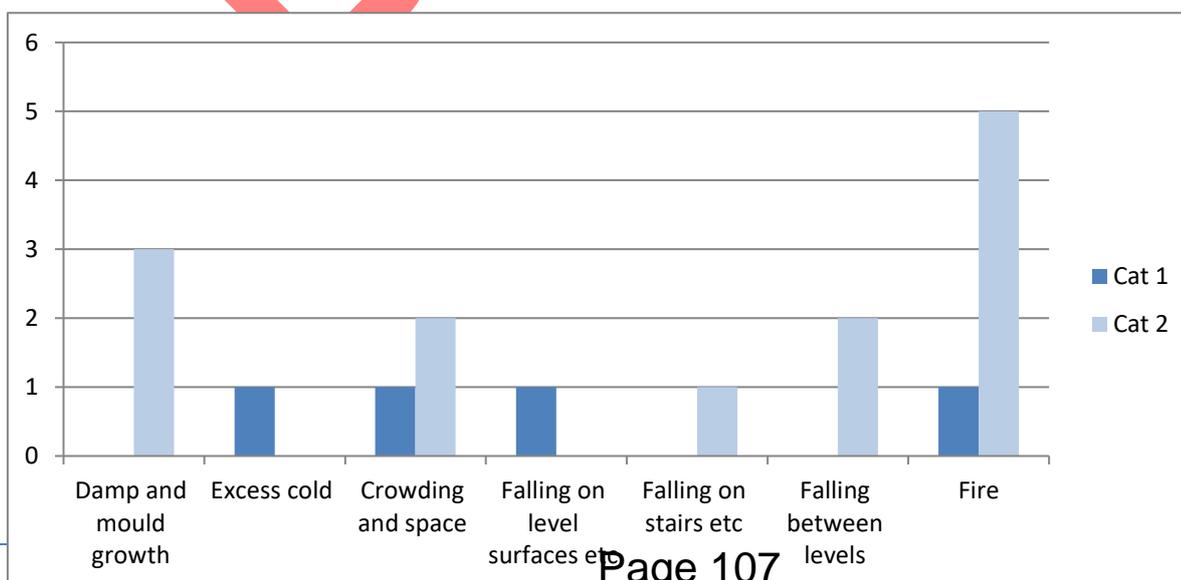
The HHSRS is a risk based assessment tool, which is used by Private Sector Housing Officers to assess the risk (the likelihood and severity) of a hazard in residential housing to the health and safety of occupants or visitors. The HHSRS is tenure neutral; it can be used to assess hazards in public and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



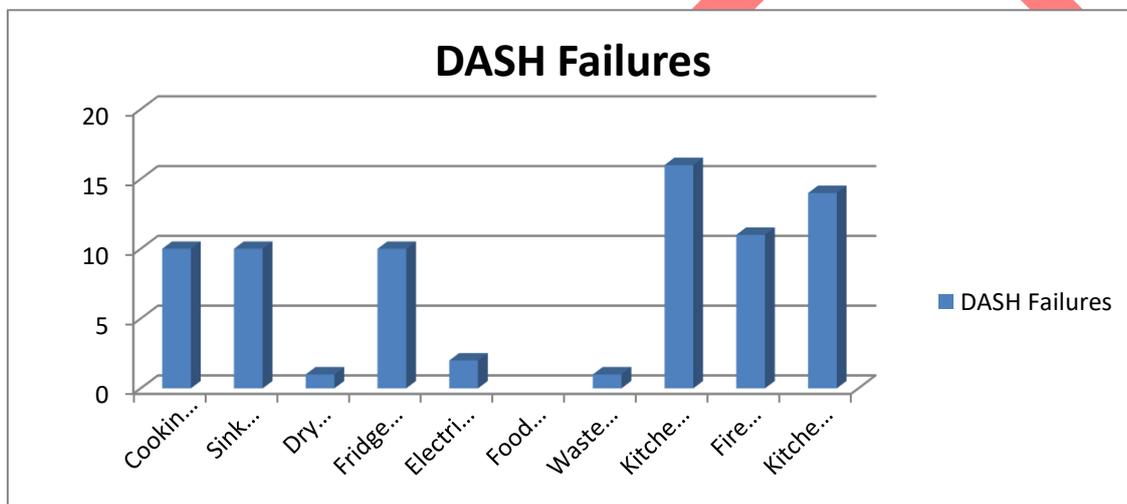
Due to the nature and the risk to the health and safety of residents all Category 1 hazards and high scoring Category 2 hazards were referred to the Private Sector Housing to consider what, if any, enforcement act to take to reduce or removed those hazards identified during this study.

### 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 <sup>nd</sup> Visit No Access	1	2	0	0	0	0	3
3 <sup>rd</sup> 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
<b>Total</b>	<b>39</b>	<b>80</b>	<b>22</b>	<b>27</b>	<b>15</b>	<b>43</b>	<b>226</b>

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 237<sup>th</sup> most deprived Local Authority in England. The proportion of Charnwood LSOA that are amongst the most deprived 10% in England, Charnwood is the 171<sup>st</sup> 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%
<b>Hastings 002A</b>	<b>432</b>	<b>1%</b>	<b>2%</b>	<b>4%</b>	<b>2%</b>	<b>4%</b>	<b>42%</b>	<b>23%</b>	<b>0%</b>
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%
<b>Lemyngton 002D</b>	9,168	27%	39%	41%	53%	50%	63%	5%	0%
002E	16,519	50%	57%	54%	51%	27%	47%	23%	64%
<b>002F</b>	<b>6,519</b>	<b>19%</b>	<b>16%</b>	<b>28%</b>	<b>23%</b>	<b>35%</b>	<b>54%</b>	<b>4%</b>	<b>14%</b>
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.

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#### 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

11<sup>th</sup> December 2019

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## 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 <sup>st</sup> payment £563 2 <sup>nd</sup> payment £305 Total Payment £868	Fee for a new licence or a renewal application submitted after the expiry date of the previous licence  1 <sup>st</sup> payment on application 2 <sup>nd</sup> payment due when draft licence issued
Basic Licence Application Fee - DASH Accredited Licence Holder	1 <sup>st</sup> payment £563 2 <sup>nd</sup> 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 <sup>st</sup> payment on application 2 <sup>nd</sup> payment due when draft licence issued
Renewal Licence Application Fee	1 <sup>st</sup> payment £563 2 <sup>nd</sup> payment £220 Total Payment £783	Where the application is received by the Council prior to the expiry of the existing licence  1 <sup>st</sup> payment on application 2 <sup>nd</sup> 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 be required as part of the application process.

The Council will attach a condition to all licenses requiring this obligation to be met i.e. 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.

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## 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 <sup>th</sup> October 2019
Date EIA completed	20 <sup>th</sup> December 2019

**Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>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.</p> <p>The HMO and Selective Licensing Policies aims to ensure:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Houses in Multiple Occupation are safe and well managed and all relevant Management Regulations are adhered to</li> </ul>
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
<p>The Policies are designed to:</p> <ul style="list-style-type: none"> <li>• Support Officers of the Council in implementing the Policies appropriately and applying the relevant enforcement legislation</li> <li>• 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</li> </ul> <p>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.</p>
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	

<b>Other protected groups</b> (Pregnancy & maternity, marriage & civil partnership)	
<b>Other socially excluded groups</b> (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.

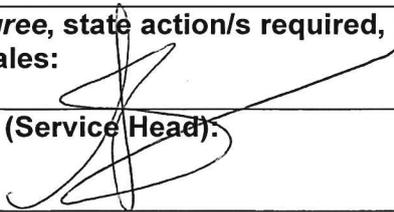
**Step 7- Action Plan**

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 / <del>disagree with this assessment / action plan</del>
If <i>disagree</i> , 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 Planning and Regeneration Lead Member: Councillor Morgan

#### Part A

#### ITEM 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 14<sup>th</sup> 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

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## 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:

<b>Charnwood's Design Principles</b>
<p><b>1. <i>Respecting and enhancing the local character</i></b></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><b>2. <i>Providing attractive public and private spaces</i></b></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><b>3. <i>Well connected and legible streets and spaces</i></b></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><b>4. <i>Creating multi-functional, safe and inclusive places</i></b></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><b>5. <i>Adapting to climate change</i></b></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><b>6. <i>Protecting the amenity of existing and future occupiers</i></b></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**

<b>Charnwood Design Principle</b>	<b>Householder/s mall-scale non residential</b>	<b>Minor development (1-9 dwellings)</b>	<b>Major development (10+ dwellings)</b>
<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.

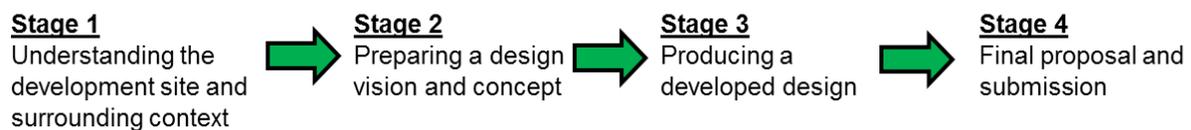
## CHAPTER 2: The Design Process

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 developments<sup>1</sup>, 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.

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<sup>1</sup> 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.charnwood.gov.uk/pages/pre\\_application\\_planning\\_advice](https://www.charnwood.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 place<sup>2</sup>

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

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<sup>2</sup> 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.

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### 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. .

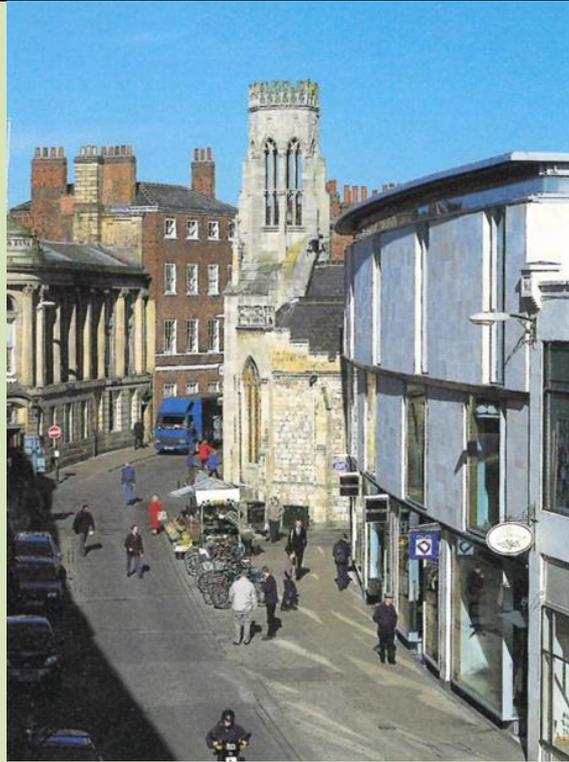
*Height* is often expressed in terms of a number of floors. This can be misleading as floor heights differ considerably by the type of development (i.e. commercial premises often have higher individual storey heights than dwellings). The overall height of a building can also be interpreted by the height 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.

**Design in Context – An Example**



**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.*



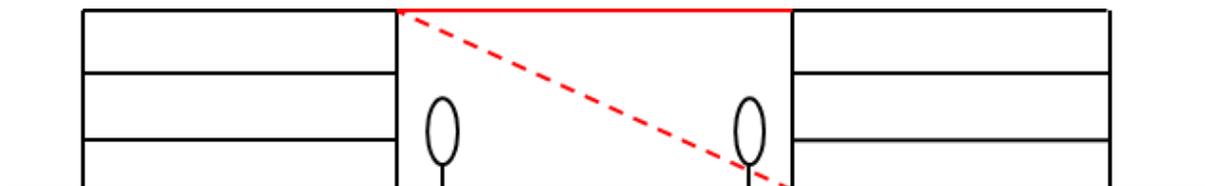
Source for images: *Historic England/CABE, 2001*

### **Good Practice Advice Note 3: The Setting of Heritage Assets (Historic England)**

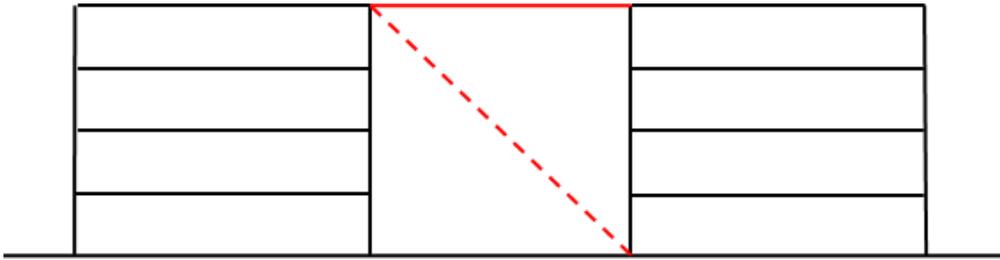
<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritageassets/>

#### **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:**

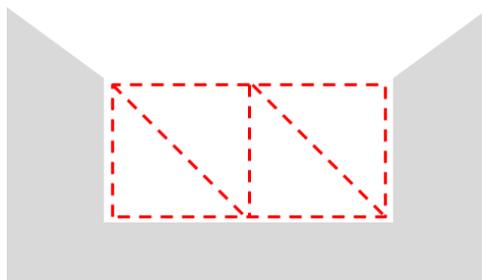


Street width x2 the height of buildings fronting it; creates a balanced sense of enclosure and spaciousness

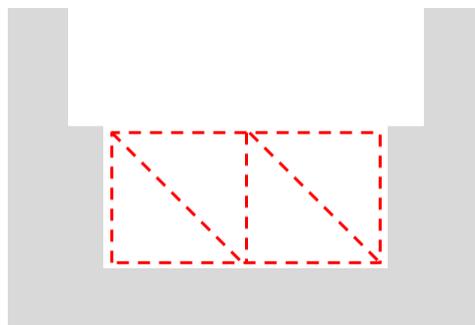


Street width smaller than adjacent building heights; leads to greater sense of enclosure, which may be unduly narrow given the context

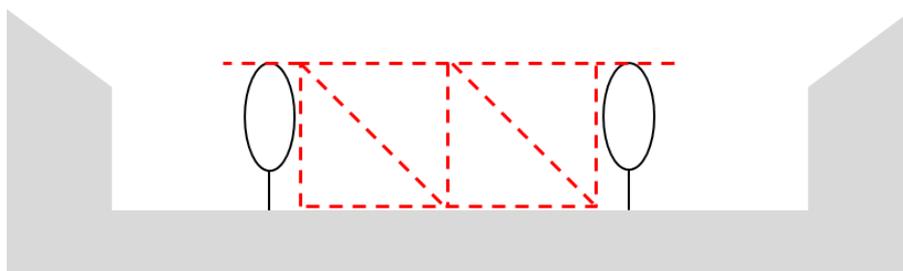
**The impact of building heights upon public spaces can be softened by the treatment of front elevations. Reversely, the sense of enclosure along streets can be increased by the placement of trees.**



Spatial definition by building height



Spatial definition by building line



Spatial definition by tree canopy height

<b><u>Height to width ratios</u></b>		
	<b>Maximum</b>	<b>Minimum</b>

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.



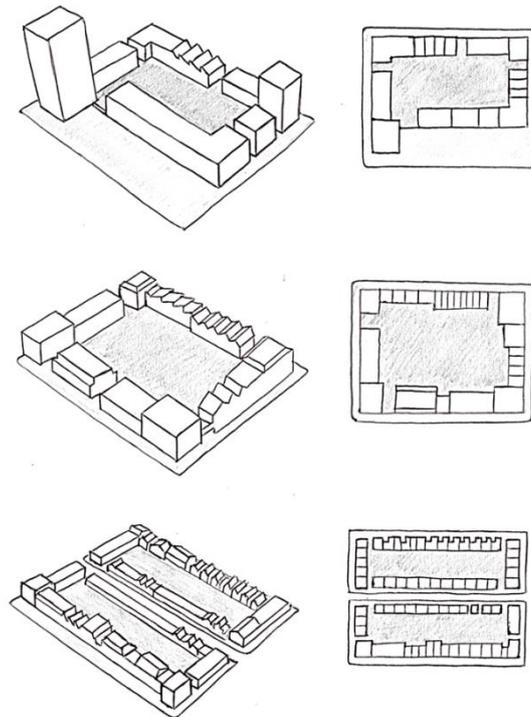
**Above:** *A residential street in Birstall, featuring harmonious dwellings of similar scale, mass, height and plot positioning.*



**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.**



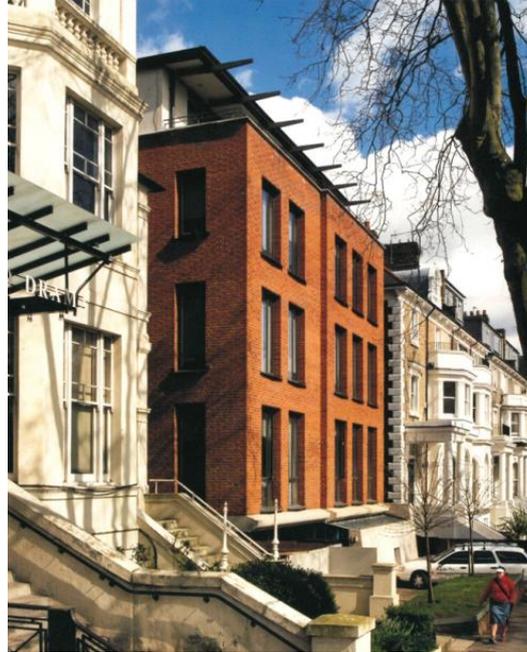
*Above: Common traditional building materials in Charnwood Forest (source for images: Newtown Linford Village Design Guide, 2008 and Woodhouse Eaves Village Design Guide, 2014)*

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

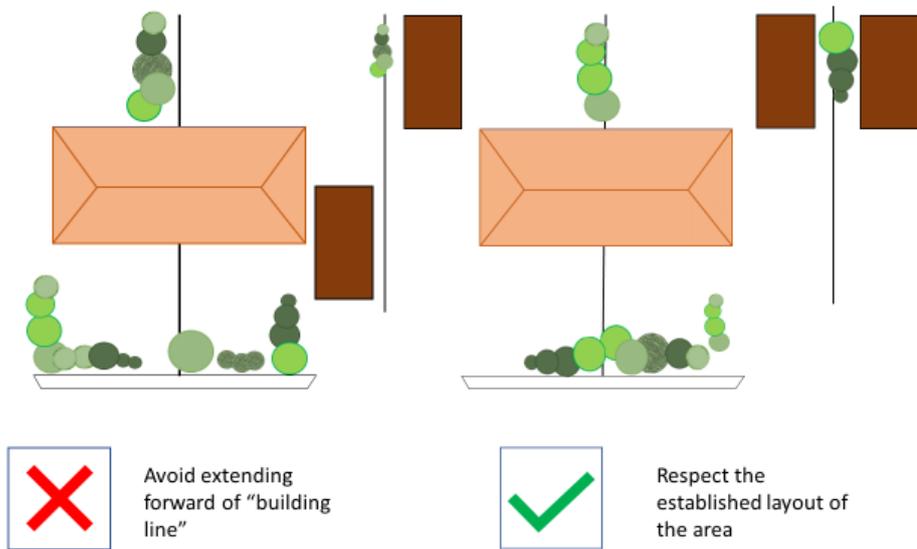
House extensions can affect the appearance and character of both the property being extended and the surrounding area.

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.

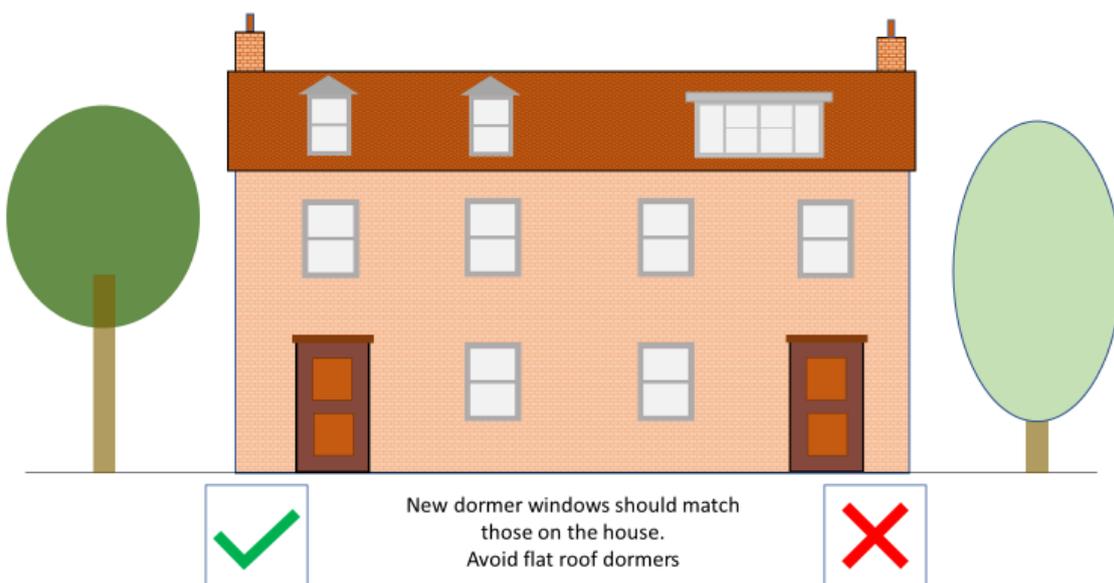
The size, style and proportion of new doors and windows are important consideration in the design of new extensions. If too many openings are included, the balance of the building may be upset, as there may be too much window area compared to brick

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.**

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## 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 than 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 environment<sup>3</sup>**

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.

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<sup>3</sup> 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](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.

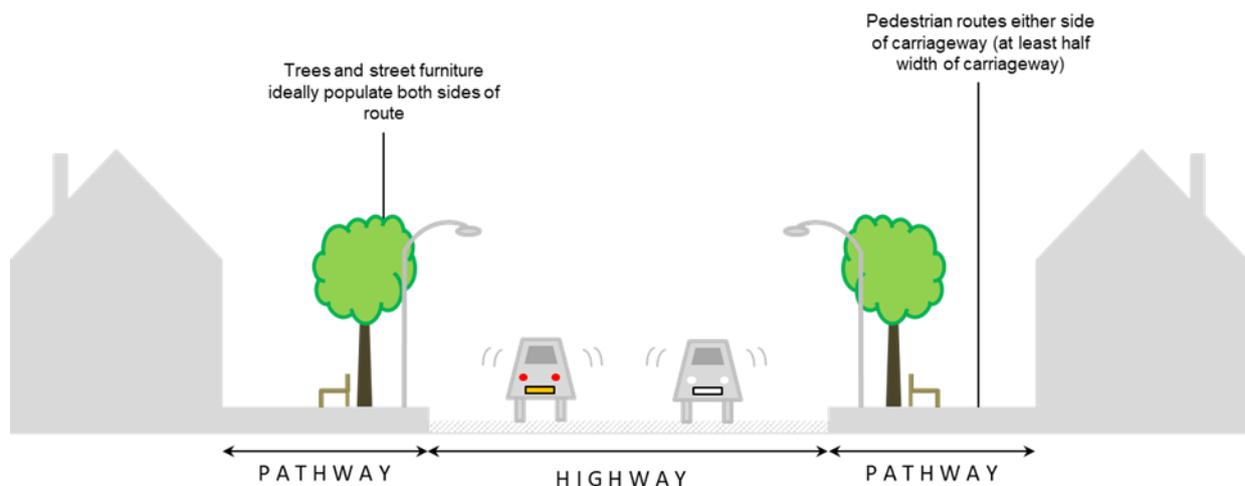
The connectivity, legibility and permeability of streets and other routes in new development will closely dictate how that development functions. For residential schemes creating new streets, developers are encouraged to think about how each street is designed to treat future traffic flows. A useful 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.

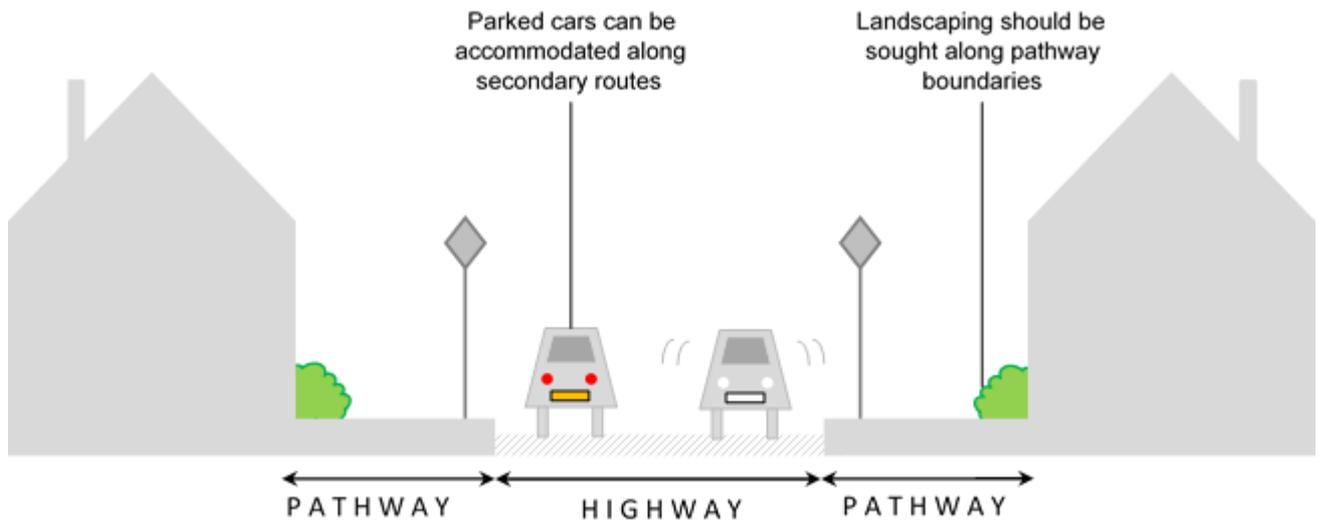
On primary routes, the inclusion of street trees (ideally larger species), planting and street furniture such as benches can help to avoid the dominance of hard surfaces within the highway corridor.



***Figure 5 : Primary route cross section***

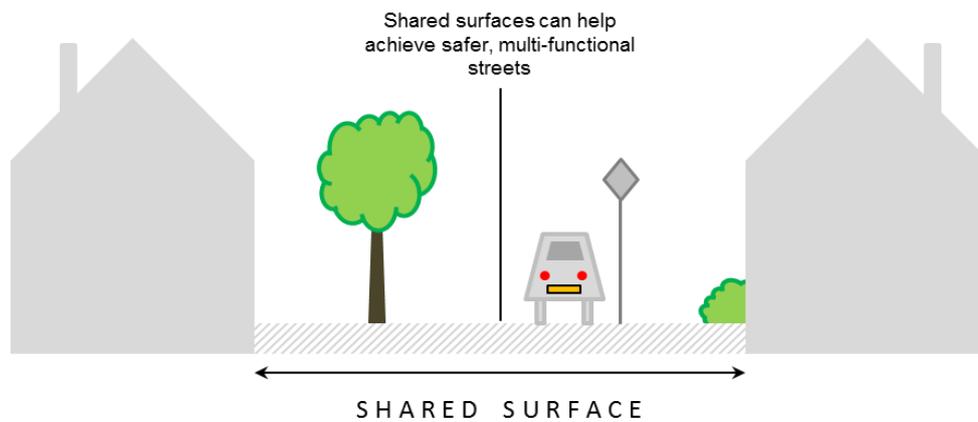
**Secondary routes** are narrower than primary routes and should be designed to ensure vehicles are required to travel at lower speeds. The priority should not be on providing efficient traffic flows but in creating quiet street environments in the interests of resident amenity. Street parking is more 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.



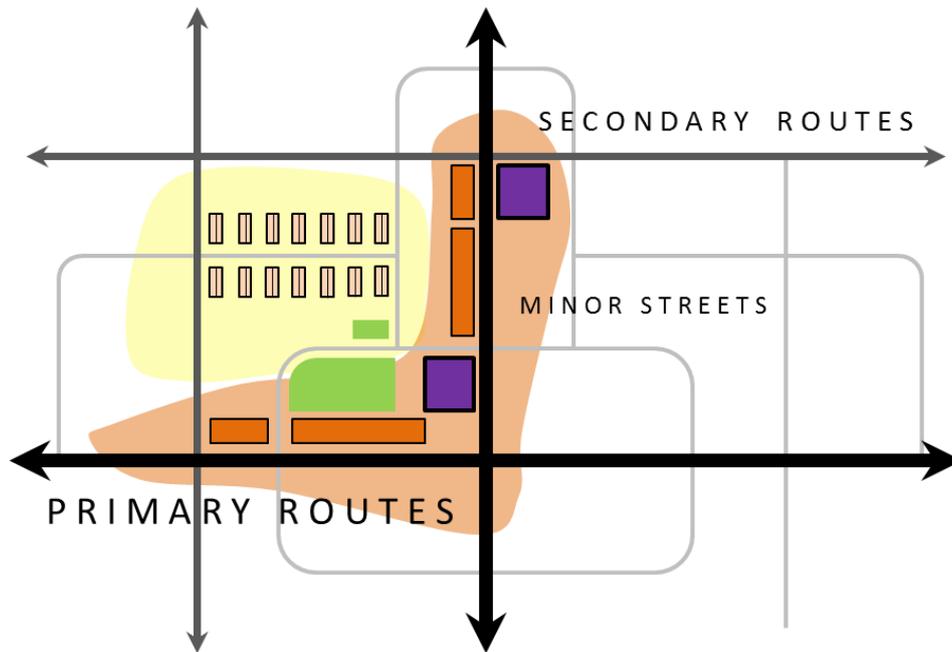
***Figure 6 : Secondary routes cross section***

**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



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.

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## **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.

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### **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](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 SuDS<sup>4</sup>. However it remains the responsibility of the local

<sup>4</sup> <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.

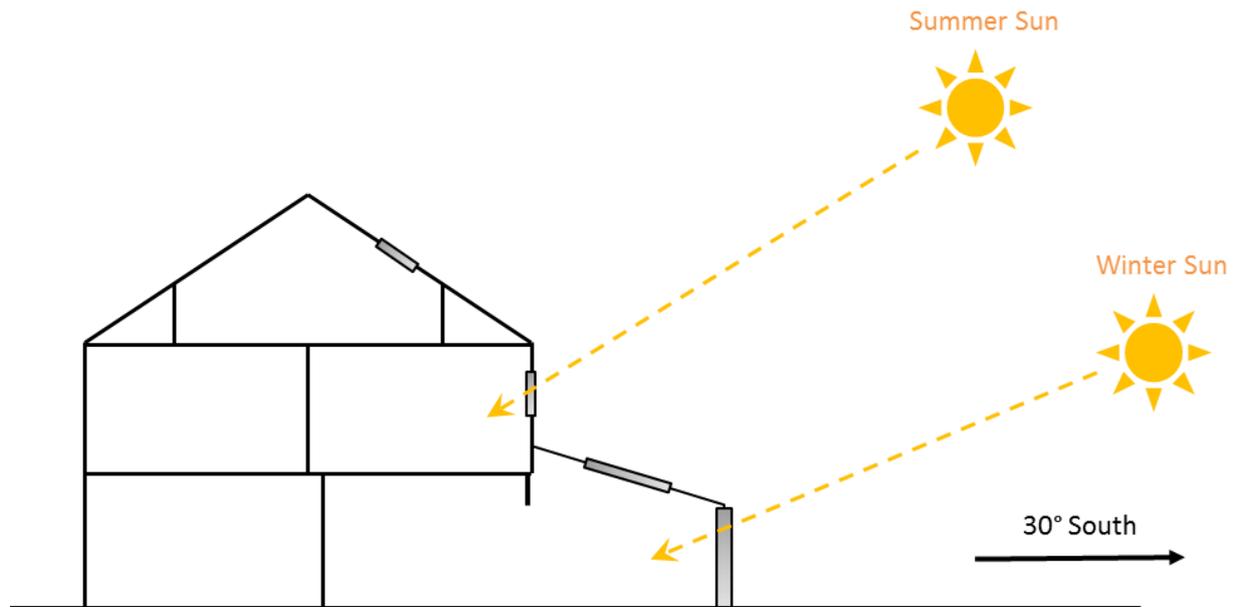
### Energy efficiency through sunlight gain

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.

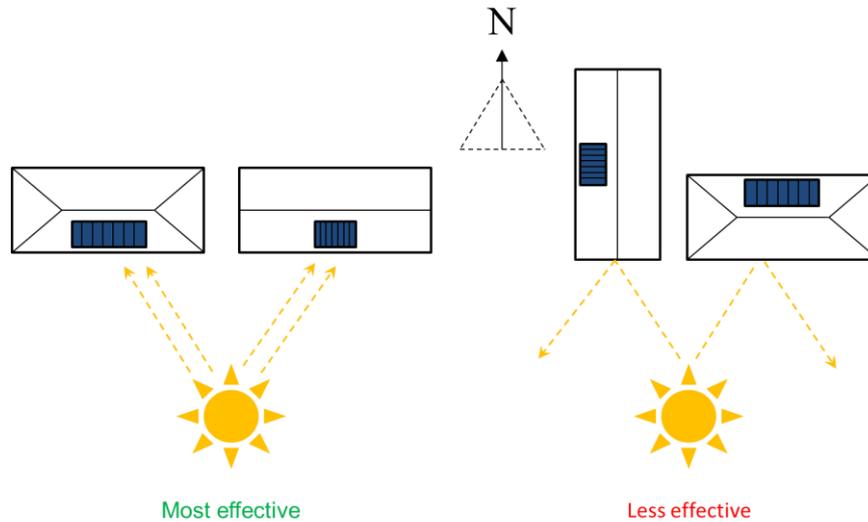
**Excessive heat capture during the summer months, when the sun is highest in the sky, can be avoided by the use of shading (through deciduous planting/trees) in the path of sunlight, which will block some light from entering through south facing windows.**



***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.

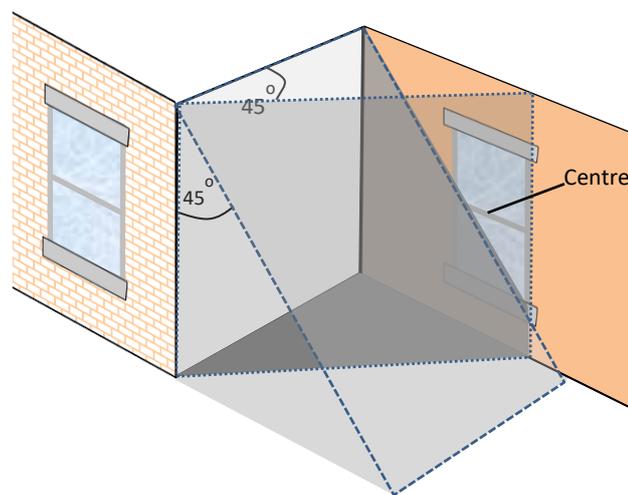
### Daylight

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.

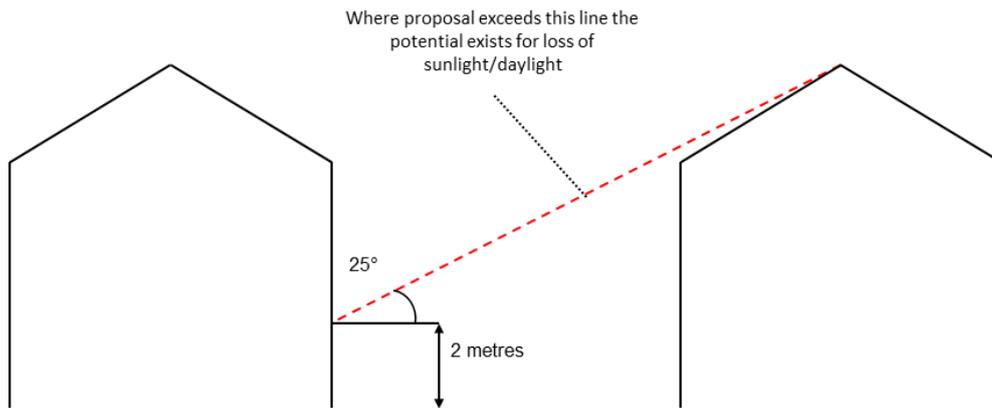


**Figure 11 above:** The 45 degree approach for extensions

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### 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:

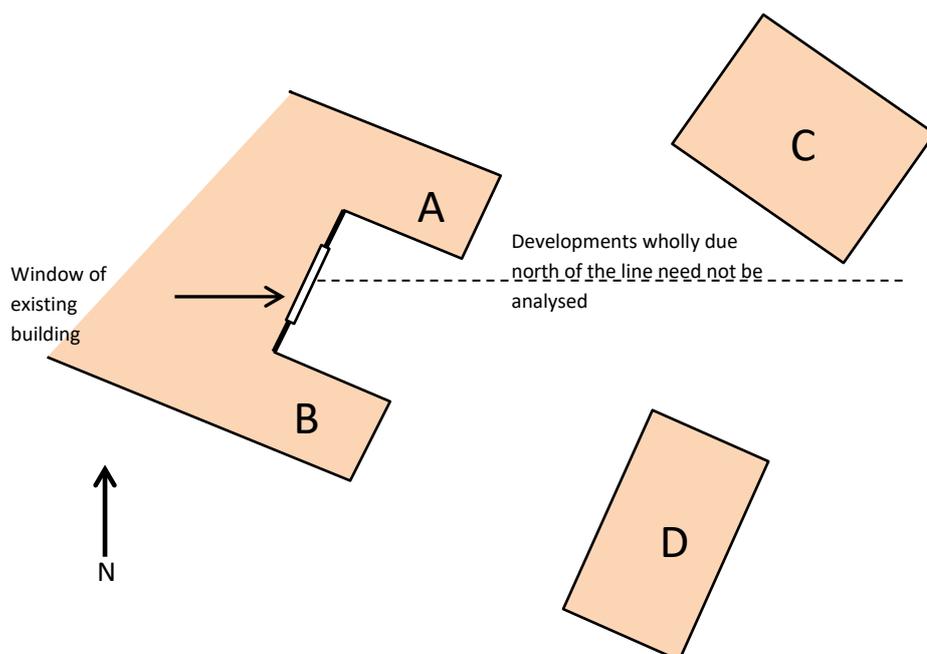


**Figure 12 above:** The 25 degree guideline (impact of building height on sunlight gain)

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 Establishment<sup>5</sup> 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:

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<sup>5</sup> 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.

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## **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.

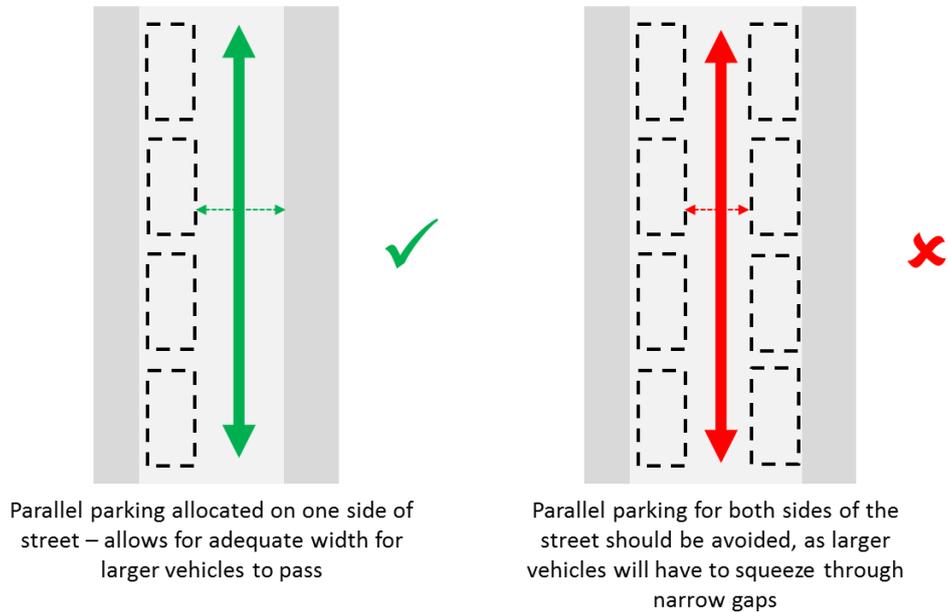
Many residential developments can accommodate a degree of parking provision on the street but this needs to be limited to prevent parked vehicles dominating the street scene. Generally, a mix of on-street and a variety of off-street provision can often be the best approach to successfully managing parking, 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.

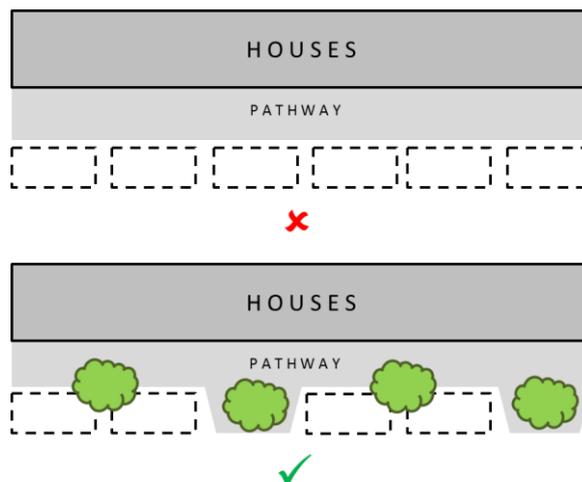
Parking provision on streets should ensure that traffic is able to pass parked cars with adequate room. For this reason, on-street parking which is not accommodated in parking bays should only be provided on one side of the street.



**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

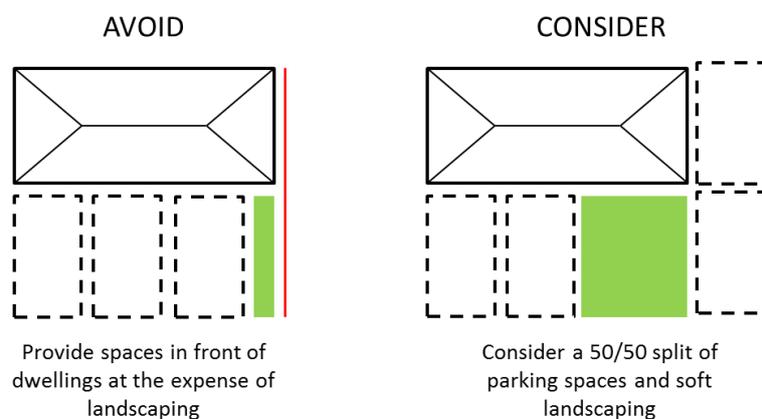
Parking squares can remove parked vehicles off streets and away from dwelling frontages, reducing the visual impact of parked cars. However, they still need to be in convenient locations. Landscaping in the form of street trees or planting beds can help break up monotony caused by expanses of tarmac 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

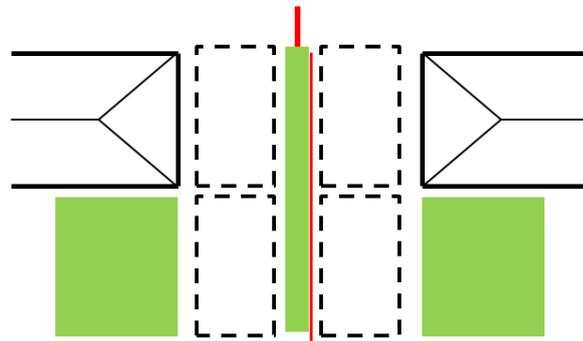
This approach to parking provision is more likely to be used by residents to park their cars because they will be visible from within their homes. The provision of spaces in front of new dwellings should be balanced by appropriate quantities of landscaping so that the frontages are not dominated by large 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

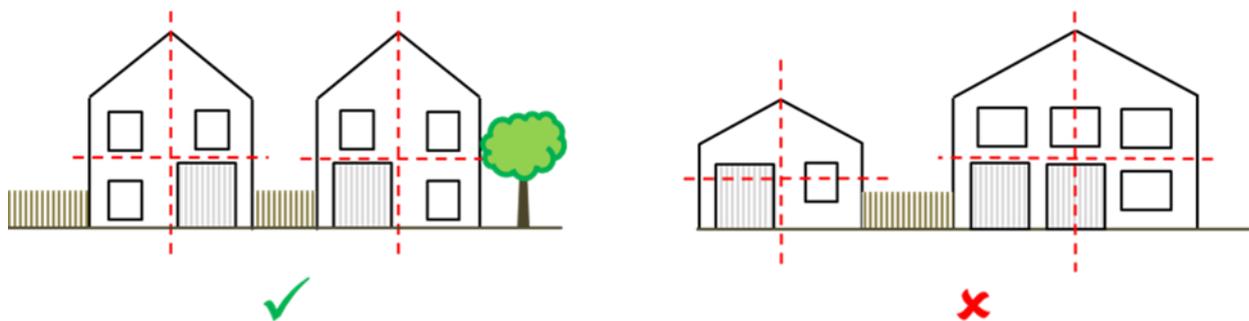
The placement of detached garages should positively respond to the wider layout of adjacent buildings and the neighbouring street scene – in particular, detached garages serving dwellings should not extend beyond the building line.

#### **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** specifications<sup>6</sup>:

- 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

<sup>6</sup> <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.

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## **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](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 Neighbourhood Services  
Lead Member: Cllr Deborah Taylor**

**Part A**

ITEM 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

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## 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

## 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**

<b>Age</b>	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.
<b>Disability (Physical, visual, hearing, learning disabilities, mental health)</b>	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.
<b>Gender Reassignment (Transgender)</b>	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.
<b>Race</b>	There is a reasonably large amount of grant funding awarded to projects relating to Race. In additional 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.
<b>Religion or Belief (Includes no belief)</b>	<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>
<b>Sex (Gender)</b>	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.
<b>Sexual Orientation</b>	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.
<b>Other protected groups (Pregnancy &amp; maternity, marriage &amp; civil partnership)</b>	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.
<b>Other socially excluded groups</b> (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?	✓	

<b>Please delete as appropriate</b>
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: N/A
Signed (Service Head): Julie Robinson
Date: 10.12.2019

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)

## SCRUTINY COMMISSION – 13TH JANUARY 2020

### Report of the Cabinet

#### ITEM 8                    SCRUTINY COMMISSION PRE-DECISION SCRUTINY – CABINET RESPONSE

##### Purpose of Report

To set out the Cabinet’s responses to the recommendations of the Commission on pre-decision scrutiny items.

##### Action Requested

To note the Cabinet’s responses to the recommendations submitted by the Commission on items considered for pre-decision scrutiny.

##### Policy Context

One of the principles of effective scrutiny, identified by the Centre for Public Scrutiny, is “provide a constructive critical friend challenge to the Executive”.

##### Pre-decision Scrutiny

Since the December meeting of the Commission, the Cabinet has considered the following items on which the Commission undertook pre-decision scrutiny:

#### A. HOMELESSNESS AND ROUGH SLEEPING REDUCTION STRATEGY

Details of the Commission’s consideration of the items as reported to the Cabinet on the 16th December 2019 can be found in the minutes from the Commission’s meeting on 9th December 2019.

The Vice Chair of the Commission, Councillor Draycott, attended the Cabinet’s meeting on the 16th December 2019 to present the Commission’s report to the Cabinet.

##### Cabinet Response

The Cabinet considered the Commission’s report and acknowledged the work undertaken and the views of the Commission. In particular, the Cabinet responded as follows to the report:

##### *Homelessness and Rough Sleeping Strategy*

The Cabinet adopted the officer recommendations as set out in the report, which the Commission had supported.

##### Report Implications

The following implications have been identified for this report:

*Financial Implications*

None.

*Risk Management*

No risks have been identified in connection with this report.

Background Papers:       None

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## SCRUTINY COMMISSION – 13TH JANUARY 2020

### Report of the Head of Strategic Support

#### ITEM 9 SCRUTINY PANELS

##### Purpose of the Report

To review progress with Scrutiny Panels and agree the detail of the Scoping Document for the 'Parking Enforcement and Enhancement' Panel.

##### Actions Requested

To review the progress with Scrutiny Panels and make any amendments the Commission feel necessary.

To agree the content of the Scoping Document for the 'Parking Enforcement and Enhancement' Panel as set out in appendix 2.

##### Reason

To ensure timely and effective scrutiny of the matter/subject.

##### Scrutiny Panels

At its meeting on 9th December 2019, the Commission made the following changes to scrutiny panels;

- i. The Future of Local Government in Leicestershire – postponed until a later date and following the publication of options from the County Council
- ii. Digitisation and Transformation of Services – start date pending following receipt of additional information from the Cabinet
- iii. Children's Centres - removed as the Neighbourhoods and Community Wellbeing Scrutiny Committee are reviewing this on 10<sup>th</sup> March 2020 and to report back into the Scrutiny Commission.

The final meeting of the Budget Scrutiny Panel will take place on the 8th January 2020 and a report will be received by the Scrutiny Commission setting out the recommendations. The Budget Scrutiny Panel report will follow the publication of the Scrutiny Commission agenda.

Appendices: Appendix 1 – Scrutiny Panels

Appendix 2 – Scoping Document 'Parking Enforcement and Enhancement'

Background Papers: None

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## SCRUTINY COMMISSION – 13TH JANURAY 2020

### APPENDIX 1

#### PROGRESS WITH PANEL WORK

The CfPS 4 Principles:

- Provides a ‘critical friend’ challenge to the executive – policy development, policy review and performance management.
- ‘Enables’ the voice and concerns of the public and its community to be heard.
- Independent and Member Driven.
- “Drives improvement” for the Local Authority.

Proposals for scrutiny from Members are welcome, whether on the appropriate committee or not; outside bodies; and the Charnwood residents.

This will be a living document, so as new ideas and proposals arise, they may take priority over proposals that have been on the list for a longer period.

Only 4 panels (express or full panel) can be held at any one time, so timings will need to take account of this. Informal meetings will be conducted without Democratic Service officer time and can therefore be run concurrently.

Directorate	Scrutiny Type	Topic	Scope	Terms of Reference	Timing
CS	Formal	Generating commercial income/ surplus	To identify areas where our income could be maximised, or further improved.	Peer councils	5 Nov (informal) 28 Nov 23 Jan 5 March
CS	Formal	Digitalisation and transformation of services	This is a panel to determine how we go about inserting a personalised front end to our website, so that	Outside bodies who already have this facility.	Pending the receipt of additional

			<p>individual residents can log in, book; order; complain; compliment; and pay for services and can immediately see what their status is for all the services and payments they have with the council. This is to promote the 80:20 rule, that 80% of residents will be able to carry out all their transactions with the council through this route, while the remaining 20% who cannot will have better access to people and facilities who are freed up from dealing with residents who would be better served helping themselves.</p> <p>To identify options and costs. To identify economies of scale and potential savings.</p>	<p>Councils who have this facility.</p> <p>IT and CRM (Customer Relationship Management) companies.</p> <p>Individuals with skills in this area.</p> <p>Our current key partners such as Capita and Serco to understand how they will integrate their services.</p>	<p>information.</p> <p>Potential start date Feb 2020.</p>
CS	Formal	Budget Scrutiny	<p>To closely review all aspects of the proposed budget for the following year and to monitor the performance of the budget from the previous year.</p> <p>Identify areas where improvements could be</p>	<p>Interview Lead Members and CMT for each department.</p>	<p>25 Sep</p> <p>4 Dec</p> <p>8 Jan</p>

			made, including reviewing capital projects which have been proposed many years ago but have not yet been taken up.		
CS	Formal	Future of Local Government in Leicestershire	There is a need to undertake fact-finding research into the impact of unitary government proposals on residents, businesses, the voluntary sector, employees and Parish/Town Councils.		Postponed until a later date. Options report from the County Council anticipated end February 2020. Matter to be then referred to the Cabinet.

Directorate	Scrutiny Type	Topic	Scope	Terms of Reference	Timing
HPRRS	Informal	Parking enforcement enhancement	See DRAFT scoping document at appendix 2		Jan to April 2020
HPRRS	Informal	Funding for small businesses	[Further detail needed from the Member who raised this topic.]		Feb to April 2020

Directorate	Scrutiny Type	Topic	Scope	Terms of Reference	Timing
NCW	Informal	Waste services and waste management	<p>To understand the current position of national policy on waste management and what issues/ opportunities this presents for the council in future years.</p> <p>Establish what practices are in place in other councils that have a higher recycling rate than CBC.</p> <p>Reference: Letsrecycle.com puts CBC 135<sup>th</sup> in the league table for overall performance 2017/18 with 45.5%. Rushcliffe are 80<sup>th</sup> at 50.2%.</p> <p>Are there any specific actions CBC could take to improve the recycling rate?</p> <p>Trial on waste management being undertaken at North West Leicestershire District Council to be investigated.</p>	Peer councils, such as Rushcliffe. Key partners such as Serco and Leicestershire County Council.	Autumn 2019
NCW	Express	Child mental health and obesity.	What steps can be taken by CBC to assist in supporting our children with mental health difficulties and in	Interview key stakeholders and charities. Meet with Public Health	Autumn 2020

			tackling obesity in the young.	representatives and County Council lead.	
NCW	Informal	Combatting Loneliness	<p>Undertake desk based and interviewing research to understand what the level of loneliness is in the Borough currently and in what age groups. Identify activities already undertaken by the council to combat loneliness. What can be done to promote these facilities with hard to reach groups?</p> <p>Identify specific actions that could be undertaken by CBC to combat loneliness that are not currently being undertaken. What actions/ discussions could we have with our partners to support this project?</p>	<p>Seek residents' individual views through social media and press. Interview local charities and support groups. Interview Leicestershire County Council Adult Social Care representatives and CAMHs.</p>	Autumn 2020
NCW	Formal Panel	Promoting Tourism in Charnwood	<p>Identify our key attractions to the area, both physical buildings and special events. What is CBC doing to promote and support these venues/ events? What else could be done? Do we have a unique selling</p>	<p>Approach and/ or interview peer councils to see what they do. Look at specific events around the country to see if they could be adapted for CBC, e.g.: Congleton Makers</p>	Autumn 2020

			<p>point that we are not exploiting? How do people travel to the area? Where do they stay? What specific actions could CBC take to encourage more people to visit the area; spend more money on local businesses; and to stay for a longer period?</p>	<p>Market, or Stockton on Tees Comedy Festival.</p>	
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**SCRUTINY REVIEW: SCOPE**

<b>REVIEW TITLE: Parking Enforcement Enhancement</b>
<b>SCOPE OF ITEM / TERMS OF REFERENCE</b>
Consideration of whether Charnwood Borough Council need to apply to Leicestershire Police and Leicestershire County Council (LCC) to obtain delegated powers regarding parking enforcement.
<b>REASON FOR SCRUTINY</b>
Ward members report significant problems with regards to dangerous, nuisance and pavement parking which is not always resolved satisfactorily because there are concerns about the level of enforcement by the Police and LCC.
<b>MEMBERSHIP OF THE GROUP</b>
Chair Cllr Julian Howe plus three members.
<b>WHAT WILL BE INCLUDED</b>
Reviewing existing procedures for parking enforcement and liaison with partners over these arrangements and their effectiveness.
<b>WHAT WILL BE EXCLUDED</b>
The role of the Enforcement Officers
<b>KEY TASKS</b> * * including consideration of efficiency savings
Interviewing witnesses, considering existing procedures, site visit, report writing.
<b>STAKEHOLDERS, OUTSIDE AGENCIES, OTHER ORGANISATIONS</b> *
Leicestershire Police, LCC and Leicestershire Fire and Rescue Service.

<b>EQUALITY IMPLICATIONS</b>	
Is an impact needs assessment required? – to be considered at the Panel’s penultimate meeting.	
<b>LINKS/OVERLAPS TO OTHER REVIEWS</b>	
None known.	
<b>RESOURCE REQUIREMENTS</b>	
Informal panel with three meetings. No Democratic Services Officer support.	
<b>REPORT REQUIREMENTS (Officer information)</b>	
None (at this stage).	
<b>REVIEW COMMENCEMENT DATE</b>	<b>COMPLETION DATE FOR DRAFT REPORT</b>
January 2020	May 2020

\* Key tasks and stakeholders may be subject to change as the review progresses.

**PROGRESS OF PANEL WORK**

<b>MEETING DATE</b>	<b>PROGRESS TO DATE</b>
February	
March	
April	

<b>REPORT SUBMITTED TO SCRUTINY COMMISSION</b>

## SCRUTINY COMMISSION – 13TH JANUARY 2020

### Report of the Head of Strategic Support

#### ITEM 11                      SCRUTINY WORK PROGRAMME

##### Purpose of the Report

To enable the Commission to review and agree the Scrutiny Work Programme. This includes reviewing the changes made by the other three Scrutiny Committee's and adding items to their individual work programmes.

##### Actions Requested

1. To review the Scrutiny Committees, Work Programme and make any amendments the Commission feel necessary.
2. To agree that the Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item and any further decisions taken during the course of this meeting (see Appendix 1).

##### Reasons

1. To ensure timely and effective scrutiny of the matter/subject.
2. To ensure that the information contained within the Work Programme is up to date.

##### Policy Context

The Corporate Plan commits the Council to review and improve its approach to the delivery of services to ensure it is constantly working to achieve a better service providing better value for money and enhancing the performance and commitment to service delivery.

##### Updates on the individual Scrutiny Committee work programmes

The Corporate Services Scrutiny Committee met on 3rd December 2019 and made the following additions to their work programme:

- *Performance Information (Quarter 2 report – annual) – 1st December 2020*
- *Revenue Monitoring (General Fund and HRA – annual) – 1st December 2020*

The Housing, Planning, Regeneration and Regulatory Services Scrutiny Committee met on 10th December 2019 and made no changes to their work programme.

The Neighbourhoods and Community Wellbeing Scrutiny Committee had not met since the least Scrutiny Commission meeting.

## Scrutiny Work Programme

The current Scrutiny Work Programme, as it stood at the time of the publication of this agenda, is attached as Appendix 1 to enable the Commission to decide which scrutiny body should consider new items and currently unscheduled items, and when those should be considered.

Any decisions taken by the Commission during the meeting will be reflected in an updated Work Programme.

Appendices:           Appendix 1 – Scrutiny Work Programme

Background Papers: None

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**Corporate Services Scrutiny Committee Work Programme**

APPENDIX 1

<b>Responsible Body</b>	<b>Meeting Date</b>	<b>Issue</b>	<b>Scope of Item / Terms of Reference</b>	<b>Reason for Scrutiny</b>	<b>Invitees / Officers</b>	<b>Progress / Notes / Action Requested</b>
CS	25 Feb 2020  (standing item at every meeting)	Work Programme	To consider items for future meetings	To allow the Committee to identify items for which scrutiny is required.	L. Strong/ Lead Officer	
CS	25 Feb 2020  (annual item)	Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 3 Report considered at the same time annually.
CS	25 Feb 2020  (Period 9 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Three reports to be considered through the year. Reports to be considered at the same time annually.
CS	07 July 2020  (annual item)	Capital Monitoring including Outturn	Monitoring of position with the Council's Capital Plan.	To ensure progress to the Council's Capital Plan and its financing are satisfactory.	Lead Member/ L. Tansey	Annual report.

**Corporate Services Scrutiny Committee Work Programme**

CS	07 July 2020  (annual item)	Revenue Monitoring (General Fund and HRA) Outturn	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Annual report.
CS	07 July 2020  (annual item)	Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 4 Report considered at the same time annually.
CS	08 Sept 2020  (annual item)	Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 1 Report considered at the same time annually.
CS	08 Sept 2020  (Period 4 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Three reports to be considered through the year. Reports to be considered at the same time annually.
CS	01 Dec 2020  (annual item)	Performance Information (Quarter 2 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / S. Jackson	Quarter 2 Report considered at the same time annually.

**Corporate Services Scrutiny Committee Work Programme**

CS	01 Dec 2020  (Period 7 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Three reports to be considered through the year. Reports to be considered at the same time annually.
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## Housing, Planning and Regeneration, and Regulatory Services Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
HPRRS	03 March 2020 (annual item)	Full Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti-social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 <sup>rd</sup> June 2019. Quarter 3 Report considered at the same time annually.
HPRRS	July 2020 (annual item)	Full Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti-social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 <sup>rd</sup> June 2019. Quarter 4 Report considered at the same time annually.
HPRRS	Sep 2020 (annual item)	Full Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti-social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 <sup>rd</sup> June 2019. Quarter 1 Report considered at the same time annually.
HPRRS	Sep 2020 (annual item)	Climate Local Action Plan	Monitoring of the Climate Change Strategy Action Plan.	Monitoring of progress on Action Plan.	Lead Member/ M. French / C. Clarke	Amended by SC at its meeting on 3 <sup>rd</sup> June 2019: report to be reviewed by the Committee and possibly deleted after its meeting if no longer relevant.
HPRRS	To be scheduled as required (ongoing item)	Five Year Housing Land Supply	If the Council's housing land supply falls below 5.5 years, a quarterly report to be provided and the Lead Member to attend to explain what actions are in place to return the five-year housing supply to a satisfactory level.	To ensure that, when necessary, the figures are scrutinised on a regular basis and any actions can be identified if required	Lead Member / R. Bennett	Agreed by SMB on 24 October 2018 (min 25.3) in response to a recommendation by the Five-Year Housing Land Supply Scrutiny Panel.

## Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
NCW	10 March 2019  (standing item at every meeting)	Work Programme	To consider items for future meetings	To allow the Committee to identify items for which scrutiny is required.	Democratic Services / Lead Officer	
NCW	10 March 2020	Children and Families Wellbeing Service	To scrutinise how the service model provided by Leicestershire County Council impacts Charnwood Borough Council and how officers work with the service.	To allow the Committee to understand the terms of the relationship and whether further scrutiny is required.	External Partner	SMB 06 March 2019, Minute 39.1 refers. Terms of scrutiny amended at its meeting 26 Nov 2019
NCW	10 March 2020  (annual item)	Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 3 Report considered at the same time annually.

## Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
NCW	10 March 2020  (six-monthly item)	Community Safety Partnership	To review the work of the Community Safety Partnership on a six-monthly basis, to enable any issues to be identified for further scrutiny by the appropriate scrutiny body and to enable incidences of violent crime to be monitored.	To ensure effective scrutiny of the work of the Community Safety Partnership.	CSP Chair/ J. Robinson / T. McCabe	
NCW	July 2020	Charnwood Lottery	To review the performance of the Charnwood Lottery after initial six month review in July 2019. To include information distinguishing between number of players and number of tickets sold	To scrutinise the Charnwood Lottery once it had been implemented to monitor its performance and ability to provide money for good causes.	Relevant Lead Member / Head of Neighbourhood Services	Requested by NCW at its meeting 26 Nov 2019 to be added to Work programme (minute 24.3 refers)
NCW	July 2020  (annual item)	Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 4 Report considered at the same time annually.
NCW	July 2020	Bulky Waste Collection Charges	To review the introduction (in October 2019) of charges for all bulky waste collections.	6 monthly review was requested by Cabinet at its meeting in July 2019 to enable how the charge is operating in practice to be assessed.	Relevant Lead Member & Head of Cleansing and Open Spaces	Added to the Work Programme at its meeting on 26 Nov 2019.

### Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme

NCW	Sept 2020  (annual item)	Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 1 Report considered at the same time annually.
NCW	Nov 2020  (annual item)	Performance Information (Quarter 2 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 2 Report considered at the same time annually

## SCRUTINY COMMISSION – 13TH JANUARY 2020

### Report of the Head of Strategic Support

ITEM 12

#### SCRUTINY COMMISSION WORK PROGRAMME

##### Purpose of Report

To enable the Commission to review its own work programme, including considering the list of forthcoming Executive Key Decisions in order to schedule items for pre-decision scrutiny.

##### Work Programme

The Commission's current work programme is attached at Appendix 1. Currently the work programme consists of items concerned with the Commission's roles in overseeing the scrutiny function and undertaking pre-decision scrutiny.

At its meeting on 9th December 2019 the Commission added the following item to its work programme:

- *Children and Families Wellbeing Service Scrutiny Report – 6th April 2020 – a report from the Neighbourhoods and Community Wellbeing Scrutiny Committee to potentially replace the Children's Centres Scrutiny Panel.*

The following items had been added to the Work Programme, but have now been deferred to a later date following consultation with the chair and vice chair:

- *Exempt Item - Building Control Alternative Service Delivery Project – from 13th January 2020 – to be programmed.*
- *Draft Local Plan Consultation – from 13th January 2020 to 10th February 2020*
- *Air Quality Review and Assessment Report 2019 – from 13th January 2020 to 9th March 2020.*

At a recent scrutiny development session for scrutiny chairs and vice chairs, it was suggested that the following item be added to the Scrutiny Commission Work Programme:

- *Scrutiny Recommendations Tracker – 6th April 2020 and quarterly thereafter.*

##### Key Decisions

To enable the Commission to be aware of the Key Decisions to be taken by the Cabinet over the coming months and to determine which, if any, of these items should be programmed for pre-decision scrutiny, details of forthcoming Exempt and Key Decisions to be taken by the Cabinet are attached as Appendix 2.

Items dated prior to this meeting have been removed from the Appendix to avoid confusion.

Appendices: Appendix 1 – Scrutiny Commission Work Programme

Appendix 2 – Notice of Key Decisions

Background Papers: None

Officer to Contact: Karen Widdowson  
Democratic Services Officer  
(01509) 634785  
Karen.widdowson@charnwood.gov.uk

Scrutiny Commission Work Programme

APPENDIX 1

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Commission	To be programmed	EXEMPT ITEM – Building Control Alternative Service Delivery Project		Pre-decision scrutiny item.	Richard Bennett	Item deferred from January meeting of the Commission.
Scrutiny Commission	10 February 2020 (Standing item)	Scrutiny Work Programme and Requests from Scrutiny Committees		<p>To review the Commission's Work Programme.</p> <p>To consider the Scrutiny Work Programme in its entirety to ensure the Commission's role in managing that programme is undertaken.</p> <p>To consider any requests from scrutiny committees that items be added to the work programme which are not within their own remit or that scrutiny panels be established.</p>	<p>K.Widdowson (report)</p> <p>Lead Officer (meeting)</p>	
Scrutiny Commission	10 February 2020 (standing item)	Cabinet items for pre-decision scrutiny		To allow identification of items from the latest Key Decisions Notice for pre- decision scrutiny by the Commission.	<p>K.Widdowson (report)</p> <p>Lead Officer (meeting)</p>	<p>Items may also be determined by the Chair and Vice-chair in consultation with the Democratic Services Manager.</p> <p>Further items may also be added following publication of the Cabinet agenda.</p>

Scrutiny Commission Work Programme

Scrutiny Commission	10 February 2020  (if applicable, standing item)	Pre-decision scrutiny of any specific financial matters to be considered by Cabinet		To ensure pre-decision scrutiny of any out-turn reports, virements and in-year service pressures, particularly when they are related to additional costs arising from decisions by other agencies to reduce	K.Widdowson (report)  Lead Officer (meeting)	Agreed by SMB 23 January 2019 (see minute 31.2) (supports recommendation of Budget Scrutiny Panel Jan 2019).  To be identified from the Key Decisions Notice or from the Cabinet agenda.
Scrutiny Commission	10 February 2020  (standing item)	Pre-decision scrutiny – Cabinet Response		To consider the response of Cabinet to recommendations by the Commission on pre-decision scrutiny items.	K.Widdowson (report)  Lead Officer (meeting)	
Scrutiny Commission	10 February 2020  (standing item)	Progress with Panel Work		To review progress with Scrutiny Panels.	K Widdowson	
Scrutiny Commission	10 February 2020  (annual item)	Business Plan 2020/21		Consideration of draft plan to ensure scrutiny input.  Plan due to be considered by and agreed by Cabinet in March 2020.	Leader/ R.Mitchell/S. Kinder	<i>*Short timescale between committee and Cabinet consideration.</i>
Scrutiny Commission	10 February 2020	Draft Local Plan Consultation		To ensure scrutiny is involved in the consultation process.	Richard Bennett	Deferred from January meeting of the Scrutiny Commission
Scrutiny Commission	09 March 2020	Air Quality Review and Assessment Report 2019		Update on Council's air Quality Plan for 2019	Alan Twells (report) and Lead Officer (meeting)	Agreed by the Commission at its meeting on 11 <sup>th</sup> November 2019.

Scrutiny Commission Work Programme

Scrutiny Commission	06 April 2020  (annual item)	Draft Annual Scrutiny Report 2019-20			Dem Services Manager	
Scrutiny Commission	06 April 2020	Children and Families Wellbeing Service Scrutiny Report		A report of the Neighbourhoods and Community Wellbeing Scrutiny Committee scrutinizing how the service model provided by Leicestershire County Council impacts Charnwood Borough Council and how Officers work with the service.	Chair of Neighbourhoods and Community Wellbeing Scrutiny Committee	Following request at the Scrutiny Commission meeting on 9 December 2019 to potentially replace the Children Centres Scrutiny Panel.

**Formal Scrutiny Panels**

Due to officer capacity there is an agreement that no more than 4 scrutiny panels (Formal and Express) should be convened during any given period.

Currently, there are 2 established scrutiny panels:

Generating commercial income/surplus (Formal) – Chair Cllr Baines

Meetings scheduled for 5 Nov (informal), 28 Nov, 23 Jan and 5 March

Budget Scrutiny Panel (Formal) – Chair Cllr Parsons

Meetings scheduled for 4 December 2019 and 8 January 2020.



**FORTHCOMING KEY  
DECISIONS AND DECISIONS  
TO BE TAKEN IN PRIVATE  
BY CHARNWOOD BOROUGH  
COUNCIL'S EXECUTIVE**

**Published  
18th December 2019**

**What is a Key Decision?**

A key decision is one which:

- commits the Council to expenditure, savings or increases or reductions in income of £150,000 or more in any financial year;
- makes proposals in relation to the budget or the policy framework under Budget and Policy Framework Procedure 14.2(a); or
- will result in the closure of any facility from which Borough Council services are provided or a reduction by more than 10% in the level of a discrete service provided.

In other cases, the impact of the decision will be considered in terms of the strategic nature of the decision, the effect on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected, the size of the area affected and the likely public interest in the decision.

**What is a Private Meeting?**

Meetings of the Council's Cabinet are open to the public to attend. All or part of a meeting may be held in private, where the item of business to be considered may result in confidential or exempt information being disclosed. Definitions of confidential and exempt information are set out in the Access to Information Procedures in the Council's Constitution.

**Representations**

Members of the public are able to make representations about forthcoming key decisions to be taken by the Council's Executive, these should be made in writing (including via e-mail) to the responsible officer (details are listed for each proposed key decision). Members of the public are also able to make representations concerning proposals to hold a meeting in private, these should be made in writing (including via e-mail) to Democratic Services (contact details below). In both cases, representations should be submitted by midday on the working day preceding the date on which the decision is due to be taken.

**Other information**

This document supersedes all previous Forward Plans.

If you have any general queries, please contact:

Karen Widdowson  
Democratic Services Manager  
Charnwood Borough Council,  
Southfield Road, Loughborough, Leicestershire, LE11 2TX  
Tel: 01509 634785  
Email: [democracy@charnwood.gov.uk](mailto:democracy@charnwood.gov.uk)

## FORTHCOMING EXECUTIVE KEY DECISIONS

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Insurance Arrangements	To approve the most cost-effective future option for the provision of the Council's insurance cover.	Cabinet	13th February 2020	Report	Yes	Adrian Ward Head of Strategic Support Tel: 01509 634573 <a href="mailto:adrian.ward@charnwood.gov.uk">adrian.ward@charnwood.gov.uk</a>
Capital Strategy, Treasury Management Strategy Statement, Minimum Revenue Provision Policy and Annual Investment Strategy 2020-21	To seek approval to a Capital Strategy, Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy for 2020-21 and the annual report on the Prudential Code, for recommendation to Council.	Cabinet  Council	13th February 2020  24th February 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
2020-21 General Fund and HRA Revenue Budgets and Council Tax	To seek approval to the Revenue Budget, Capital Plan, Financial Plan for 2020-21 and to propose the Council Tax for approval by Council.	Cabinet  Council	13th February 2020  24th February 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
New Capital Plan 2020-21 to 2022-23	To approve the Capital Plan.	Cabinet  Council	13th February 2020  24th February 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Charnwood Grants	To consider applications for revenue funding received in round four (additional) of the Community Facilities Capital Grants and Community Development Grant Schemes for 2019/20.	Cabinet	12th March 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 <a href="mailto:julie.robinson@charnwood.gov.uk">julie.robinson@charnwood.gov.uk</a>

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Amendment Report	To consider and approve amendments to the current Capital Plan.	Cabinet Council	12th March 2020 27th April 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Annual Procurement Plan 2020/21	To seek approval to the Annual Procurement Plan for 2020/21.	Cabinet	12th March 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Housing Capital Programme	To approve the annual investment programme for improvements to the Council's housing stock.	Cabinet	12th March 2020	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 <a href="mailto:peter.oliver@charnwood.gov.uk">peter.oliver@charnwood.gov.uk</a>
Local Development Scheme	To approve a revised Local Development Scheme (LDS) so that the programme for the preparation of planning documents for Charnwood is agreed.	Cabinet	12th March 2020	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 <a href="mailto:richard.bennett@charnwood.gov.uk">richard.bennett@charnwood.gov.uk</a>
Business Plan 2020/21	To set out the Council's principal activities in delivering the Corporate Plan for the Council Year 2019/20.	Cabinet	12th March 2020	Report	Yes	Adrian Ward Head of Strategic Support Tel: 01509 634573 <a href="mailto:adrian.ward@charnwood.gov.uk">adrian.ward@charnwood.gov.uk</a>
Sheltered Housing and Support Review	To outline on a scheme by scheme basis the recommended proposals of the Project Board and detail the next steps for implementation.	Cabinet	7th May 2020	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 <a href="mailto:alison.simmons@charnwood.gov.uk">alison.simmons@charnwood.gov.uk</a>

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Charnwood Grants	To consider applications for revenue funding received in round one of the Community Facilities Capital Grants and Community Development Grant Schemes for 2020/21.	Cabinet	4th June 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 <a href="mailto:julie.robinson@charnwood.gov.uk">julie.robinson@charnwood.gov.uk</a>
Private Sector Housing Licensing Scheme Update	To approve proposals for a Private Sector Licensing Scheme following the consultation exercise. To approve the Communication Strategy for the promotion and implementation of the Private Sector Licensing Scheme. To authorise the resources required to recruit Housing Standards Officers to enforce the Private Sector Licensing Scheme.	Cabinet	2nd July 2020	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 <a href="mailto:alison.simmons@charnwood.gov.uk">alison.simmons@charnwood.gov.uk</a>
Capital Plan Outturn 2019/20	To report the Council's capital expenditure results for 2019/20 subject to audit.	Cabinet	2nd July 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
General Fund and CIRA Revenue Outturn Report (2019/20) and Carry Forward of Budgets	To report the Council's revenue expenditure results for 2019/20 subject to audit.	Cabinet	2nd July 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	2nd July 2020 7th September 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	2nd July 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Charnwood Grants	To consider applications for revenue funding received in round two of the Community Facilities Capital Grants and Community Development Grants Schemes for 2020/21.	Cabinet	17th September 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 <a href="mailto:julie.robinson@charnwood.gov.uk">julie.robinson@charnwood.gov.uk</a>
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	17th September 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet	17th September 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Medium Term Financial Strategy 2021-2024	To present a revised MTFS to Cabinet and Council for approval.	Cabinet	November 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
		Council	9th November 2020	Report	Yes	
Charnwood Grants	To enable Cabinet to consider applications for funding received in round three of the Community Facilities Capital Grants and Community Development Grants Schemes for 2020/21.	Cabinet	10th December 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 <a href="mailto:julie.robinson@charnwood.gov.uk">julie.robinson@charnwood.gov.uk</a>
Draft General Fund and HRA 2021-22 Budgets	To seek approval to the Draft Revenue Budget for 2021-22 as a basis for consultation.	Cabinet	10th December 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet  Council	10th December 2020  January 2021	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	10th December 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 <a href="mailto:lesley.tansey@charnwood.gov.uk">lesley.tansey@charnwood.gov.uk</a>

**EXECUTIVE MEETINGS TO BE HELD IN PRIVATE**

The following items are due to be considered by the Council’s Cabinet and the public could potentially be excluded since exempt or confidential information could be considered.

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
NONE						

When items are considered in exempt or confidential session, the reasons for exemption would fall into one or more of the following categories:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes—
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## **CABINET MEMBERS**

Members of the Council's Cabinet are as follows:

<b>Name (Group)</b>	<b>Lead Member Responsibilities</b>
Councillor Morgan (Conservative)	<b>Leader of the Council</b> Whole Council, Strategic Partnerships and Communications Planning, Inward Investment and Tourism Strategy
Councillor Barkley (Conservative)	<b>Deputy Leader of the Council</b> Finance and Property
Councillor Bokor (Conservative)	Loughborough
Councillor Harper-Davies (Conservative)	Performance of Major Contracts
Councillor Mercer (Conservative)	Housing
Councillor Poland (Conservative)	Equalities, Member and Strategic Services
Councillor Rollings (Conservative)	Transformation
Councillor Smidowicz (Conservative)	Regulatory Services, Enforcement and Licensing
Councillor Taylor (Conservative)	Communities, Safety and Wellbeing