



SCRUTINY COMMISSION

This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

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To: Councillors Brookes, Hamilton, Ranson (Vice-Chair), Seaton (Chair), Parton, Popley and K. Harris (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 Committee Room 2, Southfields Offices on Monday, 7th March 2022 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

25th February 2022

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 5 - 10

To approve the minutes of the meeting of the Commission held on 7th February 2022.

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 10th March 2022:

- (a) Active Together Physical Activity Framework 2022-31 11 - 37

A Cabinet report of the Head of Neighbourhood Services to update members on the Active Together Physical Activity Framework 2022-31, provide background information as to its purpose, objective, and relevance to the work of the Council and to seek Cabinet endorsement of the framework and a commitment to supporting the delivery of its priorities and principles.

- (b) Private Sector Housing Licensing Schemes 38 - 109

A Cabinet report of the Head of Strategic and Private Sector Housing to endorse the work completed to date, approve the Houses in Multiple Occupation and Selective Licensing Policies and Conditions, approve the publication of the Public Notices for the two designated schemes for three months and the implementation of the schemes thereafter.

- (c) EXEMPT - Authority to Sell Council Owned Land

An exempt Cabinet report of the Strategic Director: Commercial Development, Assets and Leisure, circulated to members.

THIS IS AN EXEMPT REPORT AND WILL BE CONSIDERED UNDER ITEM 13.

8. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET 110 - 111
RESPONSE

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

9. PROGRESS WITH PANEL WORK 112 - 118
To consider updates on the work of scrutiny panels.
10. SCRUTINY WORK PROGRAMME 119 - 123
A report of the Head of Strategic Support enabling the Commission to review and agree the scrutiny work programme.
11. SCRUTINY COMMISSION WORK PROGRAMME 124 - 138
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.
12. EXEMPT INFORMATION
It is recommended that members of the public be excluded from the meeting during the consideration of this item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and the public interest in maintaining the exemption outweighs the public interest of disclosing the information.
13. AUTHORITY TO SELL COUNCIL OWNED LAND
An exempt Cabinet report of the Strategic Director: Commercial Development, Assets and Leisure, circulated to members.

For information, further meetings of the Scrutiny Commission are scheduled as follows;

4th April 2022
3rd May 2022

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 7TH FEBRUARY 2022

PRESENT: The Chair (Councillor Seaton)
The Vice Chair (Councillor Ranson)
Councillors Brookes, Hamilton, Parton and
K. Harris

Councillor Morgan (Leader of the Council) and
Smidowicz (Cabinet Lead Member for Strategic
Support)

Head of Planning and Regeneration
Town Deal Project Manager
Head of Strategic Support
Democratic Services Officer (SW)

APOLOGIES: Councillor Popley attended the meeting virtually,
see notes at end of minutes.

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.

88. MINUTES OF THE PREVIOUS MEETING

Councillor Parton arrived at the meeting at 6:01pm.

The minutes of the meeting of the Commission held on 10th January 2022 were approved.

89. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

90. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

91. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

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

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

93. CABINET ITEMS FOR PRE-DECISION SCRUTINY

94. LOUGHBOROUGH TOWN DEAL

A report of the Head of Planning and Regeneration to provide an overview of the Loughborough Town Deal and explain the Borough Council's role in its implementation. It seeks endorsement of the Council's continued support for the Town Deal (item 7a on the agenda filed with these minutes).

The Leader of the Council, the Head of Planning and Regeneration and the Loughborough Town Deal Project Manager assisted with the consideration of this item. The following summarises the discussion:

- i. The early proposals for a Developer Accelerator project had not been included in the approved Town Deal following consideration by the Town Deal Board and Ministry of Housing, Communities and Local Government. The Developer Accelerator concept had been to provide a substantial funding pot which could be used to pump-prime regeneration schemes in Loughborough. It would be a catalyst for schemes which were looking to progress but being affected by viability issues, such as land values. The Developer Accelerator would potentially have increased the pace of progression of regeneration schemes but complexities around identifying suitable development partners meant that the project concept was not advanced and refined enough to be suitable for inclusion within the Town Deal. The Town Deal had a value of £16.9 million and did not allow scope for an Accelerator of a scale originally intended and which would have significant impact.
- ii. New developments in the Loughborough town centre had been required to contribute financially to public realm improvements through planning obligations secured by S106 agreements. Some of the Loughborough Town Deal projects, such as Lanes and Links and Living Loughborough may be suitable to benefit from this funding.
- iii. The Loughborough Town Deal Board was responsible for decision-making associated with the programme and the Council was accountable for governance arrangements and funding. The Loughborough Town Deal Board had commissioned a Delivery Sub-Group which consisted of some of the independent members of the Board, in order to approve business cases and submissions to the Department of Levelling Up, Housing and Communities (DLUCH) and to monitor project delivery on behalf of the Board.
- iv. The process of progressing projects as part of the Loughborough Town Deal had included numerous evaluations by the Delivery Sub Group, the Town Deal Board and the government. Projects were only able to receive funding following the submission of a Project Initiation Document and a full Business Case. Business cases were checked against the HM Treasury 'Green Book' standard by an independent consultant and then approved by the Delivery Sub-Group

and the S151 Officer at the Council. The Department for Levelling Up, Housing and Communities (DLUHC) were then able to approve projects for the release of funding.

- v. The Loughborough Town Deal was a five-year programme, due for completion in 2025/26.
- vi. It was recognised that all projects involved some risk and therefore not all of the capacity funding provided by the Board had been allocated so as to provide contingency later in the programme in order to support the successful completion of projects.

RESOLVED that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Planning and Regeneration.

Reason

The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.

Councillor Popley, attending virtually, confirmed that he would have voted in support of the recommendations set out in the report had he been physically present at the meeting and able to do so.

95. REGULATION OF INVESTIGATORY POWERS ACT: POLICY AND REVIEW OF USE IN 2021

A report of the Head of Strategic Support to approve a Regulation of Investigatory Powers Act (also known as RIPA, or the 2000 Act) Policy, and consider a summary of the use of RIPA during 2021 (item 7b on the agenda filed with these minutes).

The Cabinet Lead Member for Strategic Support and the Head of Strategic Support assisted with the consideration of this item. The following summarises the discussion:

- i. The RIPA procedure was complex and it was difficult to incorporate the process into a simple flow chart. The procedure was reviewed each year and the Head of Strategic Support stated it was possible to include best practice research as part of the next review in order to acknowledge the procedures of other Local Authorities and to identify any functional flow chart systems that the Council could adopt.
- ii. Officers were due to receive training on the RIPA procedure in the coming weeks and it was suggested that members received a briefing note to include the distinctions of when RIPA was required and the types of offences that RIPA was used for, such as licensing concerns or other areas that the Council was responsible for.

- iii. It was highlighted that overt surveillance was permitted at any time and that RIPA was required for covert operations only. The requirement of RIPA was associated with the individual's right to privacy.

RESOLVED

1. That the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Strategic Support.
2. That the Head of Strategic support included best practice research as part of the next review of the RIPA procedure and consider any functional flow charts used by other Local Authorities.
3. That the Head of Strategic Support produce a briefing note for members outlining the RIPA procedure to include the distinctions of when RIPA was required and the types of offences that RIPA was used for, such as licensing concerns or other areas that the Council was responsible for.

Reasons

1. The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.
2. To ensure that the Council acknowledges best practice as part of the next review of the RIPA procedure.
3. To ensure that members understand the RIPA procedure.

Councillor Popley, attending virtually, confirmed that he would have voted in support of the recommendations set out in the report had he been physically present at the meeting and able to do so.

96. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - LEADER 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.

97. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support to review the progression of scrutiny panels was submitted (item 9 on the agenda files with these minutes).

The Head of Strategic Support assisted with the consideration of this item. The following summarises the discussion:

It was highlighted that there was currently an anti-social behaviour review taking place at the Council and the Chair of the Crime, Youth Crime and ASB scrutiny panel was due to meet with Officers to discuss how the panel could add value to the Council.

RESOLVED that the Scrutiny Commission reviewed the progression of scrutiny panels.

Reason

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

98. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support to enable the Commission to review and agree the Scrutiny Work Programme. This includes reviewing the changes made by the Finance and Performance Scrutiny Committee and adding items to their work programme (item 10 on the agenda filed with these minutes).

The Head of Strategic Support assisted with the consideration of this item.

It was highlighted that the Scrutiny Commission was required to discuss the placement of the Community Safety Partnership Review to coincide with the annual review of the Constitution. It was recognised that while the work programme of the Finance and Performance Scrutiny Committee was substantial, the Community Safety Partnership Review was focussed on performance and would logically be reviewed by that committee. The Chair of the Scrutiny Commission stated that she would meet with the Chair of the Finance and Performance Scrutiny Committee to discuss this further and report back to the Scrutiny Commission at the next meeting.

RESOLVED that the Scrutiny Commission reviewed the Finance and Performance Scrutiny Work Programme.

Reason

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

99. 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 Head of Strategic Support explained that the Local Development Scheme report previously identified for pre-decision scrutiny from the Key Decisions Notice would consist of a timetable for the preparation of planning documents and that there would be limited value in the scrutiny of this item. As a result, it was agreed by the Scrutiny Commission that this item be removed from the work programme.

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.
2. That the Commission's current work programme be noted.
3. That the Local Development Scheme report scheduled for pre-decision scrutiny at the meeting of the Scrutiny Commission on 7th March 2022 be removed from the work programme.

Reasons

1. To ensure effective and timely 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.
2. To ensure effective and timely scrutiny.
3. The Scrutiny Commission did not feel there would be value in scrutinising this item following advice from the Head of Strategic Support.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 21st February 2022 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.
3. Councillor Popley attended the meeting virtually. This was due to the position with Covid-19. Votes were taken from members physically present in the meeting.
4. The following officers and Lead Members listed as present attended the meeting virtually; The Leader of the Council, the Lead Member for Strategic Support, The Head of Planning and Regeneration and the Loughborough Town Deal Project Manager. The remaining officers listed were physically present in the meeting.

CABINET - 10TH MARCH 2022

Report of the Head of Neighbourhood Services Lead Member: Councillor Leigh Harper-Davies

Part A

ITEM ACTIVE TOGETHER PHYSICAL ACTIVITY FRAMEWORK 2022-31

Purpose of Report

To update on the Active Together Physical Activity Framework 2022-31, provide background information as to its purpose, objective, and relevance to the work of the Council and to seek Cabinet endorsement of the framework and a commitment to supporting the delivery of its priorities and principles.

Recommendations

That the Active Together Physical Activity Framework 2022-31 attached at Appendix 1 is adopted by the Council as a key delivery partner.

Reasons

To provide Active Together with the evidence of the Council's support and commitment for the principles set out in the 10 year framework.

Policy Justification and Previous Decisions

The Council's Corporate Strategy 2020 - 2024 through its key theme of 'Healthy Communities' makes a commitment to 'healthy and happy residents' and to 'providing high-quality leisure facilities and sports activities for people and offer services to improve wellbeing either directly or with our partners'.

Cabinet approved the adoption of the Leicestershire and Rutland Sport (LRS) Physical Activity and Sport Strategy 2017-2021 on 16th November 2017 as a key delivery partner.

Implementation Timetable including Future Decisions and Scrutiny

If approved, the Strategy will come into immediate effect, subject to call in provisions.

Charnwood's annual Sport and Physical Activity Locality commissioning plan for 2022/23 will focus on local priorities and will be directly aligned to the overarching aims of the Active Together Physical Activity 10 Year Framework.

Report Implications

Financial Implications

There are no financial implications resulting from implementing the recommendation of this report.

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
Strategy is not endorsed; health of Charnwood residents deteriorates	Unlikely (2)	Significant (2)	Low (4)	Residents are signposted to other health /physical providers

Equality and Diversity

An Equality Impact Assessment has been completed and attached at Appendix 2.

Key Decision: Yes

Background Papers: Active Together Physical Activity Framework, 2022-31

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01509 634590

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Part B

Background

Active Together

- 1.1 Active Together (formally Leicester-Shire and Rutland Sport) is the name for the Active Partnership covering Leicestershire, Leicester and Rutland (LLR). Active Together is a partnership of the local authorities of Leicestershire, Leicester and Rutland (LLR) working together with Sport England, National Governing Bodies of Sport and voluntary sector organisations. Together with other public, private and voluntary partners, the partnership exists to improve the health and wellbeing of local communities and to enrich the lives of the residents of LLR, through the encouraging and widening access to physical activity and sporting opportunities.
- 1.2 Active Together is one of 43 Active Partnerships, as part of a national network, across England. As a network the national partners include Sport England, National Governing Bodies of Sport, Public Health England, CIMSPA, Sport & Recreation Alliance among many others. The Active Together team includes 23 staff lead by a Director and Management Team who report to a voluntary Board.

Framework for Physical Activity 2022 - 2031

- 2.1 The Active Together Partnership have recently published a new ten year framework that aims to widen access, opportunity for physical activity and increase participation levels across the communities of Leicestershire, Leicester and Rutland (LLR). The framework also aims to shape and influence the future approach to service provision for physical activity across the LLR area and encourage greater agency collaboration. The framework is attached at Appendix 1 to this report.
- 2.2 The framework focuses on targeting resources to local communities and residents who face the greatest barriers to being active and the suffer inequality in accessing opportunities to engage in physical activity and sport. To achieve this the document calls for a system led approach and improved collaboration between key public, voluntary and some private sector services / organisations to coalesce around campaigning and equity in the provision of physical activity / sporting opportunities.
- 2.3 Working through three key themes of People, Place and Partnerships the framework identifies 10 key priorities for action between 2022 and 2031. The delivery of these priorities, through key partnerships and a variety of services and agencies, should result in a step change in access to sport and physical activity provision and a new single system approach and improved collaboration between public, voluntary and some private sector services. The framework has broad support across many key public services and organisations throughout Leicestershire, Leicester and Rutland.

Consultation

- 3.1 The framework has been developed with input from the Council and it builds on wider consultation with a range of partners including Health, Planning Education, Community Services, physical activity and sport sectors. It draws inspiration from the Sport England national strategy - Uniting the Movement, which was extensively consulted on. The framework is compatible with emerging local health and wellbeing strategies and includes contributions and scrutiny from primary and public health services. The framework aspires to act as a catalyst to encourage changes in local policy development, and resource commitment across the local Public, Voluntary and Private sector, driving a step change in health improving behaviour through physical activity.

Climate Change

- 4.1 The framework actively supports reducing the carbon footprint and the impact of the sector on Climate Change. The framework advocates for increased modes and volume of active travel, consumer behaviour change and consideration for greener approaches to infrastructure development (housing and town centres). The framework makes specific reference to the need for a (sport and physical activity) sector action plan to reduce carbon emissions and supporting existing Council and other agency plans to support climate change challenges.

Endorsing the principles of the Active Together Framework

- 5.1 In endorsing the framework the Council would endeavour to deliver the principles outlined below;
- a) Utilise and shape, where appropriate, its existing resources and services to support the delivery of the framework and where possible align the design and delivery of relevant service plans to the principles and themes of the 10-year framework.
 - b) Support the implementation of the framework through the review and evolution, over time, of key policies where adaptation of those policies would support improved provision and opportunity for physical activity, especially for targeted communities and residents with the greatest need or inequality of access to those services.
 - c) Agree to the use of the Councils logo on the publication of the framework and where appropriate subsequent and supporting promotion and information documents both in print and online.
 - d) Where appropriate maximise the collaboration with other Local Authorities and key sector organisations to enhance the delivery of the priorities and working principles within 10-year framework.

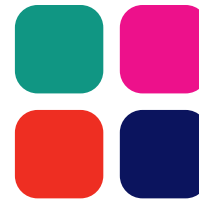
Appendices

Appendix 1 - Active Together Physical Activity Framework 2022-31

Appendix 2 - Equality Impact Assessment - Active Together Physical Activity Framework 2022-31



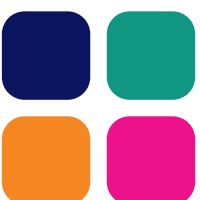
**ACTIVE
TOGETHER
PARTNERSHIP**



PHYSICAL ACTIVITY FRAMEWORK

2022 - 2031

Working across Leicestershire, Leicester & Rutland
to reduce inequalities in Physical Activity



Purpose of this Framework

This strategic framework sets out our message about the importance of physical activity*.

Physical activity is an essential tool in supporting people to live healthier, happier lives. It delivers positive societal outcomes - for example in improving mental health - while reducing negatives such as social isolation and the carbon footprint.

The framework is unique in its ambition to reach those who find it most difficult to be physically active. By identifying the key values, principles and priorities necessary for our sector to raise physical activity levels, we can build greater capacity. In building capacity, we can reduce inequality while working alongside partners in the services they provide to local communities.

The framework is a call for partners working across Leicestershire, Leicester and Rutland to join us in thinking differently as we collaborate in using policy and practice to reduce physical inactivity and reduce inequality. We all have a role to play.



Bev Smith
Chair, Active Together

Our Places

Physical activity can positively change the lives of people of all ages and backgrounds across Leicestershire, Leicester and Rutland. Combined with positive lifestyle choices, for example, healthy eating, avoiding smoking and excessive alcohol, physical activity is a critical ingredient to preventing ill health and staying physically and mentally well across the life course. But supporting people to build physical activity as part of daily lives is challenging and requires differing approaches in different places.

Leicestershire and Rutland counties are predominantly rural. More than 300 settlements are populated by fewer than 10,000 people. There is rural isolation and an aging population. Leicester City, by comparison, has a younger demographic. However, its premature death rate is higher than the England average. Just over two thirds of premature deaths are caused by cancers, cardiovascular and respiratory diseases. Physical inactivity is a contributing factor.

Physical activity levels in Leicestershire, Leicester and Rutland are lower than the national average. There are also growing inequalities in physical activity levels between social classes. Some of our places experience significantly lower physical activity levels than the England-wide average. Rising inactivity levels have been exacerbated by the pandemic. These and many more complex factors highlight the challenge the sector is facing to tackle inactivity and reduce inequality. ✍



Challenges and Opportunities in Leicestershire, Leicester and Rutland

Our residents have told us through our consultation that their activity levels have been hit hard by the pandemic. Alongside our partners we want to play our part and use physical activity to support communities to rebuild, develop wider social and economic benefits and improve the physical and mental wellbeing of individuals.

Our community consultation highlighted a range of challenges and opportunities that we need to collectively respond to.

Challenges

Our communities are less physically active because of the pandemic.

Our residents feel less physically capable to undertake physical activity because of the pandemic.

The general strength and conditioning of our residents to complete every day activities has declined because of the pandemic.

Residents have told us that the biggest barriers to being active are time, access to local opportunities and their own physical / mental health.

Opportunities

During the pandemic more residents recognise the importance of being physically active.

Improving and maintaining good mental and physical health are our residents' greatest motivations for being physically active.

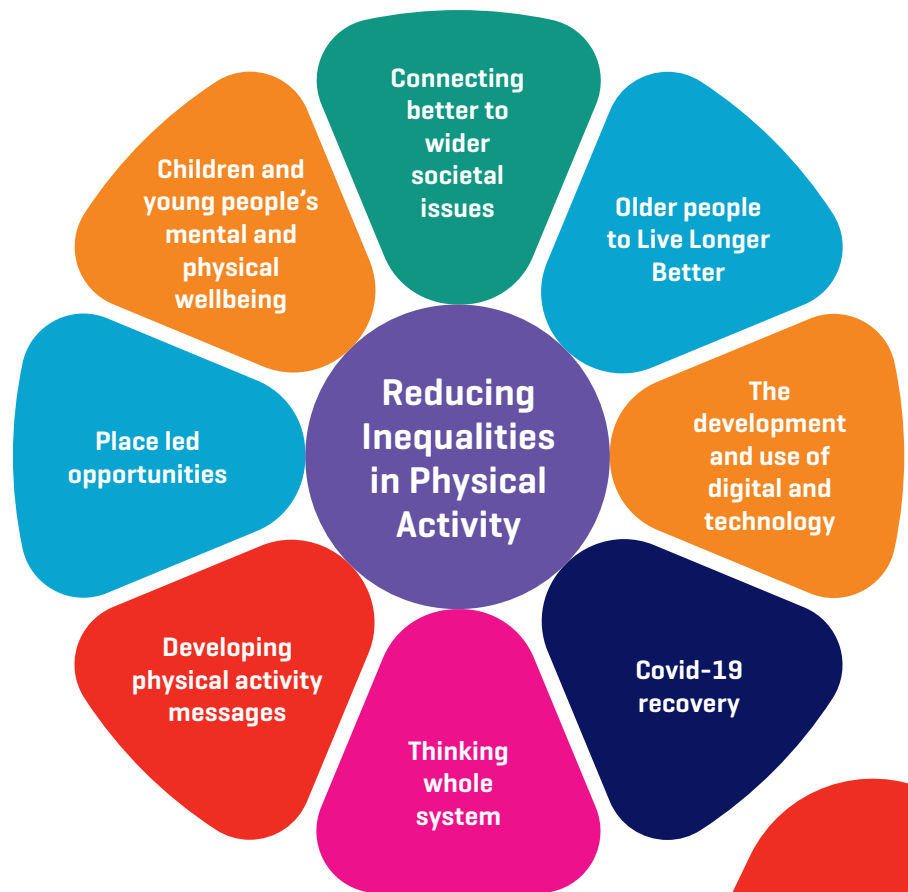
The greatest influences on our residents physical activity choices are place, family and friends.

Residents have stated a clear intention that they want to make healthy lifestyle changes.

Our Partners Priorities

From listening to our partners and communities we have developed a better understanding of what is important and what priorities we should focus on to make a difference to people's lives.

Our key priorities for the next decade are to encourage people to move more by supporting:



2022 to 2031 – Framework Summary

Outcomes
The difference we want to make

- More People**
Regularly taking part in physical activity.
- Better Health**
Improving physical and mental wellbeing, especially for our most inactive people.
- Connecting Communities**
Where people and places connect and thrive through moving more and being active.

Vision
Where we want to get to

Leicestershire, Leicester and Rutland: a place where physical activity is part of daily life, leading to people living healthier and happier lives.

Values
Shape our behaviours and attitudes

- Inclusive**
We make decisions that are fair, equitable and that focus on reducing inequality.
- Innovative**
Our practice is creative, scalable and sustainable.
- Inspiring**
Our energy and enthusiasm motivates our communities to move more.
- Inquisitive**
We are keen to learn, ask questions and are curious about alternative solutions.

Principles
Shape the way we operate

- Be Dynamic**
Have a flexible and agile approach that responds to the changing environment.
- Be Brave**
Challenge the blockages to progress and take calculated risks to find the right solutions.
- Learn from Everything**
Learn and reflect on all our work and seek to continuously improve.
- Work as a System**
Tackle complex challenges through partner collaboration and trust.

Ways of Working
Help us connect and deliver for our communities

- Connecting and Collaborating**
We will recognise the complexity of our mission and develop common purpose with partner organisations.
- Putting People and Place First**
We will put the community at the centre of the work. "Nothing to us, without us".
- Thinking Long Term**
We will over time strive to tackle the root causes of barriers to being physically active.
- Prioritise Reducing Inequality**
We will channel our resources, energy and time to those whose lives will benefit most.

Priorities

What we will do

1. Our People

Working across the Life Course

We will work together to reduce inequality and create safe opportunities for the least active, right across the life course.

Building a Skilled and Representative Workforce

We will develop a flexible and agile physical activity workforce that is responsive to and representative of our local communities.

Developing our Leaders

We will work to address the diversity challenge and lack of representation in leadership and governance positions.

2. Our Places

A Place Led Approach to Delivery

We need to work with local communities to find local solutions to support residents be more physically active.

Developing an Active Environment

We will work with our partners to create a high quality network of formal and informal spaces to live, work, travel and play.

Reducing our Carbon Footprint and the impact of the Sector on Climate Change

We need to help shape consumer and partner behaviour to make a greater contribution to tackling climate change.

Raising the profile of the 'sporting' assets in Leicestershire, Leicester and Rutland

We will promote our sporting assets and help local communities to benefit from their wider health, social and economic impacts.

3. Our Partnerships

Working as a System

We will work with key system partners to consider their role and how they facilitate physical activity in everyday life, contributing to reducing inequality.

Extending and Strengthening the reach of our Sector

We will identify new partners, services and organisations, that can play a role in increasing the opportunities for people to be active and move more in their everyday lives.

Physical Activity supporting Health, Economic Prosperity and Inclusive Growth

We will champion the value of physical activity to contribute to Leicestershire, Leicester and Rutland's health and economic prosperity.

1. People Priorities

Engaging both inactive and active people and supporting the workforce are critical to building healthy, more active communities across Leicestershire, Leicester and Rutland. Facilitating both individual and organisational behaviour change is challenging. Ensuring that changes are led by people in our communities and local organisations will help build the foundations leading to better access to local opportunities.

1. Our People

1.1. Working across the Life Course

We will ensure that our approach to tackling inequality and creating opportunities for the least active, runs right across the life course.

- **Best Start in Life** - we will work with early years, education, health and other partners to create and sustain positive physical activity experiences for children and families.
- **Staying Healthy and Well** - we will champion for physical activity to be an integral part of healthy living, through both a universal and a targeted offer to all adults and communities.
- **Living and Aging Well** - we will ensure that there is a range of bespoke physical activity opportunities throughout Leicestershire, Leicester and Rutland designed to keep older people healthy through their later years.

1.2. Building a Skilled and Representative Workforce

Our paid and unpaid workforce are the lifeblood of our sector. We want to develop a flexible and agile physical activity workforce that understands and is responsive to the needs of our local communities. To do this we need to build a workforce that is representative of our communities and that are supported to acquire the right skills needed to develop local opportunities, sustain and grow their organisations and develop sustainable careers.

1.3. Developing our Leaders

Leaders and leadership should come from all parts of our community. We want to tackle the diversity challenge and lack of representation in leadership and governance positions within our sector. We want to identify potential local leaders and champions, embedded in the social fabric of their local communities, that better understand how to address the inequality of physical activity opportunities that exists.



Did you know?

62.7% of adults (aged 18+) in Leicestershire, 65.9% of adults in Leicester and 65.3% of adults in Rutland are classified as overweight or obese compared with 62.8% nationally.

Public Health England, 2019/20.

2. Places Priorities

Leicestershire, Leicester and Rutland is a very diverse but vibrant place to live. Within Leicestershire, Leicester and Rutland there are many individual places and communities with their own unique characteristics and challenges. These priorities seek to recognise and respond to the assets and needs of our places. The places and spaces around us, and in which we live, travel and work, influence when, where and how we move and engage with being physically active.

System partners, when supporting local people, must recognise their immediate local environment, and be agile to adapt to local circumstances, be that from a county, city, district, or neighbourhood perspective.

2. Our Places

2.1. A Place Led approach to Delivery

We need to work with local places to find local solutions to support communities be physically active. Our challenge is to understand the issues that impact on the daily lives of our communities. We need to learn, with our partners, what it takes to deliver on the principles enshrined in “nothing to us, without us”, making best use of community assets and skills.

2.2. Developing an Active Environment

We need a high quality network of formal and informal spaces to live, work, travel and play. Our built environment of homes, streets, open spaces and workplaces should be designed to encourage people to move and be active. Our leisure and sport assets should be accessible, local and of the very best quality to drive and respond to local need.

2.3. Reducing our Carbon Footprint and the impact of the sector on Climate Change

This is one of our greatest challenges as a society. We need to act and not underestimate the role the sector can play in contributing to Net Zero and role modelling new consumer and organisational behaviour changes. We need to investigate ‘greener’ provision in our services and help shape consumer and partner behaviour in making a greater contribution to tackling climate change.

2.4. Raising the profile of the ‘sporting’ assets in Leicestershire, Leicester and Rutland

We will celebrate our ‘Places’ and raise the profile of our sporting assets. We want our communities to be proud of the place they live. We are a premier sporting location, helping local communities to benefit from the wider economic, social and health benefits of these sporting assets.



Did you know?

The population of Leicestershire, Leicester and Rutland is projected to grow from 1,093,183 to 1,216,705 by 2031, an increase of 11.3%.

[ONS, 2018].

3. Partnerships Priorities

Leicestershire, Leicester and Rutland physical activity partners have identified the following priorities that will inform policy and practice over the next 10 years. The golden thread that runs throughout, is our collective action to reduce the inequality of access that exists, and to increase the physical activity levels of our least active communities. Focusing resources and our energy on the dual challenge of reducing inequality and inactivity requires good leadership and changes in behaviour beyond badges, borders, egos and logo's.

3. Our Partnerships

3.1. Working as a System

Getting people to move more is not just the responsibility of the physical activity sector. We need our system partners to consider their role and how they facilitate physical activity in everyday life. Connecting with partners in the system such as health, education, housing, workplaces, private and voluntary sector organisations as well as supporting collaboration at a local level will contribute to reducing inequalities.

3.2. Extending and Strengthening the reach of our Sector

We will be proactive and extend our reach and connections to new partners, services, and organisations, that can play a role in increasing the opportunities for people to be active and move more. We will encourage our sector to look outward to develop new relationships, become system leaders and advocate the power of physical activity.

3.3. Physical Activity supporting Health, Economic Inclusion and Prosperity

We need to ensure that local policies and strategies build a foundation, where the benefits of physical activity, such as the savings in relation to health spend, reduced social isolation, increased skill development and boosting workplace productivity are recognised as key economic benefits. We will champion the value of physical activity to contribute to Leicestershire, Leicester and Rutland's health and economic prosperity.

"Improving health and wellbeing for all local people will be at the heart of our work as a new Integrated Care System. We will do this through collaboration and will focus in particular on the inequalities which currently exist. There is no doubt that physical activity can offer many benefits to individuals and communities. We therefore support and look forward to working with the Leicestershire, Leicester and Rutland Active Together Partnership."

*David Sissling, Independent Chair
Leicester, Leicestershire and Rutland Integrated Care System*



Did you know?

34.7% of respondents from a local residents survey reported doing less physical activity compared to their pre-Covid-19 levels.

Active Together, Resident Survey, 2021.

Leadership and Collaboration

Our local services and sector partners need to share responsibility and work in harmony to make physical activity an easy choice for all our local communities.

Reducing levels of inactivity is a complex challenge and there is no one single organisation or service that can provide the solution on their own. With the economic, health and environmental challenges that lie ahead, the way forward requires inactivity to be viewed as a system wide responsibility to be tackled by a collaborative leadership approach involving shared resources and a broad range of skills and expertise.

It is the collective power of collaboration that will make the difference over the longer term.

The partnership needs to lead, nurture and develop better collaboration as well as taking a system led approach to tackling inequality and widening access and opportunity for physical activity.

Call to action

We need our key partners and wider network to raise the profile and health benefit of physical activity. We need our partners and supporters to lead, connect and adopt collaborative practices that, focus on reducing inactivity and tackle the inequalities of access.

This requires developing relationships and leading across organisational boundaries to share the complex challenges of improving the physical and mental health of our communities.

To deliver this framework, we will:



“Only together can we achieve our vision of Leicestershire, Leicester and Rutland being a place where physical activity is part of daily life, leading to people living healthier and happy lives.”

Bev Smith

Chair, Active Together



Did you know?

Over a quarter of adults (29.4%) aged 16+ in Leicestershire, Leicester and Rutland are physically inactive (undertake less than 30 minutes physical activity a week).

Active Lives Adult Survey, May 2020-21.

Building Success

Our success has traditionally been measured against national and local headline indicators.

These provide us with a numerical understanding of our work, but don't necessarily reflect our wider impact. Headline data doesn't always capture change within communities, policies, and organisations.

We know that physical activity improves health, connects communities, brings people together and makes a significant economic contribution. We will continue to measure that impact.

But our goal is also to build a shared understanding of the processes and systems needed for positive change in local communities. Success should also represent increasingly relevant, local and enjoyable opportunities for people to move more in their daily lives.



Developing our Learning Culture

- We will embed a learning culture in our teams and our network to support continuous improvement.
- We will be brave, unafraid to take action and will learn from our mistakes.
- We will turn that learning into action needed to develop new insight and improve decision making around investment.
- We will ensure our approach is meaningful to partners and communities.
- We will promote and facilitate opportunities for partners to share and colleagues to connect, exchange and develop our learning on an ongoing basis.
- We will create time and capacity to make evaluation more central to our work.



Understanding our Impact

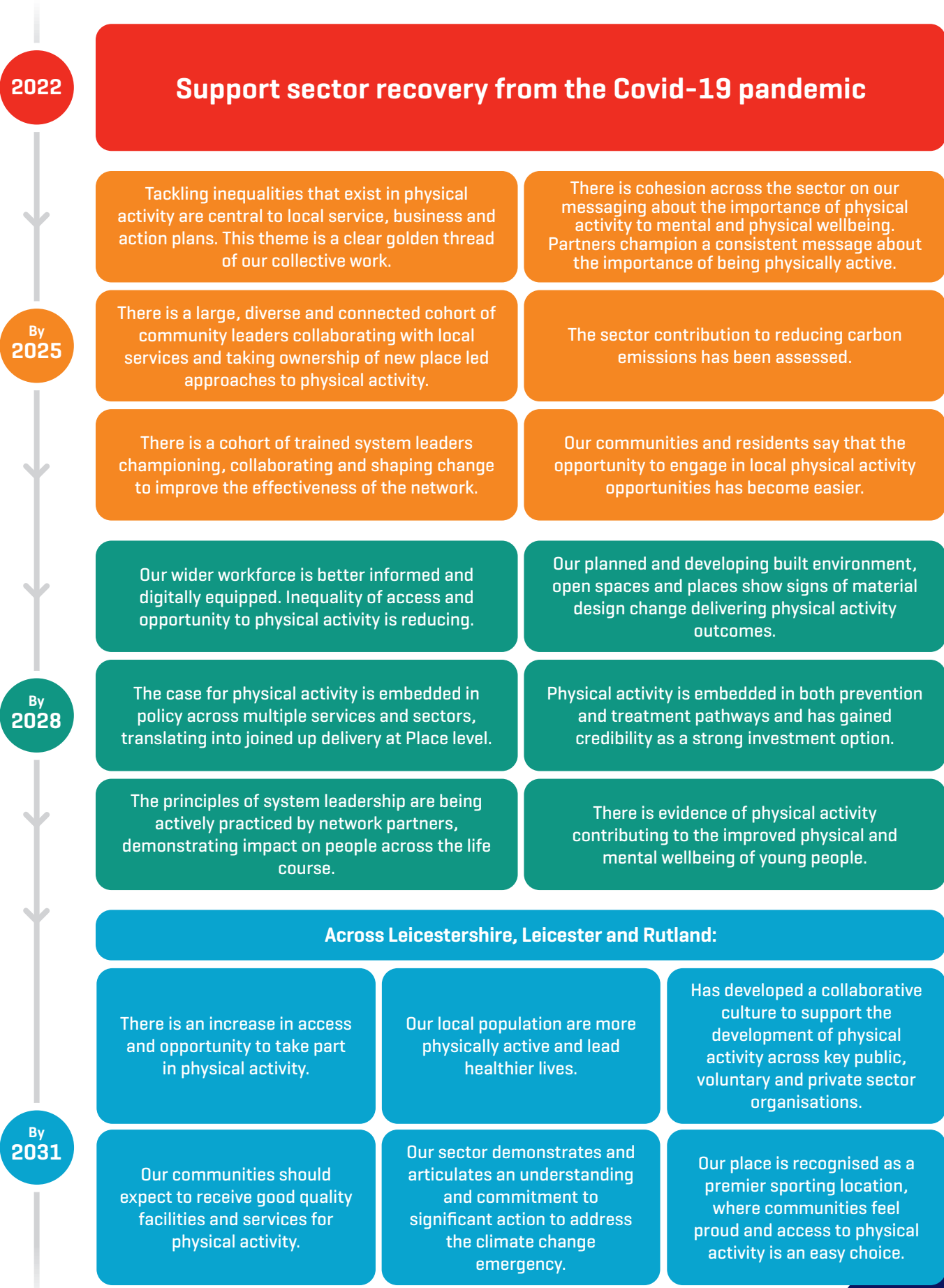
- We will continually review action which has the greatest impact on reducing inequality, increases opportunity and widens access to physical activity.
- We will place increasing value and awareness on relationships as we recognise the impact of collaboration in reducing physical inactivity in our communities.
- We will further measure the impact of our actions and investments as we better understand the value of our interventions to tackle physical inactivity and reduce inequality.
- We will refine our methods of understanding of the impact of our online and offline messaging and campaigns. We recognise the power of communication to influence behaviour change.



Did you know?

Improving physical activity levels among residents in deprived areas could help to tackle the life expectancy gap between the least and most affluent areas in Leicestershire, Leicester and Rutland. [ONS, 2009-2013].

Milestones to Success





SportPark, 3 Oakwood Drive,
Loughborough, Leicestershire, LE11 3QF

 01509 564888

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 www.active-together.org

CONNECT WITH US:



For our Leicestershire, Leicester
& Rutland residents:

@ActiveLLR

For our partners:

@ActiveLLROrg

Equality Impact Assessment

Active Together Physical Activity Framework 2022- 31

- **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, victimisation.
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

- ✓ Age
- ✓ Disability
- ✓ Gender reassignment
- ✓ Marriage and civil partnership
- ✓ Pregnancy and maternity
- ✓ Race
- ✓ Religion or belief
- ✓ Sex (Gender)
- ✓ Sexual orientation
- ✓ Socially excluded groups

What is prohibited?

- ✓ Direct Discrimination
- ✓ Indirect Discrimination
- ✓ Harassment
- ✓ Victimisation
- ✓ Discrimination by association
- ✓ Discrimination by perception
- ✓ Pregnancy and maternity discrimination
- ✓ Discrimination arising from disability
- ✓ Failing to make reasonable adjustments

Complete this action plan as you go through the questions

- **Step 1 – Introductory information**

Title of the policy	Active Together Physical Activity Framework 2022-31
Lead officer and others undertaking this assessment	Zoe Griffiths
Date EIA started	9th February 2022
Date EIA completed	9th February 2022

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

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

The Active Together ten-year framework aims to widen access, opportunity for physical activity and increase participation levels across the communities of Leicestershire, Leicester, and Rutland (LLR). The framework also aims to shape and influence the future approach to service provision for physical activity across the LLR area and encourage greater agency collaboration.

The framework focuses on targeting resources to local communities and residents who face the greatest barriers to being active and suffer inequality in accessing opportunities to engage in physical activity and sport. To achieve this the document calls for a system led approach and improved collaboration between key public, voluntary and some private sector services / organisations to coalesce around campaigning and equity in the provision of physical activity / sporting opportunities.

Working through three key themes of People, Place and Partnerships the framework identifies 10 key priorities for action between 2022 and 2031. The delivery of these priorities, through key partnerships and a variety of services and agencies, should result in a step change in access to sport and physical activity provision and a new single system approach and improved collaboration between public, voluntary and some private sector services. The 10-year framework has broad support across many key public services and organisations throughout Leicestershire, Leicester, and Rutland.

Charnwood Borough Council will contribute to the delivery of the 10-year framework through Charnwood's annual Sport and Physical Activity Locality commissioning plan for 2022/23 which focuses on local priorities and will be directly aligned to the overarching aims of the Active Together Physical Activity 10 - Year Framework.

The focus for 2022-23 will be to develop physical activity pathways that ensure there is a more varied physical activity offer which Charnwood residents can access at the right level at the right time. We need to consider further how we offer physical activity, ensuring we have a balance of face to face, digital / virtual and self-help options. We will further focus our resources where they have the greatest impact, as well as, supporting individuals and communities to help themselves to become more active. There will need to be a balance between programme delivery and systems shaping to ensure a whole systems approach is taken. Given the current environment, we will also need to ensure that we are dynamic and innovative so that we are able to respond quickly and flexibly to both national and local circumstances.

Working together we can utilise the place-led approach to ensure we support;

- Our children & young people receive the best start in life
- People to stay healthy and well throughout their life
- Older people to age well in later years to live longer better.

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

Communities and residents who face the greatest barriers to being active and suffer inequality in accessing opportunities to engage in physical activity and sport.

This framework focuses on;

- Moving the inactive to active and supporting targeted population groups
- Tackling the inequalities, we've long seen in physical activity.
- Providing opportunities to people and communities that have traditionally been left behind, and helping to remove the barriers to activity
- Ensuring that sport and physical programmes target unmet local need, identified through appropriate mechanisms.

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

The 10-year framework has been developed with the support of Charnwood Borough Council's Neighbourhood Services and it builds on wider consultation with a range of partners including Health, Planning Education, Community Services, physical activity, and sport sectors. It draws inspiration from the Sport England national strategy-Uniting the Movement, which was extensively consulted across England over a period of 24 months. The framework is compatible with emerging local health and wellbeing strategies and includes contributions and scrutiny from primary and public health services. The Framework aspires to act as a catalyst to encourage changes in local policy development, and resource commitment across the local Public, Voluntary and Private sector, driving a step change in health improving behaviour through physical activity.

Through the work of the ongoing Sport & Physical Activity Locality Commissioning Plan 2021-22 and 22-23 the Active Charnwood team have met and consulted with the public, key partners, community organisations and community groups, to ensure the needs of all residents are considered. This feedback has been reported back to Active Together and is reflected in the 10-year Framework 22-31.

Consultation has taken place with the following organisations;

- North and South Charnwood SSPAN's
- Charnwood Borough Council - Neighbourhood Services teams
- Children & Family Well Being Services
- Leicestershire and Rutland NHS
- Charnwood North and South Clinical Commissioning Groups
- Leicestershire Partnership Trust
- Fusion Lifestyle (Private contractor)
- Youth Services
- Loughborough University
- Voluntary Sector partners/Community groups based at;
 - Altogether Place, Marios Tinenti Centre, Gorse Covert Community Centre, John Storer House, Fearon Hall, Loughborough wellbeing café

Groups include:

- Equality Action Charnwood
- Safe Well Happy Partnership group
- Leicestershire WM
- Dementia UK
- Ramblers
- Parkinson's UK
- Leicester City in the community
- Tay Play
- B- Buddies
- ESOL - Loughborough College
- Menphys
- BACA

• **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

EIA LRS Sport & Physical Activity Strategy 2017-20

EIA Charnwood Sport & Physical Activity Commissioning Plan 2021-22

EIA Charnwood Sport & Physical Activity Commissioning Plan 2022-23

Active Together & Leicestershire County Council - Let's Get Moving: Place(s) Led Physical Activity Action Plan Guidance Document 2022/23

Charnwood Needs Assessment 2022

Population & inequality

- Along with most areas of Leicestershire (and England), there is significant growth in the population of over 65's expected by 2040 (43%).
- There is also a growing population overall with over 19,000 new dwellings projected for the district by 2037.
- Alongside this, significant growth in conditions is expected as the population grows and ages.
- There is significant inequality in life expectancy for women in the district

Best Start for Life

- Infant mortality rates appear to be high for Charnwood at 5.1 when the region is 4.1 and England is 3.9
- Breastfeeding initiation rates are significantly lower than England although they are higher than the regional rate. Rates are significantly worse in Shepshed East (compared to LLR rate). By 10-14 days rates continue to be lower in Shepshed East

but also Sileby. By 6-8 weeks this is the case in Syston West, Sileby and Shepshed East

Living Healthy, Safe and Well

- Vaccination rates for people living in 3 MSOA's are the lowest in the County
- Rates of loneliness are higher than Leicestershire and England. The risk of loneliness is especially high in 4 LSOA's in Loughborough (note this is for risk only, not actual).
- Work is already underway in the INT around mental health including a mini needs assessment and an action plan to address need identified
- Deprivation, and fuel poverty is high in some parts of Loughborough with 2 LSOA's falling in the highest 10% of England
- Air quality in the two air quality management areas and high rates of admissions for CYP with asthma and viral wheeze in some MSOA's
- Estimated 7,658 veterans living in Charnwood with a range of health issues, primary ones include heart, blood pressure and circulation and conditions with legs or feet

Living and Supported Well

- Hip fracture rates are much higher than England and Charnwood is third highest across the region.
- Large numbers of people providing unpaid care in the area (although data is from 2011 census so considerably out of date)

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)

The data tells us that our least active communities live in the most deprived areas of Charnwood and experience higher than the national/county average health inequalities.

Active Charnwood will continue to carry out on going customer monitoring and evaluation surveys for all projects delivered as part of the framework/locality plan. This feedback will help the sports team to shape future delivery of programmes.

The information collected will be used to monitor the outcomes of the framework and projects delivered as part of the 2022-23 Charnwood Sport & Physical Activity Locality Commissioning Plan. The information will provide us with data on how many males and females take part, how many participants are from BME communities and how many participants have a disability. From the information provided we can then use this to ensure we are delivering projects that meet the needs of residents.

Data collected from previous sport programmes shown that we had received comparative numbers on activities from people with disabilities and from BME communities. 14% of the Charnwood population are non-white and 16% of residents have a disability. Through our work we have been proactive in developing more targeted programmes which aim to increase participation levels with these hard-to-reach groups.

To meet the needs of our residents we will make activities available during daytime, evenings and weekend and ensure that there is a good geographical spread of activity across the borough and that these are easily accessible to residents who may not have access to transport.

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

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

Yes, see Step 3 refer to Active Together & Leicestershire County Council - Let's Get Moving: Place(s) Led Physical Activity Action Plan Guidance Document 2022/23 This document refers to continually meeting with partners who support the delivery of the framework to ensure we are meeting the needs of the service.

● **Step 5 – Assessing the impact**

Considering any data/consultation/information and your own knowledge, identify whether the policy has a positive or negative impact on the individuals or community groups who identify with any 'protected characteristics' and provide an explanation for your decision. Please refer to the general duties on the front page.

<p>Age</p>	<p>The Active Charnwood team will ensure that projects delivered as part of Charnwood's sport and physical locality activity commissioning plan 22-23 are aligned with the principles of the framework. Programmes will be delivered across 4 Levels.</p> <p>Level 1: Population interventions, Brief Advice, Sign posting Self-help</p> <p>Level 2: Targeted interventions, Community/Setting Based interventions</p> <p>Level 3: Physical Activity Supported Programme</p> <p>Level 4: Specialist Physical Activity Programmes</p> <p>Projects across the different levels will be available to the following age groups. 0-5, 5-15, 16-25, 25-55, 55+ and Universal. Delivering projects across these life stages will ensure there is a good spread of activity available for residents of all ages.</p> <p>These programmes will have a positive impact on all ages.</p>
<p>Disability</p> <ul style="list-style-type: none"> ● Physical ● Visual ● Hearing ● learning disabilities ● mental health 	<p>Active Charnwood provide a vast selection of activities specifically for disabled people in partnership with local disability groups such as Mencap and the Safe, Well Happy Partnership, Fusion Lifestyle (leisure provider), our school sports partnerships (SSPANs) and Active Together. All our sessions are fully inclusive and cater for children and adults with a disability.</p> <p>These activities will have a positive impact on people with disabilities.</p>
<p>Gender Reassignment (Transgender)</p>	<p>There are no barriers to participation in respect of sex. We offer sessions which are for male and females to take part together and specific projects for men or women which have been identified as a need by our partners.</p>

	<p>Examples of these projects include BAME Physical Activity Projects and ESOL Ladies project.</p> <p>These sessions will have a positive impact irrespective of gender reassignment.</p>
Race	<p>Our aim is to have an inclusive approach to participation irrespective of racial groups. We have an awareness and understanding of specific issues that may impact on racial groups taking part in physical activity & sport.</p> <p>All sessions will have a positive impact on residents irrespective of racial groups.</p>
Religion or Belief (Includes no belief)	<p>We do not offer sessions which cater for specific religious beliefs. However, we need to be aware and understand religious practices e.g., prayer time and fasting and how these impacts on religious groups taking part in physical activity and sport. Activities need to be planned to take into consideration the issues highlighted above for these groups of people.</p> <p>Sessions organised will have a positive impact irrespective of religious beliefs.</p>
Sex (Gender)	<p>We seek to ensure that all adults are not discriminated against regardless of their / or any perceived sexual orientation.</p> <p>Programmes organised will have a positive impact on participants.</p>
Sexual Orientation	As above
Other protected groups <ul style="list-style-type: none"> • Pregnancy & maternity • Marriage & civil partnership 	As above
Other socially excluded groups <ul style="list-style-type: none"> • Carers • Low literacy • Priority neighbourhoods • Health inequalities • Rural isolation • Asylum seeker and refugee communities 	<p>Priority Neighbourhoods - The Active Charnwood team are already working in the LSOA areas of Loughborough.</p> <p>Active Charnwood have organised specific sessions for Asylum Seekers and continue to engage with this group.</p> <p>These sessions will have a positive impact on socially excluded groups.</p>

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

- If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- 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.

N.A

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 Active Together Physical Activity 10 Year Framework 2022-31 provides an inclusive approach to participation that is cohesive irrespective of race, religion, gender, sex, sexual orientation, and disability. Active Charnwood have an awareness and understanding of specific issues that may impact on groups taking part in physical activity and sport.

• **Step 6- Monitoring, evaluation, review**

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

Performance management arrangements are in place to monitor individual projects providing us with the necessary demographic, financial and geographic data, alongside qualitative progress reports. It is expected that monitoring against delivery will be submitted to Active Together at six monthly and yearly intervals alongside case-studies every six months.

1:1 meetings will take place specifically between locality Local Authority lead officers and School Sport Development Managers and Active Together at least twice a year. It is expected that Active Charnwood will measure the impact of the interventions to enable Active Together to understand what has the greatest impact on tackling inequality, increasing opportunity, and widening access to physical activity.

There is a tiered evaluation approach that is based on the scale and intensity of each programme. For those programmes working with a large proportion of the population, a light evaluation process is required. Whereas programmes targeting a smaller number of participants that are more resource heavy, require a more comprehensive evaluation.

As well as monitoring and evaluation, Active Charnwood will be required to embrace a learning culture to support continuous improvement and promoting and facilitating sharing amongst the partnership. A Physical Activity Monitoring Evaluation and Learning Framework has been developed and Active Charnwood will be required to adhere to these when implementing monitoring and evaluation processes.

The processes include:

- Consultation and feedback with our partners
- Consultation and feedback with our customers

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.

Any recommendations from the Equality Impact Assessment will be used to shape and improve future delivery of sport and physical activity programmes in Charnwood and shape Charnwood’s Sport & Physical Locality Commissioning Plan that is aligned with the framework.

- **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
	To continue to develop marketing material which is creative and meets the needs of the specific groups identified within the framework.	Active Charnwood team	Ongoing
	To ensure that the framework is delivered through the sport & physical activity commissioning locality plan and meets the commissioning priorities of providing activities that have a; Greater focus on families Greater focus on the inactive Greater focus on addressing inequalities	Active Charnwood team	Ongoing
	Meet with Active Together on a 6 monthly basis to discuss the progress of the Active Together Framework 22-31/Charnwood Sport and Physical Activity Locality Commissioning Plan 22-23 and future funding opportunities.	Z. Griffiths W. Blanche	X 2 year
	To continue delivery of sessions which consider religious beliefs and practices.	Active Charnwood team	Ongoing
	Carry out regular customer surveys which show levels of satisfaction against the projects delivered as part of the framework/Charnwood Sport & Physical Activity Commissioning Plan. Use feedback to make improvements to projects and develop new projects based on customer needs.	Active Charnwood team	Ongoing

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

	Who needs to know?	How they will be informed (We have a legal duty to publish EIA's)
Employees	Active Charnwood team	Team Meetings & E-mails

Service users	Existing Service Users	E-mail, Post, social media, Website
Partners and stakeholders	All Partners Listed	Website
Others	N. A	
To ensure ease of access, what other communication needs/concerns are there?	Active Charnwood team	Language barriers - where feasible literature will be translated into the relevant language.

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

Delete as appropriate
I agree with this assessment
I disagree with this assessment
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales below.
Signed (Service Head): Julie Robinson
Date: 15/02/2022

Please send completed & signed assessment to **Vicky Brackenbury** for publishing.

CABINET – 10TH MARCH 2022

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

Part A

ITEM PRIVATE SECTOR HOUSING LICENSING SCHEMES

Purpose of Report

To endorse the work completed to date, approve the Houses in Multiple Occupation and Selective Licensing Policies and Conditions, approve the publication of the Public Notices for the two designated schemes for three months and the implementation of the schemes thereafter.

Recommendations

That Cabinet:

1. Endorse the work completed to date to implement the two new discretionary licensing schemes.
2. Approve the Houses in Multiple Occupation and Selective Licensing Policies (Appendix 1 and 2).
3. Approve the Licence Conditions for the Houses in Multiple Occupation and Selective Licensing Schemes (Appendix 3 - Houses in Multiple Occupation Licensing Scheme Licence Conditions and 4 - Selective Licensing Scheme Licence Conditions).
4. Approve the publication of the Public Notices for the two designated schemes for three months and give delegated authority to the Head of Strategic and Private Sector Housing for the implementation of the schemes thereafter.
5. That delegated authority be given to the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Housing to update or make minor amendments to the Licensing Policies and Conditions subject to there being no financial or human resource implications arising from the proposals.

Reasons

1. To enable the Cabinet to consider and endorse the work completed.
2. To enable the Cabinet to consider and approve the final Houses in Multiple Occupation Policy and Selective Licensing Policy.
3. To enable the Cabinet to consider and approve the final Licence Conditions for the Houses in Multiple Occupation and Selective Licensing Schemes.

4. To enable the required publication of the Public Notices for the two designated schemes for three months, and for the implementation of the schemes thereafter.
5. To ensure that the Licensing Policies and Conditions remains relevant and responsive during the lifetime of the Policies.

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 was 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 there are further options for investigation.*
3. *To enable the Cabinet to consider the evidence gained and the potential for further initiatives.*

The Cabinet meeting on the 17th January 2019 resolved:

1. That the evidence gathered to date and the impact of the implementation of the

Government's expansion of the Mandatory Licensing of HMOs in the Borough be noted;

2. That further investigations being undertaken to gather evidence (as referred to in paragraph 61 of Part B of the report of the Head of Strategic and Private Sector Housing) to establish the case for the introduction of an Additional or Selective Licensing Scheme be approved;
3. That it be noted that a Borough wide Accreditation Scheme with the Students Union will not be taken forward.
4. That the report of the Overview Scrutiny Group be noted.

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.

The Cabinet meeting on the 16th January 2020 resolved:

1. That the proposals for Private Sector Licensing be noted;
2. That the supporting evidence and risks be noted;
3. That the proposal for a consultation exercise be approved, 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. That a one-off budget of up to £30,000 be approved to be funded from the Reinvestment Reserve in 2019/20 to undertake the consultation exercise;
5. That the report of the Scrutiny Commission be noted.

Reasons

- 1&2. To enable the Cabinet to consider the information and evidence gathered.
- 3&4. To use the Reinvestment Reserve to fund the statutory consultation to support the implementation of an Additional and Selective Licensing Scheme in consultation with the respective Lead Members.
5. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

The Cabinet meeting on the 10th December 2020 resolved:

1. That the outcome of the Discretionary Private Sector Housing Licensing consultation exercise be noted;
2. That the proposal to declare Charnwood Borough as an area for Additional Licensing to be implemented from April 2021 be approved;
3. That the proposal to declare the two wards Hastings and Lemyngton an area for Selective Licensing to be implemented following approval from the Secretary of State be approved;
4. That the proposed draft licence conditions for both schemes, attached as Appendix 1 to the report, and for a consultation exercise to be undertaken for a period of 6 weeks from the 18th January 2021 to the 26th February 2021 be approved;
5. That an initial budget for £65k to set up the two schemes and commence recruitment of staff to deliver the two licensing schemes until the licence fees are received be approved;
6. That the report of the Scrutiny Commission be noted.

Reasons

1. To enable the Cabinet to consider the information and evidence gathered.
2. The scheme will cover all HMOs, irrespective of the number of storeys 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.
3. The scheme will cover all Private Sector Rented properties in the two wards Hastings and Lemyngton other than those licensed through the Mandatory HMOs Licensing Scheme or the proposed Borough Wide Additional Licensing Scheme for HMOs.
4. To allow feedback on the draft licence conditions.
5. To allow the schemes to be set up and the recruitment of officers to implement the two proposed licensing schemes in advance of the licence fees being received.
6. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

The Cabinet meeting on the 1st July 2021 resolved:

1. that the outcome of the Additional and Selective Licensing Scheme Licence Conditions consultation exercise (Appendix 1 and 2 to the report) be noted.

2. that the Licence Conditions for the new Additional and Selective Licensing Schemes (Appendix 3 to the report - Houses in Multiple Occupation Licensing Scheme Licence Conditions and 4 to the report - Selective Licensing Scheme Licence Conditions) be approved.
3. that the use of the Houses in Multiple Occupation Licensing Scheme Licence Conditions for all Mandatory Houses in Multiple Occupation licence applications and renewals be approved;
4. that the report of Scrutiny Commission be noted.

Reasons

1. To enable the Cabinet to consider the information and evidence gathered.
2. The licence conditions will be introduced and implemented when the Additional and Selective Licensing Schemes are introduced in January 2022.
3. To align the existing Mandatory Licence Conditions for Houses in Multiple Occupation with the new Additional Licensing Scheme for Houses in Multiple Occupation from January 2022.
4. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

Implementation Timetable including Future Decisions and Scrutiny

Following Cabinet's approval of the final Houses in Multiple Occupation and Selective Licensing Policies, and the respective Licence Conditions, the following actions will be taken:

- A Public Notice will be published to advise of the implementation of the Borough wide Additional Licensing Scheme and the Selective Licensing Scheme in the two wards of Hastings and Lemyngton. The Selective Licensing Notice will provide the details of all the streets in the two wards that will be covered.
- The Notices will be published for a period of three months prior to the implementation of the Schemes.

For information, the area covered by the Selective Licensing Scheme in the two current wards of Loughborough Hastings and Loughborough Lemyngton will be fixed, and will not be affected by the proposed ward changes due to come into effect in May 2023.

Report Implications

The following implications have been identified for this report:

Financial Implications

The schemes will be implemented three months after the publication of the Public Notices when applicants will have to apply and pay for their licence fee prior to the approval of their licence. The licence fee is paid in two parts.

Set up costs were approved in the December 2020 Cabinet report and staff need to be in place to implement the scheme from January 2022.

The exact number of licences issued will not be known until the schemes are operational.

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 to defend and time delay.	Very Likely (4)	Major (4)	High (16)	Make sure the decision making/consultation process meets legislative requirements to not encourage a legal challenge. Develop an effective Communication Strategy.
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.
Landlords fail to apply or obtain a licence.	Very Likely (4)	Major (4)	High (16)	The Council can issue Civil Penalties (up to £30K) or prosecute for non-application and or continuing to operate after a licence is refused. Council would need to act swiftly and publicise. Landlords refused a licence would have to vacate the property and leave the property empty or a find a suitable Managing Agent.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Relationships breakdown between the Council and Landlords.	Likely (3)	Serious (3)	Moderate (9)	<p>Consultation and Communication Strategies must be effective.</p> <p>Commitment to the implementation of the Scheme.</p>
Landlords increase rental charges to cover the costs of the licence fee.	Very Likely (4)	Unlikely (2)	Moderate (8)	<p>The impact of this would be delayed for the tenants with an existing tenancy.</p> <p>If tenants cannot afford to stay this could increase homelessness. Impact on the Council additional homeless applications to process and the increased use of temporary accommodation.</p> <p>This could increase the number of empty homes across the Borough; Landlords would be impacted by the Council Tax premium.</p> <p>Consultation and Communication Strategies must be effective.</p>

Key Decision: Yes

Background Papers: Cabinet, 1st July 2021 – Agenda Item 13.
Cabinet, 10th December 2020 – Agenda Item 7 and Minute 61.
Cabinet, 16th January 2020 – Agenda Item 7 and Minute 67.
Cabinet, 17th January 2019 – Agenda Item 8 and Minute 75.
Overview Scrutiny Group, 14th January 2019 – Agenda Item 6B and Minute 47.
Scrutiny Management Board, 18th March 2015 – Agenda Item 8 and Minutes 53.2 and 53.3.
Scrutiny Management Board, 8th October 2014 – Agenda Item 8 and Minute 26.

Cabinet, 10th April 2014 – Agenda Item 6 and Minute 120.

Scrutiny Management Board, 19th March 2014 – Agenda Item 8 and Minute 51.

Cabinet Report, 19th November 2015 – Referral from Scrutiny – Managing Student Occupancy Scrutiny Panel – Agenda Item 6 and Minute 24.

Agendas and notes of the Managing Student Occupancy Scrutiny Panel meetings, available on the Council's website at:

http://www.charnwood.gov.uk/committees/managing_student_occupancy_scrutiny_panel

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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 2014/15 and evaluate this alongside the evidence that had already been collated in relation to potentially introducing an Additional or Selective Licensing 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.
3. The Cabinet considered a report from the Head of Strategic and Private Sector Housing on the 16th January 2020 when it was resolved that a consultation exercise be undertaken, 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. The Cabinet considered a report from the Head of Strategic and Private Sector Housing on the 10th December 2020 when it was resolved to declare Charnwood Borough as an area for Additional Licensing and the two wards Hastings and Lemyngton an area for Selective Licensing. Approved the proposed draft licence conditions for both schemes, a consultation exercise to be undertaken for a period of 6 weeks from the 18th January 2021 to the 26th February 2021 be approved.
5. The Cabinet considered a report from the Head of Strategic and Private Sector Housing on the 1st July 2021 when it was resolved to approve the Licence Conditions for the Additional and Selective Licensing Schemes and that the conditions would be used for all Mandatory Houses in Multiple Occupation licence applications and renewals.
6. The implementation of the two schemes has been delayed due to the pandemic and this report sets out the work completed to date and requests the approval of the Houses in Multiple Occupation and Selective Licensing Policies and Licence Conditions and the next steps to the implementation of the schemes thereafter.

Houses in Multiple Occupation and Selective Licensing Scheme Policies

7. The draft Policy documents formed part of the 2020 consultation exercise in determining the justification for the schemes and how they would be implemented.

8. The Policies have been amended to reflect the licence fee of £700 detailed in the table below:

Application Type	First Payment	Second Payment	Total Fee
Basic Licence Application Fee	£395	£305	£700
Re-licence application (where the application is received by the Council prior to expiry of the existing licence)	£395	£220	£615
Fees for DASH Accredited Licence Holders			
Basic Licence Application Fee where the proposed Licence Holder is DASH Accredited	£395	£220	£615
Re-licence application	£395	£220	£615
Additional Fees for HMOs (applied to all applications)			
Extra Bedroom Fee (fee per additional bedrooms over 6 bedrooms)	Not Applicable	+ £10 per additional room	+ £10 per additional room

9. The licence fee will be £700 for a 5 year period. The Council's proposed fee structure consists of two payment stages. The first covers the receipt, assessment, and processing of the application. The second covers the costs incurred in a property compliance and inspection, together with management assessment.

Licence Conditions

10. A Delegated decision (DD014 2022) was approved to make minor amendments to include the correct definitions page in the Selective Licensing Conditions and minor amendments to the Licence conditions following additional comments received from Letting Agents and DASH.
11. Following the amendments the Council sought further legal advice for the conditions for the new schemes. The licence conditions will be published on the Council's website once the Public Notices have been issued.

Next Steps

12. Public Notices will be published to advise of the implementation of the Borough wide Houses in Multiple Occupation and the Selective Licensing Scheme in the two wards of Hastings and Lemyngton. The Selective Licensing Notice will

provide the details of all the streets in the two wards that will be covered.

13. The Notices will be published for a period of three months prior to the implementation of the Schemes. The Schemes will be implemented thereafter.
14. For the Mandatory Houses in Multiple Occupation Licensing Scheme the new Licence Conditions will be implemented for all new applications and renewals from April 2022.

Appendices

- Appendix 1 Houses in Multiple Occupation Licensing Policy
- Appendix 2 Selective Licensing Scheme Policy
- Appendix 3 Houses in Multiple Occupation Licensing Scheme Licence Conditions
- Appendix 4 Selective Licensing Scheme Licence Conditions

Houses in Multiple Occupation Licensing Policy

February 2022

Introduction

Licensing of Houses in Multiple Occupation (HMO)

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

Types of housing licensing are:

- Mandatory Licensing
- Additional Licensing

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

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

Mandatory Licensing

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

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

Additional Licensing

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

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

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

Houses in Multiple Occupation (HMOs) Licensing

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

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

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

Licence Fee

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

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

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

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

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

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

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

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

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

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

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

The table below details the breakdown of the licence fees:

Application Type	First Payment	Second Payment	Total Fee
Basic Licence Application Fee	£395	£305	£700
Re-licence application (where the application is received by the Council prior to expiry of the existing licence)	£395	£220	£615
Fees for DASH Accredited Licence Holders			
Basic Licence Application Fee where the proposed Licence Holder is DASH Accredited	£395	£220	£615
Re-licence application	£395	£220	£615
Additional Fees for HMOs (applied to all applications)			
Extra Bedroom Fee (fee per additional bedrooms over 6 bedrooms)	Not Applicable	+ £10 per additional room	+ £10 per additional room

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 and 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

The Council may decide to complete an inspection 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 be inspected 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 application or the application and the findings of a completed 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 Strategic and Private Sector Housing service.

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.

Depending on the size, layout, and occupancy of the property the Licence Holder may need to go over and above the legal minimum standards to adequately protect the tenants from. When doing this the Licence Holder should have regard to the current Building Regulations; and the LACORS Fire Safety Guide. The LACORS Fire Safety guidance is available at: <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>.

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 130 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 Policy

February 2022

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 2022” 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:

Application Type	First Payment	Second Payment	Total Fee
Basic Licence Application Fee	£395	£305	£700
Re-licence application (where the application is received by the Council prior to expiry of the existing licence)	£395	£220	£615

Fees for DASH Accredited Licence Holders			
Basic Licence Application Fee where the proposed Licence Holder is DASH Accredited	£395	£220	£615
Re-licence application	£395	£220	£615

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 ie to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

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

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

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

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

Refunds will not be provided in the following situations the:

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

Processing the Licence Application

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

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

Test for Fitness and Satisfactory Management Arrangements

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

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

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

It is for a Council to determine whether a person has sufficient competence to be involved in the management of the property and the level of competence required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant’s experience and track record of managing the property and, in 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 property or Houses in Multiple Occupation (HMO) under his/her management or ownership or any former property or HMO he/she owned or managed);
- any enforcement action in respect of any property or HMO under his/her management or ownership and any former property or HMO 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 property or HMO under his/her management or ownership;
- any interim or final management orders made by an Local Housing Authority in respect of any property or HMO under his management and any former property or HMO 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

The Council may decide to complete an inspection 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.

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 to applicants either based on the application or the application and the findings of a completed 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 Strategic and Private Sector Housing Service.

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) (England) Regulations 2006 and 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 house or HMO.*”

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 a 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 130 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.

Houses in Multiple Occupation Licence Conditions

January 2022

Houses in Multiple Occupation Licence Conditions

This document constitutes Appendix 1 of any Licence granted by Charnwood Borough Council under either the mandatory licensing of Houses in Multiple Occupation, or the additional licensing of Houses in Multiple Occupation designation applicable in the borough of Charnwood.

It includes both the conditions specified in Schedule 4 of Housing Act 2004, together with additional conditions which Charnwood Borough Council consider appropriate for regulating the management, use and occupation of the house which is to be licensed, and its contents and conditions, and are imposed under sections 67 and 68 of the Housing Act 2004.

Important Notice

It is the Licence Holder's responsibility to ensure compliance with the requirements of all the Licence conditions set out in this document. Failure to do so may result in prosecution for breach of Licence conditions, service of a civil penalty of up to £30,000 in respect each Licence condition breach; and/or the revocation of the Licence.

The Licence Holder, as the person to whom this Licence has been granted, is responsible for ensuring compliance with its conditions at all times, and that any person acting on their behalf in the management of the house is made aware of, and complies with, the obligations and responsibilities set out in this document.

It is your responsibility to ensure that you have any other necessary permissions or consents in place to enable the property to be used as a house in multiple occupation. The granting of a licence does not override any other private or public law provisions in this respect.

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Part I PERMITTED OCCUPATION

Condition 1 – Maximum Permitted Occupancy per Bedroom/Bedsit (Appendix 2)

1. The Licence Holder must ensure that:
 - 1.1 The Authority are notified of any bedroom in the HMO with a floor area of less than 4.64 square metres. The maximum occupancy limit per bedroom shall be as follows, in accordance with the Authority's adopted Guidance Standards for Licensable Houses in Multiple Occupation.

Maximum permitted occupancy per bedroom/bedsit

Room Number	Location	Maximum occupancy (units)
Room 1	Ground floor front bedroom	X
Room 2	Ground floor middle bedroom	X
Room 3	Ground floor rear bedroom	X
Room 4	First floor front bedroom	X
Room 5	First floor rear right hand bedroom	X
Room 6	First floor rear left hand bedroom	X

(Please note: References to left right, front, and back are as if the viewer is inside the house looking towards the street.)

Regardless of the number of persons occupying individual rooms, the total number of persons and households occupying the dwelling must not exceed the permitted number as shown on this licence.

Please note:

- 0.5 units = 1 person under the age of 10 years old
 - 1 unit = 1 person over the age of 10 years old
- 1.2 The Licence Holder must supply to the occupiers of the house a written statement of the terms on which they occupy it.

Condition 2 - Requirement for Works to be Carried Out

2. The Licence Holder must ensure that:
 - 2.1 If the Authority specify any works as necessary to be carried out as a condition of the grant of this Licence, then such works are carried out within the time period so specified.

Part II PROPERTY MANAGEMENT

Condition 3 - Gas Safety

3. The Licence Holder must ensure that:
 - 3.1 If gas is supplied to the HMO a copy of the current gas safety certificate obtained in respect of the HMO within the last 12 months is provided to the Authority annually for their inspection, to cover both and all the residentially occupied and the common parts of the HMO.
 - 3.2 The certificate states that it covers the complete gas installation including: supply pipes, flues, gas appliances and that they are safe to be operated.
 - 3.3 That each year an annual inspection of the HMO is undertaken by a suitably qualified and experienced gas engineer in accordance with the requirements of the Gas Safety (Installation and Use) Regulations 1998, or any subsequent amended regulations. Any defects noted on the certificate must be promptly rectified and certified as satisfactory.

Condition 4 – Electrical Installation and Safety

4. The Licence Holder must ensure that:
 - 4.1 Every electrical appliance which is provided by the Licence Holder for the use of a tenant is, and always remains in, a safe condition and the Licence Holder shall ensure that a record of visual inspections and tests is maintained
 - 4.2 The Licence Holder shall supply to the Authority within 7 days of its demand the record of visual inspections and tests.
 - 4.3 The Licence Holder shall supply to the Authority within 7 days of its demand a declaration as to the safety of electrical appliances.
 - 4.4 The Licence Holder shall ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person competent to undertake such inspection and testing.
 - 4.5 The Licence Holder shall obtain from the person conducting that inspection and testing a report specifying the results of the inspection and testing.
 - 4.6 The Licence Holder shall supply to the Authority within 7 days of its demand any such report.
 - 4.7 The electricity supply to the fire detection and emergency lighting system at the HMO is neither disconnected, nor threatened with disconnection, due to the non-payment of any money owing to the relevant supplier.

Condition 5 - Furniture and Furnishing

5. The Licence Holder must ensure that:
 - 5.1 Every item of upholstered furniture, including: sofas, chairs, children's furniture, beds, upholstered headboards, or garden furniture; together with all soft furnishings, including mattresses, seat pads, cushions or pillows which are supplied to a tenant must comply with the relevant safety tests as prescribed under the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended), or any later amended regulations.
 - 5.2 Upon receiving a demand by the Authority to provide a declaration as to the safety of such furniture and soft furnishings, such is provided within 14 days.

Condition 6 - Storage and Disposal of Household Waste

6. The Licence Holder must ensure that:
 - 6.1 Arrangements are made that comply with any scheme which the Authority adopt in connection with the storage and collection of household waste at HMOs pending collection.
 - 6.2 Where no such scheme has been adopted, that suitable refuse and re-cycling containers are provided on a scale sufficient for the number of tenants.
 - 6.3 Any necessary supplementary arrangements for the disposal or refuse and re-cyclable materials from the HMO are made having regard to the services provided by the Authority.
 - 6.4 If within the curtilage of the HMO there is insufficient space to store refuse, waste and re-cyclable materials, adequate arrangements for extra collections of such are made.
 - 6.5 Each tenant is informed in writing, at the start of their tenancy, of the days on which refuse, and re-cycling collection happens, and this information is displayed in a prominent position in the HMO.

Condition 7 - Pests

7. The Licence Holder must ensure that:
 - 7.1 Reasonable precautions are taken to ensure that the HMO, together with its curtilage and garden are, so far as is practicable, kept free from pest infestation.
 - 7.2 Within 7 days of becoming aware of any pest infestation, adequate steps are taken with a view to effectively controlling such infestation.

Condition 8 - Water Supply and Drainage

8. The Licence Holder must ensure that:

[Title]

- 8.1 Adequate measures are taken to ensure that there is no unreasonable interruption in the supply of water to the HMO.
- 8.2 Sufficient steps are taken to ensure that the HMO's drainage system is kept free of obstructions.

Condition 9 - External Areas

9. The Licence Holder must ensure that:
 - 9.1 Any garden, forecourt, yard, or passageway within the HMO's curtilage is kept in a reasonably clean and tidy condition.
 - 9.2 If a tenant, or a member of their household, or their visitor causes a breach of condition 9.1 above, steps are immediately taken to address the matter including a written warning being given to the tenant within 14 days of it coming to the attention of the Licence Holder.
 - 9.3 No items of discarded furniture, bedding, clothing, toys, refuse, or rubbish are left outside the HMO, or on the public highway, or on third party private land except where this occurs in anticipation of a pre-arranged collection.
 - 9.4 All domestic rubbish and refuse is stored in suitable bins pending its collection.
 - 9.5 A copy of any written warnings that have been given to a tenant are provided to the Authority within 7 days of a request being made to see the same.

Condition 10 - Emergency Escape Lighting

10. The Licence Holder must ensure that:
 - 10.1 Where emergency escape lighting is provided within the property it is maintained in working order, tested regularly and that a full system test, inspection and service is completed annually by a competent person in line with the current British Standards or any which subsequently replace these.
 - 10.2 The Licence Holder shall obtain from the person conducting such inspection and testing a certificate specifying the results of the inspection and testing.
 - 10.3 The Licence Holder shall supply to the Authority within 7 days of its demand any such certificates.

Part III TENANCY MANAGEMENT

Condition 11 - Tenancy Agreements

- 11. The Licence Holder must ensure that:
 - 11.1 At the start of each tenancy, or licensed period of occupation, the tenant is provided with a written agreement which clearly sets out the terms upon which the tenant is permitted to occupy the HMO.

Condition 12 - Terms of Occupation

- 12. The Licence Holder must ensure that:
 - 12.1 Occupancy levels at the HMO do not exceed those set by the Licence.
 - 12.2 If occupancy levels exceed those permitted by the Licence then, upon becoming aware of this, all reasonable lawful steps are taken to ensure that the number of occupiers is reduced to the permitted level as soon as is reasonably practicable.

Condition 13 - Tenants' Rights

- 13. The Licence Holder must ensure that each tenant's legal rights are observed, which includes but is not limited to:
 - 13.1 Giving reasonable notice to complete repairs, and 24 hours notice prior to inspections of the premises within the HMO which are occupied by the tenant.
 - 13.2 Terminating a tenancy or licensed period of occupation in a lawful manner.
 - 13.3 Ensuring utilities serving the HMO are not disconnected, nor unreasonably interrupted.

Condition 14 - Licence Holder/Manager Details

- 14. The Licence Holder must ensure that:
 - 14.1 A notice giving the name, address, telephone number and e-mail address, together with the emergency contact telephone number of the person managing the HMO is clearly and prominently displayed in the common parts of the HMO.
 - 14.2 If any of the above details change the notice is amended from time to time so that the correct up to date information is given.

Condition 15 – References

- 15. The Licence Holder must ensure that:

[Title]

- 15.1 References are demanded for new occupiers before entering into any occupancy agreement with them or allowing them to occupy the premises. Where obtained, copies of these references shall be kept for the duration of this licence and made available to the Authority within seven (7) days of the Authority's demand.

Condition 16 - Complaints Procedure

16. The Licence Holder must ensure that:
- 16.1 They have a written complaints procedure concerning the management and conditions of the HMO, a copy of which is given to each tenant at the start of their tenancy.

Condition 17 - Anti-social Behaviour and Damage

17. The Licence Holder shall ensure that:
- 17.1 All reasonable and practicable steps are taken to prevent or reduce anti-social behaviour or criminality by the tenants or occupiers of the property, together with their visitors.
- 17.2 In particular, if acts of anti-social behaviour occur at the HMO in breach of the terms of the tenancy or licence agreement, they take appropriate steps to address this which may, in the case of serious or repeated anti-social behaviour, mean possession proceedings.
- 17.3 Records are kept of what action is taken which are provided to the Authority within 7 days of a request to see them.
- 17.4 Appropriate notices are prominently displayed in the common parts of the HMO reminding tenants of their obligation not to act in an anti-social manner, nor to cause a nuisance or annoyance to other occupiers or neighbouring residents, and to take reasonable care to avoid causing damage to property.

Part IV FIRE SAEFTY

Condition 18 - Smoke Alarms

18. The Licence Holder must ensure that:
- 18.1 The Licence Holder shall ensure that at all times a suitable fire detection and alarm system is installed in the property, maintained in proper working order, tested, and serviced in accordance with the current British Standards or any which subsequently replace these.
 - 18.2 The Licence Holder shall obtain from the person conducting such inspection and testing a certificate specifying the results. The certificates must be completed and issued by a competent person and must demonstrate that the complete installation has been fully checked and serviced.
 - 18.3 The Licence Holder shall supply to the Authority within 7 days of its demand any such certificates.
 - 18.4 There must be at least one smoke alarm installed on each storey of the house on which there is a room used wholly or partly as living accommodation. For these purposes a bathroom or lavatory is a room used as living accommodation.
 - 18.5 The Licence Holder shall supply to the Authority within 7 days of its demand a declaration as to the condition and position of any smoke alarms/detectors in the HMO.

Condition - 19 Fire Precautions

19. The Licence Holder must ensure that:
- 19.1 Adequate and sufficient fire precaution facilities and equipment are provided at the HMO in accordance with any relevant British Standard, Building Regulations' approval, or other guidance and advice document issued by any competent authority in respect of fire precaution facilities and equipment.
 - 19.2 All means of leaving and escaping from the HMO in the event of a fire are kept free from any obstructions, and that fire precautions are maintained which includes informing tenants of this obligation.
 - 19.3 All tenants are made aware of the procedures which are to be followed in the event of a fire at the HMO, including the routes out of, and means of escape from, it.

Condition 20 - Carbon Monoxide Alarm

20. The Licence Holder must ensure that:
- 20.1 A carbon monoxide alarm is installed in any room in the HMO which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance.
 - 20.2 Such an alarm is kept in proper working order; and

[Title]

20.3 The authority is supplied with, on demand, a declaration by them as to the condition and positioning of any such alarm.

Condition 21 - Fire Risk Assessment

21. The Licence Holder must ensure that:

21.1 A fire risk assessment is carried out at the HMO, and that all known risks and hazards noted by such assessment are, in so far as is reasonably practicable, documented and minimised.

21.2 Fire risk assessments to be reviewed if there is a change in legislation and or layout of the property.

Part V GENERAL

Condition 22 – General

22. The Licence Holder must ensure that:

- 22.1 The HMO's common parts are kept clean, in a good state of repair and periodically maintained.
- 22.2 All tenants are made aware that smoking is not allowed in any of the common parts of the HMO by virtue of the Health Act 2006 and associated regulations.

Condition 23 - Changes and Alterations

23. The Licence Holder must ensure that:

23.1 In respect of any change to the:

- Licence Holder's residential address or contact details, or where the Licence Holder is a business, if the business address has changed.
- Freehold or leasehold ownership.
- Management arrangements at the HMO.
- Licence Holder or manager's circumstances which may impact upon their status as a fit and proper person including but not limited to cautions, criminal conviction for an offence concerning either dishonesty, fraud, violence, misuse of drugs, discrimination, or housing regulations.

such change is reported in writing to the Authority within 21 days of it occurring (or any such lesser period that is specified in any relevant regulation).

23.2 Any proposed changes to the construction, layout or amenity provisions at the HMO that may affect the licence or licence conditions must be reported to the Authority before the work is carried out, as this may require a licence variation.

Condition 24 – Training (Appendix 3)

24. The Licence Holder must ensure that:

24.1 Where the Licence Holder has not attended relevant training in the previous three (3) years, they must as a minimum attend suitable training on the law and legal requirements relating to managing privately rented housing including HMOs within 12 months of the date the licence is granted.

Condition 25 - Display of HMO Licence

25. The Licence Holder must ensure that:

25.1 A copy of the HMO Licence is displayed at all times in a prominent place in the HMO.

[Title]

Definitions

In these proposed Licence conditions, the following words are defined below:

“Authority” refers to Charnwood Borough Council acting in its capacity as a local housing authority.

“Additional Licensing designation” means the designation of the borough of Charnwood as the area in respect of which all HMOs are required to be licensed under Part 2 of the Housing Act 2004.

“BS” means British Standard.

“Discretionary Conditions” means licence conditions imposed by the Authority under sections 67 and 68 of the Housing Act 2004.

“Electrical Installations” has the meaning given to those words in regulation 2(1) of the Building Regulations 2010.

“HMO” refers to the building (or part of it), or such part of it, as is licensed under Part 2 of the Housing Act 2004.

“House” refers to any HMO.

“Licence” means the licence granted by the Authority under Part 2 of the Housing Act 2004 pursuant to an application made by the proposed Licence Holder.

“Licence Holder” refers to:

- (i) the person to whom the Authority has granted the Licence, and
- (ii) from the date of his or her consent, any other person who agrees to comply with the Licence conditions, restriction and obligations that follow.

“Mandatory Conditions” means the licence conditions specified in Schedule 4 of Housing Act 2004 which must be imposed upon a Licence granted under Part II.

“Tenant” includes a licensee or any other occupier of the HMO.

Condition 1 - Maximum Permitted Occupancy per Bedroom/Bedsit

The assessment of the number of people sharing will take into account both babies and children, with each having their own allocation of space.

Everyone aged over the age of 10 years old must be able to occupy sleeping accommodation so that they do not have to share with someone who is not a close relative, or with someone of the opposite sex unless they are living together/co-habiting. For the definition of close relative, this means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece, or cousin.

Only the useable floor space will be included in calculating a room's floor area after having deducted: corridors, toilet compartments, bathrooms, shower-rooms, and chimney breasts.

The ceiling height must be a minimum 1.9 metres over at least half of the floor area, and any area with a ceiling height of less than 1.5 metres shall not be counted as part of the habitable floor area.

No staircase or landing, nor any room which has been designed or appointed as either a kitchen, or as a bathroom, shall be deemed as suitable for sleeping accommodation.

Please refer also to the Authority's adopted Guidance Standards for Licensable Houses in Multiple Occupation.

Condition 24 - Training

The training requirement in conditions 24 is a minimum requirement and depending on the level of responsibility and complexity of properties involved the Licence Holder should consider undertaking further relevant training in line with the extent of their liabilities.

This requirement for condition 24 can be satisfied by the completion of a one-day training course or online equivalent covering the law and legal requirements relating to managing privately rented houses.

Once completed, submit a certificate or other confirmation to the Authority following this training.

The following are recognised as providing a suitable course to satisfy this condition.

DASH Services Landlord Development Course www.dashservices.org.uk
linda.cobb@derby.gov.uk 01332 641111

East Midlands Property Owners (EMPO) Basic Law for Lettings:
www.empo.co.uk/trainingcourses.html www.empo.co.uk/contact-us.html, telephone 0115
9502639

National Residential Landlords Association (NRLA) Landlord/Agent/HMO Fundamentals
eLearning and eClassroom Courses: <https://www.nrla.org.uk/training-academy/core-courses>;
telephone 0300 131 6400

Failure to comply with any licence conditions is an offence**Prosecution/Enforcement Action**

It is the Licence Holder's responsibility to ensure compliance with the requirements of all the Licence conditions set out in this document. Failure to do so may result in prosecution for breach of Licence conditions; service of a civil penalty of up to £30,000 in respect each Licence condition breach; and/or the revocation of the Licence.

The Licence Holder, as the person to whom this Licence has been granted, is responsible for ensuring compliance with its conditions at all times, and that any person acting on their behalf in the management of the house is made aware of, and complies with, the obligations and responsibilities set out in this document.

Limitations of the Licence Transfer

This Licence is personal to the Licence Holder and cannot be transferred to another person, organisation or property.

Registered Companies

If the Licence Holder is a registered company and it is dissolved while the licence is in force, the licence ceases to be in force on the date of dissolution.

Property Condition

This property licence is not proof or evidence that the house is safe and free from hazards and defects. The property licence does not prevent criminal or civil legal action being taken against the Licence Holder, or anyone else with an interest in the property, if any hazards or nuisances are found or any other problems discovered in relation to the condition of the property.

Building Control

This property licence does not grant any Building Control (Development Control) approvals, consent, or permissions, retrospectively or otherwise. This property licence does not offer any protection or excuse against any enforcement action taken by the Building Control (Development Control) Department.

Planning Permission

This property licence does not grant, any planning approvals, consents or permissions under the Town and Country Planning Act 1990 or any related planning legislation, retrospectively or otherwise. You should check the Authority's website to ensure the correct planning permissions are in place. This property licence does not offer any protection or excuse against any enforcement action taken by the Planning Services.

Variation

No changes may be made to the use, layout, or maximum occupancy level of the property without the Authority's prior written consent. Where the Licence Holder or a relevant person applies to vary a licence they should do so at the earliest opportunity and there may be a charge for any variations to a Licence. The original licence stays in force until the variation is determined and comes into effect a person making unauthorised changes may be liable to prosecution or other forms of enforcement action.

Leasehold Agreements

It is your responsibility to check the terms of any lease that you hold to ensure that operating the property as a House in Multiple Occupation does not breach the terms of your lease.

Guidance Information

These do not form part of the licence conditions, but you may still be under an obligation to comply with them.

Consumer Rights and Unfair Practices

The Office of Fair Trading's (OFT) guidance on unfair contracts when conducting their business, drawing up tenancies, contracts, or the service of notices on tenants and/or agents. The Licence Holder must act in good faith and must not conduct actions which would be considered a misleading action or omission. Full information should be supplied to any prospective tenant including details of this licence.

Further advice can be found here: <https://www.gov.uk/government/publications/unfair-contract-terms-cma37> <https://www.gov.uk/government/publications/unfair-terms-in-tenancy-agreements--2>

Gas Safety

If gas is supplied to the house the Licence Holder shall ensure the Gas Safety (Installation and Use) Regulations 1998 (or any Regulations which subsequently replace these) are complied with. Details of competent Gas Safe engineers can be found at www.gassaferegister.co.uk.

Electrical Safety

The Licence Holder shall ensure that the Electrical Equipment (Safety) Regulations 1994 (or any Regulations which subsequently replace these) are complied with. Certificates must be in the format recommended in the British Standards. All electrical checks, works, and certification must be carried out by a competent person being a suitably qualified electrical contractor who should be registered / member of an approved scheme such as NICEIC, ECA, NAPIT etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations (unless exempt works).

Smoke Alarms, Fire Detection Systems and Emergency Escape Lighting

Depending on the size, layout, and occupancy of the property the Licence Holder may need to go over and above the legal minimum standards to adequately protect the tenants from fire and undertake a risk assessment. When doing this the Licence Holder should have regard to the current Building Regulations; and the LACORS Fire Safety Guide. The LACORS Fire Safety guidance is available at: <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>.

Competent Person

A competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to assist you properly. The level of competence required will depend on the complexity of the situation and the particular help you need.

www.competentperson.co.uk.

Furniture Safety

The Licence Holder shall ensure that the Furniture and Furnishings (Fire Safety) Regulations 1988 (or any Regulations which subsequently replace these) in respect of any upholstered furniture supplied by them, including chairs, sofas, beds, upholstered headboards, mattresses, cushions, seat pads, pillows and upholstered garden furniture etc. are complied with. Further information on the requirements can be found in this guide: <https://www.fira.co.uk/images/FIRA-Flammability-Guide.pdf>.

Deposits

The Licence Holder shall ensure that any deposit taken as security for a tenancy is protected as appropriate by placing it in an approved tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used in a specified time.

Right to rent

Only people with permission or a right to be in the UK have a right to rent property. As a landlord, you have a responsibility to restrict illegal immigrants accessing the private rented sector. If you are found letting to someone who does not have the right to be in the UK, and you cannot show that you have made right to rent checks, then you could face a penalty of £3,000. For more information visit www.gov.uk/check-tenant-right-to-rent-documents.

Energy Performance Certificates (EPCs)

Licence Holders shall ensure they comply with relevant legislation, ensuring tenants have sight of a current EPC for the property at the appropriate time. From 1st April 2018 domestic properties in England and Wales must have an EPC certificate with a minimum E rating for energy efficiency.

Redress Scheme

Where the Licence Holder is also a letting agent or property manager, they shall be a member of a relevant property redress scheme. More information is available at www.gov.uk/government/publications/lettings-agents-and-property-managers-redress-schemes.

Information Commission Office

Every organisation or sole trader who processes personal information needs to pay a data protection fee to the ICO unless they are exempt'. Organisations can find guidance, pay the fee or search the register by visiting [Data protection fee | ICO](#).

In general: The UK data protection regime is set out in the Data Protection Act 2018 and the UK GDPR and applies if you have information about people for any business or other non-household purpose. The law applies to any 'processing of personal data', and will catch most businesses and organisations, whatever their size. Further information and guidance on what the regime requires organisations to do, and how to comply with its duties can be found on the Information Commissioners Office website - ico.org.uk.

[Title]

Selective Licensing Scheme Conditions

January 2022

Selective Licensing Scheme Conditions

This document constitutes Appendix 1 of any Licence granted by Charnwood Borough Council under the selective licensing of Private Sector Rented Houses designation applicable to the Hastings and Lemyngton wards in the borough of Charnwood.

It includes both the conditions specified in Schedule 4 of Housing Act 2004, together with such additional conditions which Charnwood Borough Council consider appropriate for regulating the management, use and occupation of the house which is to be licensed and are imposed under sections 90 and 91 of the Housing Act 2004.

Important Notice

It is the Licence Holder's responsibility to ensure compliance with the requirements of all the Licence conditions set out in this document. Failure to do so may result in prosecution for breach of Licence conditions, service of a civil penalty of up to £30,000 in respect each Licence condition breach; and/or the revocation of the Licence.

The Licence Holder, as the person to whom this Licence has been granted, is responsible for ensuring compliance with its conditions at all times, and that any person acting on their *behalf* in the management of the house is made aware of, and complies with, the obligations and responsibilities set out in this document.

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Part I PERMITTED OCCUPATION

Condition 1 - Requirement for Works to be Carried Out

1. The Licence Holder must ensure that:
 - 1.1 The Licence Holder must ensure that if the Authority specify any works as necessary to be carried out as a condition of the grant of this Licence, then such works are carried out within the time period so specified.

Part II PROPERTY MANAGEMENT

Condition 2 - Gas Safety

2. The Licence Holder must ensure that:
 - 2.1 If gas is supplied to the House a copy of the current gas safety certificate obtained in respect of the House within the last 12 months is provided to the Authority annually for their inspection.
 - 2.2 The certificate states that it covers the complete gas installation including: supply pipes, flues, gas appliances and that they are safe to be operated.
 - 2.3 That each year an annual inspection of the House is undertaken by a suitably qualified and experienced gas engineer in accordance with the requirements of the Gas Safety (Installation and Use) Regulations 1998, or any subsequent amended regulations. Any defects noted on the certificate must be promptly rectified and certified as satisfactory.

Condition 3 - Electrical Installation and Safety

3. The Licence Holder must ensure that:
 - 3.1 Every electrical appliance which is provided by the Licence Holder for the use of a tenant is, and always remains in, a safe condition and the Licence Holder shall ensure that a record of visual inspections and tests is maintained.
 - 3.2 The Licence Holder shall supply to the Authority within 7 days of its demand the record of visual inspections and tests.
 - 3.3 The Licence Holder shall supply to the Authority within 7 days of its demand a declaration as to the safety of electrical appliances.
 - 3.4 The Licence Holder shall ensure that every fixed electrical installation is inspected and tested at intervals not exceeding 5 years by a person competent to undertake such inspection and testing.
 - 3.5 The Licence Holder shall obtain from the person conducting that inspection and testing a report specifying the results of the inspection and testing.
 - 3.6 The Licence Holder shall supply to the Authority within 7 days of its demand any such report

Condition 4 - Furniture and Furnishing

4. The Licence Holder must ensure that:
 - 4.1 Every item of upholstered furniture, including: sofas, chairs, children's furniture, beds, upholstered headboards, or garden furniture; together with all soft furnishings, including: mattresses, seat pads, cushions or pillows which are supplied to a tenant must comply with the relevant safety tests as prescribed under the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended), or any later amended regulations.

- 4.2 All items of furniture supplied are, and remain, labelled to show that they comply with the relevant safety tests.
- 4.3 Upon receiving a demand by the Authority to provide a declaration as to the safety of such furniture and soft furnishings, such is provided within 14 days.

Condition 5 - Storage and Disposal of Household Waste

- 5. The Licence Holder must ensure that:
 - 5.1 Arrangements are made that comply with any scheme which the Authority adopt in connection with the storage and collection of household waste at Houses pending collection.
 - 5.2 Where no such scheme has been adopted, that suitable refuse and re-cycling containers are provided on a scale sufficient for the number of tenants.
 - 5.3 Any necessary supplementary arrangements for the disposal or refuse and re-cyclable materials from the House are made having regard to the services provided by the Authority.
 - 5.4 If within the curtilage of the House there is insufficient space to store refuse, waste and re-cyclable materials, adequate arrangements for extra collections of such are made.
 - 5.5 Each tenant is informed in writing, at the start of their tenancy, of the days on which refuse, and re-cycling collection happens.

Condition 6 - Pests

- 6. The Licence Holder must ensure that:
 - 6.1 Reasonable precautions are taken to ensure that the House, together with its curtilage and garden are, so far as is practicable, kept free from pest infestation.
 - 6.2 Within 7 days of becoming aware of any pest infestation, adequate steps are taken with a view to effectively controlling such infestation.

Condition 7 - Water Supply and Drainage

- 7. The Licence Holder must ensure that:
 - 7.1 Adequate measures are taken to ensure that there is no unreasonable interruption in the supply of water to the House.
 - 7.2 Sufficient steps are taken to ensure that the drainage system at the House is kept free of obstructions.

Condition 8 - External Areas

- 8. The Licence Holder must ensure that:

- 8.1 Any garden, forecourt, yard, or passageway within the curtilage of the House is kept in a reasonably clean and tidy condition.
- 8.2 If a tenant, or a member of their household, or their visitor causes a breach of condition 8.1 above, steps are immediately taken to address the matter including a written warning being given to the tenant within 14 days of it coming to the attention of the Licence Holder.
- 8.3 A copy of any written warnings that have been given to a tenant is provided to the Authority within 7 days of a request being made to see the same.

Part III TENANCY MANAGEMENT

Condition 9 - Tenancy Agreements

9. The Licence Holder must ensure that:
 - 9.1 At the start of each tenancy, or licenced period of occupation, the tenant is provided with a written agreement which clearly sets out the terms upon which the tenant is permitted to occupy the House.

Condition 10 - Terms of Occupation

10. The Licence Holder must ensure that:
 - 10.1 Occupancy levels at the House do not exceed those set by the Licence.
 - 10.2 If occupancy levels exceed those permitted by the Licence then, upon becoming aware of this, all reasonable lawful steps are taken to ensure that the number of occupiers is reduced to the permitted level as soon as is reasonably practicable.
 - 10.3 The occupiers of the house are supplied with a written statement of the terms on which they occupy it.

Condition 11 - Tenants' Rights

11. The Licence Holder must ensure that each tenant's legal rights are observed, which includes but is not limited to:
 - 11.1 Giving reasonable notice to complete repairs, and 24 hours notice prior to inspections of the premises which are occupied by the tenant
 - 11.2 Terminating a tenancy or licensed period of occupation in a lawful manner.

Condition 12 - Licence Holder/Manager Details

12. The Licence Holder must ensure that:
 - 12.1 An information pack is given to all new tenants providing the name, address, telephone number and email address, together with the emergency contact telephone number of the person managing the property at the start of the tenancy.
 - 12.2 If any of the above details change, the notice is amended from time to time so that the correct up to date information is given.

Condition 13 - Complaints Procedure

13. The Licence Holder must ensure that:
 - 13.1 They have a written complaints procedure concerning the management and conditions of the property, a copy of which is given to the tenant at the start of their tenancy.

Condition 14 - Anti-Social Behaviour and Damage

14. The Licence Holder shall ensure that:
 - 14.1 All reasonable and practicable steps are taken to prevent or reduce anti-social behaviour or criminality by the tenants or occupiers of the property, together with their visitors.
 - 14.2 In particular, if acts of anti-social behaviour occur at the property in breach of the terms of the tenancy or licence agreement, they take appropriate steps to address this which may, in the case of serious or repeated anti-social behaviour, mean commencing possession proceedings.
 - 14.3 Records are kept of what action is taken which are provided to the Authority within 7 days of a request to see them.

Condition 15 – References

15. The Licence Holder must ensure that:
 - 15.1 References are demanded for new occupiers before entering into any occupancy agreement with them or allowing them to occupy the premises. Where obtained, copies of these references shall be kept for the duration of this licence and made available to the Authority within seven (7) days of the Authority's demand.

Part IV FIRE SAEFTY

Condition 16 - Smoke Alarms

16. The Licence Holder must ensure that:
 - 16.1 There must be at least one smoke alarm installed on each storey of the property on which there is a room used wholly or partly as living accommodation. For these purposes a bathroom or lavatory is a room used as living accommodation.
 - 16.2 Each smoke or heat detector and alarm system is periodically inspected so as to ensure that they are maintained in proper working order.
 - 16.3 Within 14 days of receipt of a demand by the Authority to see copies of any inspection or maintenance certificates, or confirmation of the location and positioning of the smoke or heat detectors and alarm system, such are provided within 14 days of the demand.

Condition 17 - Carbon Monoxide Alarm

17. The Licence Holder must ensure that:
 - 17.1 A carbon monoxide alarm is installed in any room in the property which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance.
 - 17.2 Such an alarm is kept in proper working order; and that the authority is supplied with, on demand, a declaration by them as to the condition and positioning of any such alarm.
 - 17.3 Adequate checks are carried out before each tenancy commences so as to ensure that each combustion appliance is in proper working order on the day the tenancy begins.

Condition 18 - Fire Safety Compliance

18. The Licence Holder must ensure that:
 - 18.1 The House complies with the current version of the Local Authorities Coordinators of Regulatory Services ("LACORS") Fire Safety Guidance or demonstrates to the satisfaction of the Authority that a reasonable and suitable alternative is in place.
 - 18.2 No deviation from the LACORS' Fire Safety Guidance which lowers the protection afforded at the House takes place before the Authority have agreed that such proposed deviation provides a reasonable and suitable alternative.

Condition 19 - Fire Risk Assessment

19. The Licence Holder must:
 - 19.1 Arrange for a fire risk assessment to be carried out at the House, and that all known risks and hazards noted by such assessment are, in so far as is reasonably practicable, documented, and minimised.

19.2 Fire risk assessments to be reviewed if there is a change in legislation and or layout of the property.

Part V GENERAL

Condition 20 - Changes and Alterations

20. The Licence Holder must ensure that:

20.1 In respect of any change to the:

- Licence Holder's residential address or contact details, or where the Licence Holder is a business, if the business address has changed
- Freehold or leasehold ownership
- Licence Holder or manager's circumstances which may impact upon their status as a fit and proper person including but not limited to cautions, criminal conviction for an offence concerning either dishonesty, fraud, violence, misuse of drugs, discrimination, or housing regulations

such change is reported in writing to the Authority within 21 days of it occurring (or any such lesser period that is specified in any relevant regulation).

Condition 21 – Management

21. The Licence Holder must ensure that:

21.1 They comply with all the requirements of the Housing Act 2004 and all other secondary legislation which concerns the regulation and management of Houses subject to Part 3 licensing.

Condition 22 - Training (Appendix 2)

22. The Licence Holder must ensure that:

22.1 Where the Licence Holder has not attended relevant training in the previous three (3) years, they must as a minimum attend suitable training on the law and legal requirements relating to managing privately rented housing within 12 months of the date the licence is granted. See Appendix 2 for Training Providers.

Definitions

In these proposed Licence conditions, the following words are defined below:

“Authority” refers to Charnwood Borough Council acting in its capacity as a local housing authority.

“BS” means British Standard.

“Electrical Installations” has the meaning given to those words in regulation 2(1) of the Building Regulations 2010.

“House” refers to:

- “dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling
- “house” means a building or part of a building consisting of one or more dwellings

and references to a house include (where the context permits) any yard, garden, outhouses, and appurtenances belonging to, or usually enjoyed with, it (or any part of it).

“Licence” means the licence granted by the Authority under Part 3 of the Housing Act 2004 pursuant to an application made by the proposed Licence Holder.

“Licence Holder” refers to:

- (i) the person to whom the Authority has granted the Licence, and
- (ii) from the date of his or her consent, any other person who agrees to comply with the Licence conditions, restriction and obligations that follow.

Condition 22 - Training

The training requirement in Condition 22 is a minimum requirement and depending on the level of responsibility and complexity of properties involved the Licence Holder should consider undertaking further relevant training in line with the extent of their liabilities.

This requirement for Condition 22 can be satisfied by the completion of a one day training course or online equivalent covering the law and legal requirements relating to managing privately rented houses.

Once completed, submit a certificate or other confirmation to the Authority following this training.

The following are recognised as providing a suitable course to satisfy this condition.

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linda.cobb@derby.gov.uk 01332 641111

East Midlands Property Owners (EMPO) Basic Law for Lettings
www.empo.co.uk/trainingcourses.html www.empo.co.uk/contact-us.html, telephone_0115
9502639

National Residential Landlords Association (NRLA) Landlord/Agent/HMO Fundamentals
eLearning and eClassroom Courses: <https://www.nrla.org.uk/training-academy/core-courses>;
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Building Control

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The Licence Holder shall ensure that the Electrical Equipment (Safety) Regulations 1994 (or any Regulations which subsequently replace these) are complied with. Certificates must be in the format recommended in the British Standards. All electrical checks, works, and certification must be carried out by a competent person being a suitably qualified electrical contractor who should be registered/member of an approved scheme such as NICEIC, ECA, NAPIT etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations (unless exempt works).

Smoke Alarms, Fire Detection Systems and Emergency Escape Lighting

Depending on the size, layout, and occupancy of the property the Licence Holder may need to go over and above the legal minimum standards to adequately protect the tenants from fire and may also need to undertake a risk assessment. When doing this the Licence Holder should have regard to the current Building Regulations; and the LACORS Fire Safety Guide. The LACORS Fire Safety guidance is available at: <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>.

Competent Person

A competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to assist you properly. The level of competence required will depend on the complexity of the situation and the particular help you need.
www.competentperson.co.uk.

Furniture Safety

The Licence Holder shall ensure that the Furniture and Furnishings (Fire Safety) Regulations 1988 (or any Regulations which subsequently replace these) in respect of any upholstered furniture supplied by them, including chairs, sofas, beds, upholstered headboards, mattresses, cushions, seat pads, pillows and upholstered garden furniture etc. are complied with. Further information on the requirements can be found in this guide: <https://www.fira.co.uk/images/FIRA-Flammability-Guide.pdf>.

Deposits

The Licence Holder shall ensure that any deposit taken as security for a tenancy is protected as appropriate by placing it in an approved tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used in a specified time.

Right to Rent

Only people with permission or a right to be in the UK have a right to rent property. As a landlord, you have a responsibility to restrict illegal immigrants accessing the private rented sector. If you are found letting to someone who does not have the right to be in the UK, and you cannot show that you have made right to rent checks, then you could face a penalty of £3,000. For more information visit www.gov.uk/check-tenant-right-to-rent-documents.

Energy Performance Certificates (EPCs)

Licence Holders shall ensure they comply with relevant legislation, ensuring tenants have sight of a current EPC for the property at the appropriate time. From 1st April 2018 domestic properties in England and Wales must have an EPC certificate with a minimum E rating for energy efficiency.

Redress Scheme

Where the Licence Holder is a letting agent or property manager, they shall be a member of a relevant property redress scheme. More information is available at www.gov.uk/government/publications/lettings-agents-and-property-managers-redress-schemes.

Information Commission Office

Every organisation or sole trader who processes personal information needs to pay a data protection fee to the ICO unless they are exempt'. Organisations can find guidance, pay the fee or search the register by visiting [Data protection fee | ICO](https://ico.org.uk).

In general: The UK data protection regime is set out in the Data Protection Act 2018 and the UK GDPR and applies if you have information about people for any business or other non-household purpose. The law applies to any 'processing of personal data', and will catch most businesses and organisations, whatever their size. Further information and guidance on what the regime requires organisations to do, and how to comply with its duties can be found on the Information Commissioners Office website - ico.org.uk.

SCRUTINY COMMISSION – 7TH MARCH 2022

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 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 Governance and Scrutiny, is “provide a constructive critical friend challenge to the Executive”.

Pre-decision Scrutiny

Since the meeting of the Commission on 7th February 2022, the Cabinet considered the following items on which the Commission undertook pre-decision scrutiny:

- A. LOUGHBOROUGH TOWN DEAL
- B. REGULATION OF INVESTIGATORY POWERS ACT: POLICY AND REVIEW OF USE IN 2021

Details of the Commission’s consideration of the items as reported to the meeting of the Cabinet on the 10th February 2022 can be found in the minutes from the Commission’s meeting on 7th February 2022.

The Chair of the Commission, Councillor Seaton, attended the Cabinet’s meeting on the 10 th February 2022 to present the Commission’s reports to the Cabinet.

Cabinet Response

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

LOUGHBOROUGH TOWN DEAL

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

REGULATION OF INVESTIGATORY POWERS ACT: POLICY AND REVIEW OF USE IN 2021

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

Officer to contact: Sally Watson
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01509 634969
sally.watson@charnwood.gov.uk

SCRUTINY COMMISSION – 7TH MARCH 2022

Report of the Head of Strategic Support

ITEM 9 SCRUTINY PANELS

Purpose of the Report

To review the progression of scrutiny panels.

Actions Requested

1. To review the progression of scrutiny panels.
2. To approve any panel scoping documents submitted.

Reasons

1&2. To ensure timely and effective scrutiny of the matter/subject.

2. To enable panel work to commence.

Scrutiny Panels

Waste Management Scrutiny Panel

The Waste Management Scrutiny Panel met on 2nd February 2022. The panel considered items including Local Authorities considered to be Leaders in Waste Management, New Research and Technology and Methods that could help Improve Recycling Rates. The full summary of the meetings discussion can be found in the minutes of the meeting on the Council's website. The Waste Management Scrutiny Panel are due to meet again on 15th March 2022.

Digital Transformation Scrutiny Panel

The first meeting of the Digital Transformation Scrutiny Panel is currently scheduled for 28th February 2022.

Crime, Youth Crime and ASB Scrutiny Panel

As Chair of the Crime, Youth Crime and ASB Scrutiny Panel, Councillor Hamilton was due to meet with officers to discuss the scope of the panel.

Combatting Loneliness Scrutiny Panel

An email asking for expressions of interest in participation in the Combatting Loneliness Informal Scrutiny Panel had been sent out to eligible members.

Promoting Tourism in Charnwood Scrutiny Panel

It was agreed at the last meeting of the Scrutiny Commission that the Promoting Tourism in Charnwood Scrutiny Panel would be deferred due to officer availability to support the panel. A revised start date of March/April 2022 was agreed by the Scrutiny Commission.

Appendices: Appendix 1 – Scrutiny Panels

Background Papers: None

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

Scrutiny Panels

The CfGS 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.

We welcome proposals for scrutiny from Members, whether on the appropriate committee or not; outside bodies; and 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 (Formal or Express) 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.

Chair	Type	Topic	Scope	Terms of Reference	Timing
Cllr Ward	Formal	Waste Management and Recycling	To provide the Council with the technical information and necessary evidence base to aid future decision making on the waste management strategy.		November 2021 – May 2022
Cllr Brookes	Formal	Digitalisation and transformation of services	This panel will:		February 2022 – June 2022

			<ul style="list-style-type: none"> • Identify which forms were most used throughout lock-down and whether more forms should be created to support our customers • Identify whether there is a need to create a personalised front-end login portal • If there is a need, would this be for: <ul style="list-style-type: none"> - All customers - Council tenants only - Another key customer group • If a front end portal is required, what information should be displayed and how will this integrate with existing software. • Identify economies of scale and potential savings for the Council and/ or service. 		
TBC	Formal	Budget Scrutiny	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.		Autumn (Sept – Jan annually)

Cllr Parton	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>Investigation to identify how Parish Councils could become involved.</p>	<p>Seek residents' individual views through social media and press.</p> <p>Interview local charities and support groups. Interview Leicestershire County Council Adult Social Care representatives and CAMHs.</p>	February 2022 – May 2022
Cllr Popley	Informal	Promoting Tourism in Charnwood	Identify our key attractions to the area, both physical buildings and special events. What is CBC doing to promote and support these venues/	Approach and/ or interview peer councils to see what they do. Look at specific events around the country to see if	March/ April 2022

			<p>events? What else could be done? Do we have a unique selling point that we are not exploiting?</p> <p>How do people travel to the area? Where do they stay?</p> <p>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>Identify opportunities for tourism to recover post-pandemic.</p>	<p>they could be adapted for CBC, eg: Congleton Makers Market, or Stockton on Tees Comedy Festival.</p>	
Councillor Hamilton	TBC	Crime, ASB and Youth Crime	<p>Identify specific actions that CBC can undertake to support our key partners in preventing and tackling crime.</p> <p>Review of ASB currently planned within Council.</p>	<p>Interview outside bodies such as the police, probation service, youth groups, and charities to understand their work and what prevents/ hinders them from dealing with crime, ASB and youth crime promptly in our Borough.</p>	TBC

			Discussion required with officers to establish scope of review.		
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Express	Informal	Formal	Proposed

SCRUTINY COMMISSION – 7TH MARCH 2022

Report of the Head of Strategic Support

ITEM 10 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 Finance and Performance Scrutiny Committee and adding items to their work programme.

Actions Requested

1. To review the Finance and Performance Scrutiny Work Programme and make any amendments the Commission feel necessary.
2. To agree that the Finance and Performance Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item and any further decisions taken during this meeting.
3. To agree that the Scrutiny Commission agree that the annual Community Safety Partnership Review remained on the Finance and Performance Scrutiny Committee Work Programme, and that any issues identified during the scrutiny of this item be referred to the Scrutiny Commission.

Reasons

- 1-3 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 Council's Corporate Plan 2020-2024 commits the Council to continue to improve customer service and deliver outstanding services.

Background

A change in the scrutiny structure was approved at full Council on 26th April 2021. This permitted the establishment of a Finance and Performance Scrutiny Committee.

Scrutiny Work Programme

The Finance and Performance Scrutiny Committee met on 30th November 2021. The outcomes of the meeting can be found in the minutes which are available on the council's

website. The next meeting of the Finance and Performance Scrutiny Committee is scheduled for 1st March 2022.

A discussion had taken place between the Chairs and Vice-Chairs of the Scrutiny Commission and the Finance and Performance Scrutiny Committee regarding the appropriate placement of the annual Community Safety Partnership Review. At that meeting, it was suggested that this item remained on the Finance and Performance Scrutiny Committee Work Programme, and that any issues identified during the scrutiny of this item be referred to the Scrutiny Commission.

The current Finance and Performance Scrutiny Committee Work Programme, as it stood at the time of the publication of this agenda, is attached as an Appendix to enable the Commission to 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 - Finance and Performance Scrutiny Committee Work Programme

Background Papers: None

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

Finance & Performance Scrutiny Committee Work Programme

Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Offices	Progress / Notes / Action Requested
01 Mar 2022	Work Programme	To consider items for future meetings.	To allow the Committee to identify items for which scrutiny is required.	N. Conway/ Lead Officer	Standing item
01 Mar 2022 (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 / V. Brackenbury	Quarter 3 Report considered at the same time annually.
01 Mar 2022 (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.
01 Mar 2022 (annual item)	Capital Monitoring	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	Monitoring Report at each quarterly meeting.
01 Mar 2022	Decent Homes Contract Update	To provide the Committee with an update on the progress of the Council's Decent Homes Contract with new contractors.	To ensure targets are being met and to identify any areas of concern.	Lead Member/ P. Oliver	After consulting Chair & officers 19 Jul 2021, scheduled in Q4 to allow for data to be generated.
June 2022 (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	Outturn report considered at same time annually.
June 2022 (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	Outturn report considered at same time annually.

June 2022	Performance Information (Quarter 4 Report / Outturn)	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 / V. Brackenbury	Quarter 4 Report considered at the same time annually.
Sept 2022 (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 / V. Brackenbury	Quarter 4 Report considered at the same time annually.
Sept 2022 (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.
Sept 2022 (annual item)	Capital Monitoring	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	Monitoring report at each quarterly meeting.
Sep 2022 (annual item)	Climate Change Strategy Action Plan	Monitoring of the Climate Change Strategy Action Plan.	Monitoring of progress on Action Plan.	Lead Member/ M. French / C. Clarke	Requested by Scrutiny Workshop to be an annual review. Agreed with C/VC to review in Sep (19 Jul '21)
Nov 2022 (annual item)	Community Safety Partnership	To review the work of the Community Safety Partnership on an annual 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	Legal requirement to be reviewed annually. Agreed with C/VC 19 Jul 2021 to occur mid-year in November.
Nov 2022 (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 / V. Brackenbury	Quarter 2 Report considered at the same time annually.

Nov 2022 (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.
Nov 2022 (annual item)	Capital Monitoring	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	Monitoring report at each quarterly meeting.

SCRUTINY COMMISSION – 7TH MARCH 2022

Report of the Head of Strategic Support

ITEM 11

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 the meeting of the Scrutiny Commission on 7th February 2022 the following changes were made to the Scrutiny Commission work programme;

- i. The Local Development Scheme item scheduled for pre-decision scrutiny at the meeting of the Scrutiny Commission on 7th March 2022 was removed from the work programme. This was in response to the Head of Strategic Support explaining that the report would outline a timetable for the preparation of planning documents and advising that there would be limited value in the scrutiny of this item.

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:

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Democratic Services Manager
(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	7 March 2022 (standard item)	Questions under Scrutiny Committee Procedure 11.16	In response to the CfGS guidance to scrutiny during the Covid-19 pandemic, this existing function will be promoted to encourage public participation.			Agreed Scrutiny Commission 1 June 2020, min ref 5 2020/21
Scrutiny Commission	7 March 2022 (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 services.	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	7 March 2022 (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.	K.Widdowson (report) Lead Officer (meeting)	Items may also be determined by the Chair and Vice-chair in consultation with the Democratic Services Manager. Further items may also be added

Scrutiny Commission Work Programme

Scrutiny Commission	7 March 2022 (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
Scrutiny Commission	7 March 2022 (standing item)	Progress with Panel Work		To review progress with Scrutiny Panels.	K Widdowson	Re-established following Scrutiny Work Programme Workshop on 24 May 2021
Scrutiny Commission	7 March 2022 (standing item)	Scrutiny Work Programme		To review and agree the Scrutiny Work Programme	Lead Officer	Re-established following Scrutiny Work Programme Workshop on 24 May 2021
Scrutiny Commission	February/March 2022	Community Safety Partnership Review - Work Programme Discussion	To allow the Scrutiny Commission to consider the most appropriate place for the annual Community Safety Partnership Review to be scrutinized.			Agreed Scrutiny Commission 11 October 2021, min ref 48.
Scrutiny Commission	4 April 2022	Pre-decision Scrutiny – Corporate Delivery Plan 2022/23	To approve the Corporate Delivery Plan 2022-23.		Helen Gretton	Agreed Scrutiny Commission 10 January 2022, min ref 85

Scrutiny Commission Work Programme

Scrutiny Commission	June 2022 (annual item)	Draft Annual Scrutiny Report (annual item)	To consider the Draft Annual Scrutiny Report with a view to it being recommended to Council for approval.		Karen Widdowson	In accordance with Section 6.3(e) of the Council's Constitution, Scrutiny Commission must report annually to Council on the workings of scrutiny bodies and the operation of the scrutiny function generally.
Scrutiny Commission	July 2022	Pre-decision Scrutiny – Charnwood Dog Control Public Spaces Protection Order 2022	To approve the formal Notice of Intention to renew the Borough wide Public Spaces Protection Order for Dog Control (dog fouling, dogs on leads and dogs under control) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014.		Alan Twells	Agreed Scrutiny Commission 10 January 2022, min ref 85
Scrutiny Commission	October 2022	Glyphosate-Based Herbicides in Open Spaces, Playgrounds and Parks	To provide the Scrutiny Commission with an update on Glyphosate use and any potential alternatives identified by the Council following the review.		Matt Bradford	Agreed Scrutiny Commission 11 October 2021, minute reference 43 2021/22

Scrutiny Commission Work Programme

Scrutiny Commission	November 2022 (annual item)	Bulky Waste Collection Charges Review	To review the introduction (in October 2019) of charges for all bulky waste collections.	Annual review to include information on the number of civil litigation cases resulting from fly tipping in the Borough since the bulky waste changes had been implemented and cost of the scheme in relation to the income generated by the scheme.	Matt Bradford	Agreed Scrutiny Commission, 15 November 2021, minute reference 54, 2021/22.
Scrutiny Commission	January 2023 (annual item)	Budget Scrutiny Panel Report	A report of the Budget Scrutiny Panel following its scrutiny of the Council's draft budget for 2023/24.		Budget Scrutiny Panel Chair	



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

**Published
9th February 2022**

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

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?
Solar Farm - Feasibility	To approve spend for the exploration of options and associated business case development to build a solar farm on the site of the former landfill and to provide appropriate delegations to move at pace.	Cabinet	10th February 2022	Report	Yes	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk
Loughborough Town Deal	To note and endorse the approach being taken regarding the Loughborough Town Deal, including the Council acting as the accountable body.	Cabinet	10th February 2022	Report	Yes	Rob Mitchell Chief Executive Tel: 01509 634600 chief.executive@charnwood.gov.uk
Housing Revenue Account (HRA) Business Plan 2021-2052 and Asset Management Strategy Framework	To approve the Housing Revenue Account Business Plan 2021-2052 and Asset Management Strategy Framework.	Cabinet	10th February 2022	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 peter.oliver@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	10th February 2022 21st February 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
New Capital Plan (2022-23 to 2024-25)	To approve the Capital Plan.	Cabinet Council	10th February 2022 21st February 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk

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 Strategy, Treasury Management Strategy Statement, Minimum Revenue Provision Policy and Annual Investment Strategy 2022-23	To seek approval to a Capital Strategy, Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy for 2022-23 and the annual report on the Prudential Code, for recommendation to Council.	Cabinet Council	10th February 2022 21st February 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
2022-23 General Fund and HRA Revenue Budgets and Council Tax and Medium-Term Financial Strategy 2022-25	To seek approval to the Revenue Budget for 2022-23 and to propose the Council Tax for approval by Council, also the Medium-Term Financial Strategy 2022-25.	Cabinet Council	10th February 2022 21st February 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Discretionary Business Rate Relief Policies	To adopt the Council's discretionary business rate relief policies (updated).	Officer Delegated Decision	10th March 2022	Delegated Decision Document	No Delegated Decision Document will be publicly available.	Simon Jackson Strategic Director; Environmental and Corporate Services Tel: 01509 634699 simon.jackson@charnwood.gov.uk
Private Sector Licensing Schemes	To endorse work completed to date to implement two new discretionary licensing schemes, approve the HMO and Selective Licensing Policies. Approve the publication of the Public Notices for the two designated schemes for three months and the implementation of the schemes thereafter.	Cabinet	10th March 2022	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Authority to Sell Council Owned Land	To seek approval for the Council-owned land known as Limehurst Depot to be declared surplus to requirement and for authority to be delegated to the Strategic Director; Commercial Development, Assets and Leisure to advertise the land for sale, either formally or informally, at the pre-planning stage.	Cabinet	10th March 2022	Report	No	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk

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?
Active Together Physical Activity Framework 2022- 31	To endorse the co-developed and designed Active Together Physical Activity Framework 2022- 31.	Cabinet	10th March 2022	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Annual Procurement Plan 2022/23	To seek approval to the Annual Procurement Plan for 2022/23.	Cabinet	10th March 2022	Report	Yes	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk
Housing Capital Programme	To approve the annual investment programme for improvements to the Council's housing stock.	Cabinet	10th March 2022	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 peter.oliver@charnwood.gov.uk
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	10th March 2022	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Shepshed Town Centre Public Realm Improvement Project	To approve the commitment of resources to bring forward the Shepshed public realm improvement scheme in light of the latest budget projections and engagement with the Town Team, Town Council and local businesses and residents.	Cabinet	7th April 2022	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Corporate Delivery Plan 2022/23	To approve the Corporate Delivery Plan 2022-23.	Cabinet	7th April 2022	Report	Yes	Helen Gretton Organisational Development Manager Tel: 01509 634556 helen.gretton@charnwood.gov.uk

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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 received in additional Round 3 of Charnwood Grants 2021/22 (Community Facilities Grants).	Cabinet	7th April 2022	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Charnwood Grants	To consider applications received in Round 1 of the Charnwood Community Grants and Community Facilities Grants Schemes for 2022/23.	Cabinet	July 2022	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Capital Plan Outturn 2021/22	To report the Council's capital expenditure results for 2021/22 subject to audit.	Cabinet	July 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
General Fund and HRA Revenue Outturn Report (2021/22) and Carry Forward of Budgets	To report the Council's revenue expenditure results for 2021/22 subject to audit.	Cabinet	July 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	July 2022	Report	Yes	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk
Charnwood Dog Control Public Spaces Protection Order 2022	To approve the formal Notice of Intention to renew the Borough wide Public Spaces Protection Order for Dog Control (dog fouling, dogs on leads and dogs under control) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014.	Cabinet	July 2022	Report	Yes	Alan Twells Head of Regulatory Services Tel: 01509 634650 alan.twells@charnwood.gov.uk

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	September 2022 November 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	September 2022	Report	Yes	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk
Charnwood Grants	To consider applications received in Round 2 of the Charnwood Community Grants and Community Facilities Grants Schemes for 2022/23.	Cabinet	November 2022	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Draft General Fund and HRA 2023-24 Budgets	To seek approval to the Draft Revenue Budget for 2023-24 as a basis for consultation.	Cabinet	December 2022	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	December 2022 January 2023	Report	Yes	Lesley Tansey Head of Financial Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk

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?
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	December 2022	Report	Yes	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk

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?
Authority to Sell Council Owned Land	To seek approval for the Council-owned land known as Limehurst Depot to be declared surplus to requirement and for authority to be delegated to the Strategic Director; Commercial Development, Assets and Leisure to advertise the land for sale, either formally or informally, at the pre-planning stage.	Cabinet	10th March 2022	Report	No	Justin Henry Strategic Director; Commercial Development, Assets and Leisure Tel: justin.henry@charnwood.gov.uk

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:

Name (Group)	Lead Member Responsibilities
Councillor Morgan (Conservative)	Leader of the Council Strategic Relationships, Investments and Development, Regeneration, Communications and Inward Investment
Councillor Barkley (Conservative)	Deputy Leader of the Council Finance and Property Services
Councillor Bailey (Conservative)	Planning
Councillor Bokor (Conservative)	Loughborough
Councillor Harper-Davies (Conservative)	Community Support and Equalities
Councillor Mercer (Conservative)	Private Housing
Councillor Poland (Conservative)	Public Housing
Councillor Rattray (Conservative)	Business Support
Councillor Rollings (Conservative)	Transformation
Councillor Smidowicz (Conservative)	Strategic Support