



**TO COUNCILLOR:**

E R Barr  
L A Bentley  
Miss A R Bond  
G A Boulter  
J W Boyce  
Mrs L M Broadley  
F S Broadley  
D M Carter (Mayor)  
Mrs K M Chalk

Miss M V Chamberlain  
M H Charlesworth  
M L Darr  
B Dave  
R F Eaton  
Mrs L Eaton JP (Deputy Mayor)  
D A Gamble  
Mrs S Z Haq  
J Kaufman

Mrs L Kaufman  
Dr T K Khong  
Mrs H E Loydall  
K J Loydall JP  
Mrs S B Morris  
R E R Morris  
R H Thakor

Dear Sir or Madam

I hereby **SUMMON** you to attend a meeting of the **FULL COUNCIL** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **TUESDAY, 16 APRIL 2019** at **7.00 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices  
Wigston  
**08 April 2019**

**Mrs Anne E Court**  
Chief Executive

<u>ITEM NO.</u>	<u>AGENDA (ABRIDGED)</u>	<u>PAGE NO'S</u>
<b>1.</b>	<b>Calling to Order of the Meeting</b>  The meeting of the Council will be called to order to receive His Worship The Mayor and Deputy Mayor.	
<b>2.</b>	<b>Apologies for Absence</b>	
<b>3.</b>	<b>Declarations of Interest</b>  Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.	
<b>4.</b>	<b>Minutes of the Previous Meeting</b>  To read, confirm and sign the minutes of the previous meeting in accordance with Rule 17 of Part 4 of the Constitution.	<b>1 - 7</b>
<b>5.</b>	<b>Action List Arising from the Previous Meeting</b>	



There was no Action List arising from the previous meeting.

**6. Motions on Notice**

To consider any Motions on Notice in accordance with Rule 12 of Part 4 of the Constitution.

**7. Petitions, Deputations and Questions**

To receive any Petitions and, or, Deputations in accordance with Rule 24 of Part 4 of the Constitution and to answer any Questions by the Public or Members in accordance with Rules 10 and 11 of Part 4 of the Constitution respectively.

**8. Mayor's Announcements**

**a) List of Official Mayoral / Deputy Mayoral Engagements 8 - 15**

**9. Leader's Statement**

**10. Approval and Adoption of Revised Council Constitution (April 2019) 16 - 33**

Report of the Senior Democratic Services Officer / Legal Officer

**11. Scheme of Members' Allowances (2019/20) 34 - 49**

Report of the Independent Remuneration Panel

**12. Treasury Management Policy and Strategies (2019/20) 50 - 98**

Report of the Head of Finance, Revenues & Benefits

**13. Approval and Adoption of New Local Plan (April 2019) 99 - 271**

Report of the Planning Policy Team Leader

**14. Approval and Adoption of Supplementary Planning Documents (SPD) and Statement of Community Involvement (SCI) (April 2019) 272 - 277**

Report of the Planning Policy Team Leader

**15. Housing Tenancy Agreement (April 2019) 278 - 318**

Report of the Housing Services Manager

**16. Member Conduct Update (April 2019) 319 - 323**

Report of the Democratic & Electoral Services Manager / Deputy Monitoring Officer

**For more information, please contact:**

**Democratic Services**

Oadby and Wigston Borough Council  
Council Offices  
Station Road, Wigston  
Leicestershire  
LE18 2DR

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# Agenda Item 4

**MINUTES OF THE MEETING OF THE FULL COUNCIL HELD AT THE COUNCIL OFFICES,  
STATION ROAD, WIGSTON ON THURSDAY, 21 FEBRUARY 2019  
COMMENCING AT 7.00 PM**

## **PRESENT**

Councillor David M Carter (Mayor)  
Councillor Mrs Lynda Eaton JP (Deputy Mayor)

## **COUNCILLORS**

E R Barr  
L A Bentley  
G A Boulter  
J W Boyce (Leader of the Council)  
Mrs L M Broadley  
F S Broadley  
M H Charlesworth (Deputy Leader of the Council)  
M L Darr  
B Dave (Leader of the Opposition)  
R F Eaton  
D A Gamble  
Mrs S Z Haq  
J Kaufman  
Mrs L Kaufman  
Mrs H E Loydall  
K J Loydall JP  
Mrs S B Morris  
R E R Morris

## **OFFICERS IN ATTENDANCE**

Mrs A E Court (Chief Executive)  
D M Gill (Head of Law & Governance / Monitoring Officer)  
S Hinds (Director of Finance & Transformation / Section 151 Officer)  
Ms K Pollard (Head of People & Performance)  
C Raymakers (Head of Finance, Revenues & Benefits)  
S Tucker (Democratic & Electoral Services Manager)

## **68. CALLING TO ORDER OF THE MEETING**

The meeting of the Council was called to order to receive His Worship The Mayor and Deputy Mayor.

The meeting was led in prayer by the Reverend to the Mayor.

## **69. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillors Miss A R Bond, Mrs K M Chalk, Mrs S Z Haq, Dr T K Khong and R H Thakor.

## **70. DECLARATIONS OF INTEREST**

None.

## **71. MINUTES OF THE PREVIOUS MEETING**

**Full Council (Council Tax & Budget Setting)**

Thursday, 21 February 2019

Page 1

Mayor's

Initials .....

By affirmation of the meeting, it was

**UNANIMOUSLY RESOLVED THAT:**

**The minutes of the previous meeting of the Council held on Tuesday, 11 December 2018 be taken as read, confirmed and signed.**

**72. ACTION LIST ARISING FROM THE PREVIOUS MEETING**

By affirmation of the meeting, it was

**UNANIMOUSLY RESOLVED THAT:**

**The absence of any actions arising from the previous meeting of the Council held on Tuesday, 11 December 2018 be noted.**

**73. MOTIONS ON NOTICE**

None.

**74. PETITIONS, DEPUTATIONS AND QUESTIONS**

None.

**75. MAYOR'S ANNOUNCEMENTS**

**75a. LIST OF OFFICIAL MAYORAL / DEPUTY MAYORAL ENGAGEMENTS**

By affirmation of the meeting, it was:

**UNANIMOUSLY RESOLVED THAT:**

**The list of Official Engagements attended by The Mayor and/or Deputy Mayor be noted.**

In accordance with Rule 7.2 of Part 4 of the Constitution, the Mayor moved for the order of business to be altered and taken in the order as reflected in the minutes.

By affirmation of the meeting, it was

**UNANIMOUSLY RESOLVED THAT:**

**The order of business be altered accordingly.**

**76. MEDIUM-TERM FINANCIAL STRATEGY AND BUDGET (2019/20)**

The Council gave consideration to report (as set out on pages 13-35 of the agenda) which asked it to approve the Medium-Term Financial Strategy and Budget for 2019/20.

The Chair of the Policy, Finance and Development Committee, Councillor Mrs S B Morris, introduced the report and advised that the Council was proposing a balanced budget for the final year of the government's current multi-year settlement.

It was acknowledged that the future remained the Council's biggest uncertainty, with no clarity at the current time as to how central government proposes to fund local

government in the years ahead. For example, it was not known how the review into fairer funding will affect the Council, nor how the new business rate retention scheme will be implemented post 2020.

Overall, it was concluded that the Council is in a stable financial position although there remained significant challenges, and further work would need to be done to reduce the Council's costs and increase its income streams to ensure high quality services could continue to be delivered.

It was moved by Councillor Mrs S B Morris, seconded by the Deputy Leader of the Council and

**RESOLVED THAT:**

- (i) That Council approves the Medium-Term Financial Strategy and Budget for 2019/2020 (as set out in the report and at Appendix 1);**
- (ii) That Council approve the levels of reserves (as set out at paragraph 7 of the report);**
- (iii) That Council approves the Capital Programme (as set out in Appendix 2);**
- (iv) That the Housing Revenue Account estimates for 2019/20 be approved (as set out in Appendix 3); and**
- (v) That Council approves a decrease of 1% in housing rents and increases in other charges of 3.2% (as set out in Appendix 2).**

<b>Votes For</b>	<b>17</b>
<b>Votes Against</b>	<b>2</b>
<b>Abstentions</b>	<b>0</b>

**77. COUNCIL TAX SETTING (2019/20)**

The Council gave consideration to the report (as set out on pages 36-40 of the agenda) which asked it to set and approve the amount of Council Tax for the Borough for 2019/20.

It was moved by Councillor Mrs S B Morris, seconded by the Deputy Leader of the Council and

**RESOLVED THAT:**

- (i) It be noted that under powers delegated to the Chief Financial Officer, the Council has calculated the amount of 17,423.2 as its Council Tax base for the financial year 2019/20 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.**
- (ii) It be noted that the Council Tax requirement for the Council's own purposes for 2019/20 is £3,911,508.**
- (iii) The following amounts be calculated by the Council for the year 2019/20 in accordance with sections 30 to 36 of the Local Government Finance Act 1992 (as amended):**
  - (a) £19,114,596 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act.**
  - (b) £15,203,088 being the aggregate of the amounts which the Council**

estimates for the items set out in section 31A(3) of the Act.

- (c) **£3,911,508** being the amount by which the aggregate at (iii)(a) above exceeds the aggregate at (iii)(b) above, calculated by the Council, in accordance with section 31A (4) of the Act, as its Council Tax Requirement for the year.
- (d) **£224.50** being the amount at (iii)(c) divided by the amount at A above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its Council Tax for the year.
- (e) **Valuation Bands**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
£	£	£	<b>£</b>
149.67	174.61	199.56	<b>224.50</b>

<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£
274.39	324.28	374.17	449.00

Being the amounts given by multiplying the amount at (iii)(d) above by the number which, in the proportion set out in section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with section 36(1) of the Act, as the amount to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (iv) It is noted that for the year 2019/20, Police and Crime Commissioner for Leicester and Leicestershire, and the Leicester, Leicestershire and Rutland Combined Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories shown below and that Leicestershire County Council have indicated that their provisional precept will be confirmed on 20 February 2019.

**Precepting Authorities - Valuation Bands**

<b>Leicestershire County Council</b>			
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
£	£	£	£
861.45	1,005.03	1,148.61	1,292.18
<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£
1,579.33	1,866.48	2,153.64	2,584.36

<b>Police and Crime Commissioner for Leicester and Leicestershire</b>			
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
£	£	£	£
148.82	173.62	198.43	223.23
<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£
272.84	322.44	372.05	446.46

<b>Leicester, Leicestershire and Rutland Combined Fire Authority</b>			
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
£	£	£	£
44.43	51.83	59.24	66.64
<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£
81.45	96.26	111.07	133.28

- (v) That having calculated the aggregate in each case of the amounts at (iii)(e) and (iv) above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, set the following amounts as the amounts of Council Tax for the year 2019/20 for each of the categories of dwellings shown below.

#### Valuation Bands

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
£	£	£	£
1,204.37	1,405.09	1,605.84	1,806.55

<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
£	£	£	£
2,208.01	2,609.46	3,010.93	3,613.10

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the names of the persons who casted a vote for the motion or against the motion or who abstained from voting were recorded as follows:

<b>Votes For (17)</b>	<b>Votes Against (2)</b>	<b>Abstentions (0)</b>
L A Bentley	E R Barr	
G A Boulter	B Dave	
J W Boyce		

Mrs L M Broadley		
F S Broadley		
D M Carter		
M H Charlesworth		
M L Darr		
R F Eaton		
Mrs L Eaton		
D A Gamble		
J Kaufman		
Mrs L Kaufman		
Mrs H E Loydall		
K J Loydall JP		
Mrs S B Morris		
R E R Morris		

**78. PAY POLICY STATEMENT (2019/20)**

The Council gave consideration to the report as set out on pages 41-52 of the agenda, which asked it to approve the Pay Policy Statement for 2019/20 and the continued commitment to paying the Real Living Wage.

It was noted that earlier in the month the latest Gender Pay Gap figures had been published by those organisations required under legislation to do so by virtue of having 250 or more employees. Whilst the size of Oadby & Wigston Borough Council’s workforce meant that the Authority fell below the statutory threshold of being required to report the Pay Gap, the Leader of the Council requested that the figures for the Authority be calculated and included within the 2020/21 Pay Policy Statement. The Head of People & Performance confirmed that the Council does calculate its Gender Pay Gap and has previously reported it to the Policy, Finance and Development Committee, but undertook to also include it in in next year’s annual Statement.

It was moved by the Leader of the Council, seconded by K J Loydall JP and

**UNANIMOUSLY RESOLVED THAT:**

- (i) The Pay Policy Statement for 2019/20 be approved; and**
- (ii) The Council’s continued commitment to paying the Real Living Wage be approved.**

**79. LEADER'S STATEMENT**

The Leader of the Council presented a Statement outlining his recent work, the administration’s plans and an overview of recent decisions taken since the previous meeting of the Council.

**THE MEETING CLOSED AT 7.45 PM**



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**Mayor**

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**Tuesday, 16 April 2019**

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Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

## Events attended by the Mayor (May 2018 – April 2019)

### MAY 2018

20	Royal Air Force	Celebrate RAF 100 Parade & Service
22	1st Oadby Girl Guides	Award Evening
24	Leicester Children's Holiday Centre	Gala Drinks & Reception

### JUNE 2018

7	Lady Gretton	Final Fling
9	Oadby Wigston Swimming Club	OWSC Mayors Swimming Gala
11	1st Oadby Boy's Brigade	Awards Evening
20	OWBC	Forryan Brothers Memorial
21	Leicester Community Concert Band	Music Concert
21	Wigston Academy	School Council
21	Lord Mayor of Leicester	Civic Service
23	Leicestershire County Council	Armed Forces Day Parade
24	Bishop of Leicester	Summer Garden Party
24	Oadby & Wigston Lions	Bardi Concert
25	O&W Lions Club	Presentation Night
26	Wigston Academy	Student Awards Evening

### JULY 2018

4	Wigston College	Summer Madness Performance
11	Midlands in Bloom	Peace Memorial Park
11	Muslim School	Awards Evening
12	Rutland High Sheriff	Rutland Water Cruise
17	University of Leicester	Summer Degree Concert , De Montfort Hall
19	High Sheriff of Leicester Race Day	Leicester Racecourse
19	Leicester & Rutland Heritage Forum	Heritage Awards, Coalville
21	University of Leicester	Summer Celebration, Knighton Hall
23	Age UK	Glamorous Grandma Competition
24	Deli France UK	Business Open Day
26	Leicester CC Chairman	Summer Evening at Beaumanor Hall

## AUGUST 2018

4	OWBC	WW1 Memorial Bench Dedication
4	Aylestone Lane Allotment Association	Allotment Day
10	Blaby DC	Chairman's Twilight Walk
29	OWBC	WW1 Bench Dedication Ellis Park

## SEPTEMBER 2018

3	OWBC	Merchant Navy Flag Day
7	Harborough DC	Chairman's Charity Lunch
7	Manor High School	50th Celebrations
8	Framework Knitters Museum	Sock Day
8	Colin Robertson	Pinfold Opening
8	Wigston Magna Methodist Church	Wigston Manga Show
12	ABF Soldiers Charity	Sounding Retreat Ceremony
15	Lady Mayoress	Coffee Morning
15	Leicester Children's Holidays	Civic Lunch
16	Royal Air Forces Association	Battle of Britain Memorial Service
17	Leicestershire CC Chairman	Charity Curry Evening
19	Mayor Charnwood	Civic Service
20	Curtis Weston House	Residents 100th Birthday
21	Blaby DC	Chairman's At home Welcome
27	Lidl Stores	Opening of new store in Wigston
29	Sikh Welfare & Cultural Society	Multi Faith RAF 100 event

## OCTOBER 2018

1	OWBC	Recycling Competition Winner
4	Pride of the Borough	Awards Evening
5	Cedar Court Care Home	Harvest Festival
6	Royal Air Force Air Cadets	Annual Dining in Night
7	Leicestershire County Council	County Service @ Cathedral
7	Melton BC	Civic Service

11	Rural Community Council	Rural Achievement Awards
12	Leicester Grammar School	Foundation Day Service
12	O&W Hindu Community	Navrati Celebrations
13	Wigston Civic Society	40th Anniversary Reception
23	Magistrates Association	Autumn Event & AGM
28	Oadby & Wigston Lions	Charter Lunch
29	Leicester Cathedral	That they may have life

## NOVEMBER 2018

2	Gateway Club	Make a Guy competition
3	Leicester Progressive Jewish Community	Memorial Service
4	Blaby DC	Civic Service
6	OWBC	Remembrance Shop Front Window Competition
9	Thythorn Field Primary School	Remembrance Assembly
10	Oadby Town Centre Association (Chris Swan)	Oadby Festive Lights Switch on
10	Alderman Duncan Lucas	WW1 concert
11	Oadby Royal British Legion	Remembrance Sunday Parade
11	Dean of Leicester	Remembrance Service
11	OWBC	Lighting of Beacon
12	Locality Manager - Leicester County Council	Tea and Cake (Library 10 Year Anniversary on The Parade)
13	Leicestershire Police	Intercultural Evening
15	OWBC	Inter Faith Week
17	Brocks Hill	Christmas Craft Fair
17	Leicester Festival of Music and Drama	Annual Festival
18	SSAFA	President's Luncheon
20	Warning Zone	Children's Life Skill Centre Visit
21	O&W 2018 Awards Evening	Parklands Leisure Centre
24	AV Innovate Ltd	2018 Charity Box Appeal
24	Oadby & Wigston Lions	Oadby Christmas Light Switch on
25	Hinckley & Bosworth	Civic Carol Service
27	OWBC	Remembrance Service Shop Window Awards

## DECEMBER 2018

1	South Wigston Chamber of Trade	Christmas Capers
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2 O&W Fundraising Group Marie Curie  
 3 Royal Mail Group  
 3 LOROS  
 4 Richard III Centre  
 5 Wigston Academy  
 6 Lord Mayor Leicester  
 8 University of Leicester  
 9 Harborough DC  
 11 Senior Citizens Action Group  
 13 Bluebird Care  
 13 Blaby DC  
 15 South Wigston Chamber of Trade  
 15 Salvation Army  
 18 NW Leicestershire  
 19 Leicester Community Concert Band

Lights to Remember  
 Visit local sorting office  
 Christmas Concert  
 Drinks reception  
 Christmas Concert  
 Christmas Concert  
 Christmas Drinks Reception  
 Civic Carol Service  
 Christmas Concert  
 Launch of Homecare Service  
 Christmas Carol Service  
 Over 60's Christmas Dinner  
 Christmas Event  
 Chairman's Civic Carol Service  
 Christmas Concert

**JANUARY 2019**

Page 11

23 Hinckley & Bosworth Mayor  
 27 Leicester HMD Committee  
 28 OWBC

Beauty & The Beast Pantomime  
 Holocaust Memorial  
 Holocaust Memorial

**FEBRUARY 2019**

1 Wickes  
 7 Rotary Club of Oadby  
 7 Blaby BC  
 15 University of Leicester  
 19 Blaby District Council

Open of new store in Wigston  
 Talk at their lunch  
 Chairman's Charity Quiz & Nibbles  
 Annual Court Meeting  
 Chairman's Charity Curry Night

**MARCH 2019**

1 Leicester University  
 2 Lord Mayor's  
 3 Rotary Club of Oadby  
 3 Oadby & Wigston Muslim Association

Visit to Labs  
 Spring Ball  
 Swimathon  
 Visit my Mosque Day

6	Wigston Academy	Beauty and the Beast
8	Melton BC	Civic Dinner
12	OBC Fellowship	Weekly meeting
12	Harborough DC	Civic Dinner
14	Hinckley & Bosworth	Civic Service
15	Leicestershire Fire & Rescue	Engagement Morning
16	Hinckley & Bosworth	Charity Fundraiser
21	Blaby District Council	Chairman's Civic Dinner
22	Leicestershire & Rutland Sport	School Games Championships
28	Leicestershire County Council Chairman	Charity Dinner in aid of COPS

## APRIL 2019

5	NW Leicestershire	Chairman's Charity Dinner
8	Rotary Club of Wigston	Weekly Meeting - Speech
11	Hinckley & Bosworth	Mayor's Civic Dinner
13	Leicestershire Royal Society of St George	St Georges Dinner
14	Progressive Jewish Congregation	Opening of Extension
17	Leicestershire CC	Castle House Dinner
23	Jan Bryars	Oadby Remembers Book
29	University of Leicester	Exchange Knowledge Workshop

# Events attended by the Deputy Mayor (May 2018 – April 2019)

## MAY 2018

19 The Royal Yeomanry Frezenberg Dinner

## JUNE 2018

4 Harborough DC Thanksgiving Event  
11 28th Leicester Scout Group Annual Summer Fete  
18 Leicestershire CC 30th Anniversary Celebrations Schuan  
22 DICE The Enemy Within?

## JULY 2018

1 Wigston Magna Dog Training Club Summer Dog Show  
2 Leicestershire Scouts AGM  
4 Parklands Leisure Centre South Leicestershire School Sports Awards  
6 Thythorn Field Primary School Presentation Assembly  
10 Wigston College Students Awards Evening  
12 Headway Brain Injury Association Opening new shop in Wigston

## AUGUST 2018

8 Harborough Chairman 100 Years Women's vote  
9 Girlguiding Escape Camp VIP Day  
18 Leicestershire CC Chairman's Charity Brass Band Concert  
26 ABF & Lord Lieutenant Family Day Hog Roast Luncheon

## OCTOBER 2018

4 KUKU Connect Annual Birthday Reception  
6 O&W Lions Annual Sponsored Swim  
20 Mayor Hinckley & Bosworth Charity Luncheon  
20 The Royal Society of St George Trafalgar Dinner  
23 Sea Cadets Royal Navy Parade

27	Royal British Legion	Festival of Remembrance
28	High Sheriff Leicester	Justice Service
31	Wigston Academy	Dance Showcase

**NOVEMBER 2018**

3	Severn Pharmacy	Grand opening of new pharmacy
3	All Saints Church	Armistice Commemoration Evening Concert
4	Leicestershire Rugby Union	Memorial Rugby Match
11	St Thomas Church	Remembrance Sunday Service (Cllr Samia Haq)
11	OWBC	Remembrance Sunday Parade
26	North Warwickshire & Leicestershire College	Annual Awards Ceremony

**DECEMBER 2018**

1	O&W Scout & Guide Band	Christmas Concert
2	Mr Terry Toone	Light's Switch on at Home
4	OWBC	CE Forum Disability Confident Event
6	Melton BC	Candles by Candlelight
7	Menphys	Carol Concert
19	OWBC	Christmas Concert

**JANUARY 2019**

25	Brookside Primary School, Oadby (Kevin Loydall)	Award Presentation
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**FEBRUARY 2019**

4	All Saints Primary School	Wings of Peace Memorial Service
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**MARCH 2019**

13	Women in Philanthropy Steering Group	Film Evening
14	Leics & Rutland Magistrates Association	Spring Conference
16	Wigston Magna Methodist Church	Bicentenary dinner

30 Senior Citizens Action Group

Spring Concert

**APRIL 2019**

4 Soar Valley Press

New Production Zone

# Agenda Item 10



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Approval and Adoption of Revised Council Constitution (April 2019)**

**Report Author(s):** **Samuel Ball (Senior Democratic Services Officer / Legal Officer)**

<b>Purpose of Report:</b>	To seek Council's final approval and adoption of the revised Constitution of the Borough Council of Oadby and Wigston ("the Revised Constitution") with effect from the start of the 2019/20 municipal year marked by the Annual General Meeting (AGM) on Tuesday, 14 May 2019.
<b>Report Summary:</b>	<p>The Constitutional Working Group (CWG) has now fulfilled its remit by updating and revising the Council's Constitution in a process spanning the previous 18-months. The CWG reported its final recommendations to the Change Management Committee ("the Committee") at its meeting on 15 January 2019 which, following consideration of those final recommendations, has culminated in a Revised Constitution which the Committee commends to Council for its final approval and adoption, subject to the inclusion and/or revision of the constitutional provisions as set out in paragraphs 3 to 5 of and appendices 2 to 8 to this report.</p> <p>Whilst the vast majority of the provisions contained within the Revised Constitution have been agreed and are not in contention, two notable provisions have attracted a divergence of opinion between Officers and Members upon which neither the CWG or, in turn, the Committee have been able to reach a formative recommendation. These provisions in contention have therefore been referred to Council for it to make the final decision on their inclusion respectively and are specially set out in paragraph 4 of and appendices 7 and 8 to this report.</p>
<b>Recommendation(s):</b>	<p><b>A. That the Revised Constitution of the Borough Council of Oadby and Wigston (as set out in Appendix 1 to and available to inspect through the means as described at paragraph 2.4 of the report) be approved and adopted by Council with effect from 14 May 2019;</b></p> <p><b>B. That Council resolves to include the constitutional provisions not in contention (as set out at paragraph 3 of and appendices 2 to 6 to the report) for respective inclusion within the Revised Constitution;</b></p> <p><b>C. That Council resolves upon its preferred version of those constitutional provisions in contention (as set out at paragraph 4 of and appendices 7 to 8 to the report) for respective inclusion within the Revised Constitution; and</b></p> <p><b>D. Delegated authority be granted to the Head of Law &amp; Governance / Monitoring Officer to amend the Revised Constitution so to reflect the changes arising from the recently approved Corporate Plan (2019-2024) and the Council's new Management and Departmental Structure (as set out at paragraph 5 of the report).</b></p>

<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Anne Court (Chief Executive / Head of Paid Service) (0116) 257 2602 <a href="mailto:anne.court1@oadby-wigston.gov.uk">anne.court1@oadby-wigston.gov.uk</a></p> <p>David Gill (Head of Law &amp; Governance / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a></p> <p>Steven Tucker (Democratic &amp; Electoral Services Manager) (0116) 257 2605 <a href="mailto:steven.tucker@oadby-wigston.gov.uk">steven.tucker@oadby-wigston.gov.uk</a></p> <p>Samuel Ball (Senior Democratic Services Officer / Legal Officer) (0116) 257 2643 <a href="mailto:samuel.ball@oadby-wigston.gov.uk">samuel.ball@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	<p>Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2) Providing Excellent Services (CO3)</p>
<b>Vision and Values:</b>	<p>“A Strong Borough Together” (Vision) Accountability (V1) Respect (V2) Teamwork (V3) Innovation (V4) Customer Focus (V5)</p>
<b>Report Implications:-</b>	
<b>Legal:</b>	<p>An up-to-date constitution which is fit for purpose, meets contemporary needs and accords with accepted principles of good governance minimises the risk of Council-decisions being challenged and promotes the expedient and expeditious transaction of Council-business.</p>
<b>Financial:</b>	<p>The constitutional provisions in relation to the Financial Procedure Rules meets contemporary needs and accords with accepted principles of prudent financial regulation and promotes the expedient and expeditious transaction of the Council’s financial affairs.</p>
<b>Corporate Risk Management:</b>	<p>Political Dynamics (CR3) Regulatory Governance (CR6) Organisational / Transformational Change (CR8)</p>
<b>Equalities and Equalities Assessment (EA):</b>	<p>There are no implications arising from the report. EA not applicable.</p>
<b>Human Rights:</b>	<p>There are no implications arising from the report.</p>
<b>Health and Safety:</b>	<p>There are no implications arising from the report.</p>
<b>Statutory Officers’ Comments:-</b>	
<b>Head of Paid Service:</b>	<p>The report is satisfactory.</p>
<b>Chief Finance Officer:</b>	<p>The report is satisfactory.</p>

Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	All Elected-Members Senior Management Team (SMT) Constitutional Working Group Change Management Committee
<b>Background Papers:</b>	<a href="#">Report entitled 'Review and Amendment of the Council's Constitution (April 2018)', to Full Council, 24 April 2018</a> <a href="#">Report entitled 'Update on the Progress of the Constitutional Work Group (July 2018) to Change Management Committee, 24 July 2018</a> <a href="#">Full Proposed Draft Constitution (Circulated in Mid-December 2018)</a> <a href="#">Report entitled 'Review of the Council's Constitution Update (January 2019)' to Change Management Committee, 15 January 2019</a> <a href="#">Minutes of the Change Management Committee, 15 January 2019 (Min. Ref. 16 – 'Review of the Council's Constitution Update' etc.)</a> <a href="#">Corporate Plan (2019-2024) (as approved and adopted by the Policy, Finance and Development Committee, 26 March 2019)</a>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Revised Constitution (April 2019) (see paragraph 2.4 of the report)</li> <li>2. The Leader of the Council (Article 2, Para. 2.9.2)</li> <li>3. Responsibility for Functions &amp; Bodies (Part 3, Paras. 4-15 &amp; Art. 7)</li> <li>4. Council Procedure Rules, Quorum (Part 4, Rule 7.1)</li> <li>5. Financial Procedure Rules (Part 4, Paras. 5.2 and 7.3)</li> <li>6. Members' Substitute Scheme (Part 4, Para. 4.5)</li> <li>7. Council Procedure Rules, No Speeches until Motion Seconded and Application to Committees etc. (Part 4, Rule 16.1 &amp; 25)</li> <li>8. Members' Substitute Scheme (Part 4, Para. 3)</li> </ol>

## 1. Background

- 1.1 The Constitutional Working Group (CWG) in partnership with Officers has now fulfilled its remit by updating and revising the Council's Constitution in a process spanning the previous 18-months comprising of five meetings held between February 2018 and January 2019.
- 1.2 At its last meeting on 8 January 2019, the CWG was asked to consider the feedback received from all Members following the circulation of a full proposed draft Constitution ("the Draft Constitution") in mid-December 2018 and to make final recommendations in terms of updates and revisions to the Change Management Committee ("the Committee").
- 1.3 The CWG reported its final recommendations to the Change Management Committee ("the Committee") at its meeting on 15 January 2019 which, following consideration of those final recommendations, has culminated in the Revised Constitution which the Committee now commends to Council for its final approval and adoption subject to the ensuing paragraphs.

## 2. The Revised Constitution

- 2.1 The Revised Constitution is set out at **Appendix 1** (see paragraph 2.4 below).
- 2.2 The Revised Constitution reproduces the content of the Draft Constitution as circulated to all Members in mid-December 2018 and as was considered by the CWG and the Committee.
- 2.3 The Revised Constitution contains the following updated and revised parts:

<b>Part No.</b>	<b>Title</b>	<b>Page No.</b>
Part 1	Summary & Explanation	1 - 6
Part 2	Articles of the Constitution	7 - 40
Part 3	Responsibility for Functions	41 - 90
Part 4	Rules of Procedure	91 - 190
Part 5	Codes and Protocols	191 - 294
Part 6	Members' Allowances Scheme	295 - 302
Part 7	Committee Structure	303 -304
Part 8	Management & Departmental Structure	305 - 306

2.4 As the Revised Constitution is a substantially large document to reproduce, it has not been physically annexed as a hard-copy to this report. Alternatively, a copy of the Revised Constitution will be (has been) made available by Democratic Services for inspection:

- 2.4.1 at the Council Offices during ordinary business hours (9:00 am - 5:00 pm) 5-clear working days before the Full Council meeting on 16 April 2019 (by 8 April 2019);
- 2.4.2 on the [Council's website](#) and via the [modern.gov app](#) (as part of the electronic agenda reports pack) 5-clear working days before the Full Council meeting;
- 2.4.3 at the Full Council meeting itself on 16 April 2019; and
- 2.4.4 by reference to the individual copies of the Draft Constitution as circulated to all Members in mid-December 2018 and/or the copy deposited in the Members' Room (Room 104) at the Council Offices (Members only).

2.5 **Recommendation A** recommends that the Revised Constitution be approved and adopted by Council with effect from the 14 May 2019, subject to the inclusion/non-inclusion of the constitutional provisions set out in the ensuing paragraphs of this report which either:

- 2.5.1 have arisen after the circulation of the Draft Constitution at the suggestion of the Leader of the Council and/or the Senior Management Team (SMT) **-or-** have not attracted a divergence of opinion between Officers and Members and are not considered to be in contention ("the Non-Contentions Provisions"); and
- 2.5.2 have attracted a divergence of opinion between Officers and Members upon which neither the CWG or, in turn, the Committee have been able to reach a formative recommendation and therefore have been referred to Council for it to make the final decision thereon ("the Contentious Provisions").

### **3. The Non-Contentious Provisions**

#### **3.1 Article 2, Para. 2.9.2 – The Leader of the Council (pg. 14)**

3.1.1 An additional sub-provision be included to empower the Leader of the Council to take urgent action, including the authorisation and incurrence of expenditure, in order to promote, protect or defend the reputation of the Council accordingly.

3.1.2 This additional sub-provision is set in full out at **Appendix 2**.

#### **3.2 Part 3, Paras. 4 - 15 - Responsibility for Functions (pg. 51 - 68) & Article 7, Para. 7.1 - Bodies Directly Facilitated by the Council etc. (pg. 22)**

3.2.1 The Membership numbers for (i) committees, sub-committees, panels, and working

groups appointed by the Council; and (ii) outside and partnership bodies directly facilitated by the Council be fixed as they currently subsist as of 2018/19.

3.2.2 These numbers (including quorum) are reproduced in full at **Appendix 3**.

3.3 **Part 4, Rule 7.1 – Council Procedure Rules, Quorum (pg. 97)**

3.3.1 The provision be amended to increase the quorum of meetings from one-quarter ( $\frac{1}{4}$ ) to one-third ( $\frac{1}{3}$ ) of the whole number of Members having the right to vote, with a three-Member baseline remaining so not to affect ad-hoc sub-committees.

3.3.2 This revised provision is set in full out at **Appendix 4**.

3.4 **Part 4 - Financial Procedure Rules, Para. 5.2 and 7.3 (pg. 130 and 134)**

3.4.1 The rules relating to 'Supplementary Estimates' (para. 5.2, pg. 130) and 'Virements Authorisation Limits' (para. 7.3, pg. 134) be revised accordingly.

3.4.2 The revised rules are set in full out at **Appendix 5**.

3.5 **Part 4 - Members' Substitute Scheme, Para. 4.5 – Attendance (pg. 188)**

3.5.1 The provision be amended requiring notice of a substitution being received by Democratic Services from no later than 5:00 pm before the last clear working day before the meeting to 12:00 pm (mid-day) on the day of the meeting, with the 'illness and other circumstances' provision at para. 4.6 remaining unchanged.

3.5.2 This revised provision is set in full out at **Appendix 6**.

3.6 **Recommendation B** recommends that Council resolves the non-contentious provisions for respective inclusion within the Revised Constitution.

**4. The Contentious Provisions**

4.1 **Part 4, Council Procedure Rules, Rule 16.1 – No Speeches until Motion Seconded & Rule 25 – Application to Committees and Sub-Committees (pgs. 105 and 111)**

4.1.1 A summary of the differing opinions between Officers and Members is as follows:

Officers	Members
<p>Officers recommend the retention of the provision within the existing Constitution (i.e. that no speeches should be made until a motion is on the table).</p> <p>This is recommended on the grounds that the principles of good governance, best practice, case-law, statutory guidance and the constitutions of other local authorities consistently advocate this approach as an example of good administration, thereby avoiding the risk of decisions being challenged on procedural grounds.</p>	<p>Members opine that although this provision has existed within the Council's Constitution for a number of years, it has seldom been applied in practice and, to the best of their knowledge, is not enforced at other local authorities.</p> <p>Members instead are of the view that committees should be able to hold a free debate, from which it was anticipated that a substantive motion will arise.</p> <p>Members feel that this would resolve the</p>

Officers (Cont'd)	Members (Cont'd)
<p>This approach also allows the Chair of a meeting to exercise efficient control and keep track of any amendments moved during the course of the debate.</p> <p>Officers acknowledge that there are acute difficulties involved in balancing the principles of good governance with the desire to satisfy public perception, but reiterate that good governance should always take priority over public perception.</p>	<p>issue of members of the public in attendance forming the impression that by moving a recommendation at the beginning of the debate, those Members moving and seconding the motion had already reached a pre-determined view.</p> <p>Members attach particular significance to the issue of public perception when applied to the moving and seconding of Planning Officers' recommendations at the Development Control Committee.</p>

4.1.2 Officers invite Members to review both the webcast recording of the [Planning and Development Control Committee, Leicester City Council \(30 January 2019\)](#) and the sound recordings of the [Plans Committee, Charnwood Borough Council \(7 March 2019\)](#) which illustrate the disorderly manner in which meetings can be conducted without the moving and seconding of a motion from the outset of debate.

4.1.3 Both the Officers' version at (a) and the Members' versions at (b)(i) and (b)(ii) of the relevant provisions in contention are set in full out at **Appendix 7**.

#### 4.2 **Part 4 - Members' Substitute Scheme, Para. 3 – Nomination etc. (pg. 187)**

4.2.1 A summary of the differing opinions between Officers and Members is as follows:

Officers	Members
<p>Officers recommend that there should be a fixed, proportional number of named substitutes for each committee, who should be trained as appropriate where the requirement for training in order to sit on the committee exists.</p> <p>This is recommended on the grounds that it is consistent with the policy aims and objectives of pertaining legislation prescribing political proportionality arrangements, thereby precluding the ability of a political group to substitute their entire complement of Members.</p> <p>The naming of substitutes would also allow so-named Members to be furnished with the same information at the same point of dissemination, ensuring that all substitute Members attending meetings are in comparable well-informed position.</p>	<p>Members opine that the Scheme should have greater flexibility, with no limit on the number of Members that can be substituted and no named substitutes.</p> <p>Members feel that the pertaining legislation governing political proportionality arrangements only applies when calculating eligible Member representation and, in turn, the proportional allocation of seats on committees by political group.</p> <p>Members believe that there are political, as opposed to policy, reasons as to why a political group should be able to substitute their entire complement of Members, the main reason being that Members are subject to the political whip.</p> <p>It is accepted that substitutes should be trained were such a requirement exists.</p>

4.2.2 Both the Officers' version at (a) and the Members' version at (b) of the relevant provisions in contention are set in full out at **Appendix 8**.

4.3 **Recommendation C** recommends that Council resolves upon its preferred version of the contentious provisions for respective inclusion within the Revised Constitution.

## 5. The Revised Constitution and Corporate Plan (2019-2024)

5.1 At its meeting of the Policy, Finance and Development Committee on 26 March 2019, the Council approved a Corporate Plan for the period 2019 to 2024 ("the Corporate Plan") with effect from 1 April 2019 together with a new management and departmental structure.

5.2 **Recommendation D** recommends that, consistent with the powers conferred by Article 14 of the Revised Constitution, delegated authority be granted to the Head of Law & Governance / Monitoring Officer to amend the Revised Constitution to reflect the changes arising from the Corporate Plan and the Council's new Management and Departmental Structure.

5.3 Where such amendment is required to be made notably includes, but is not limited to:

5.3.1 **Article 1** – The Constitution;

5.3.2 **Article 11** – Officers;

5.3.3 **Part 3** – Responsibility for Functions;

5.3.4 **Part 4** – Rules of Procedure;

5.3.5 **Part 5** – Codes and Protocols;

5.3.6 **Part 6** - Committee Structure; and

5.3.7 **Part 8** – Management and Departmental Structure

## 6. Next Immediate Steps

6.1 If approved and adopted, the Revised Constitution (as amended) will take effect as the Constitution of the Borough Council of Oadby and Wigston ("the Constitution") from the start of the 2019/20 municipal year marked by the Annual General Meeting (AGM) on 14 May 2019. This effective from date represents an appropriate juncture once a new administration has been formed following the Borough Council elections on 2 May 2019.

6.2 From the 1 May 2019, a copy of the Constitution will accordingly be:

6.2.1 provided to all Members as part of their Member Induction Resource Pack;

6.2.2 made available by Democratic Services for inspection at the Council Offices during ordinary business hours (Monday - Friday, 9:00 am - 5:00 pm); and

6.2.3 made available online via the Council's website and the modern.gov app.

6.3 Additionally, the availability of the Constitution online via the Council's website and the modern.gov app will make use of enhanced but hitherto unused functionality within the Council's committee and meeting management application, to provide a more user-friendly and electronically-accessible format arrangement which will allow the extensive contents of the Constitution as a composite document to be navigated more easily and efficiently.

## 7. Future Review and Revision of the Constitution

7.1 The Constitution will be reviewed and revised where appropriate on an annual and ongoing basis by the Constitutional Working Group in partnership with Officers under the supervision of the Change Management Committee, subject to the provisions of Article 14 therein.

7.2 Further to paragraph 5.2 above, the Monitoring Officer is empowered in accordance with Article 14 of the Revised Constitution to amend the Constitution with immediate effect in respect of 'minor changes' (Article 14.3.2), including amendments to reflect a change in fact or law, and 'legislative changes' (Article 14.3.3) subject to certain reporting requirements.

7.3 The use of the enhanced functionality within Council's committee and meeting management application will also ensure that future reviews and revisions to the Constitution are conducted and presented in an orderly and systematic fashion with a clear audit trail.

## **8. Miscellaneous**

8.1 All additions, revisions, deletions and versions of the constitutional provisions in the revised Constitution as set out in **appendices 2 to 8** to this report have been formatted either in ***bold/italics/underlined***, struck-through and/or boxed for ease of reference accordingly.

# Appendix 2

## The Leader of the Council (Article 2, Para. 2.9.2)

### **2.9.2. The Leader of the Council**

- (i) The Council will appoint a Leader each year at the Annual General Council meeting. The Leader who will provide clear leadership to the community.
- (ii) The Leader may present a regular report or statement to the Council on which questions or comments from other Councillors or members of the public will be taken in accordance with Part 4 of the Constitution.
- (iii) The Leader will hold office until:-
  - (a) He resigns from Office; or
  - (b) He ceases to be a Member in accordance with Article 2.6 above; or
  - (c) He is removed from Office by resolution of the Council or Annual General Meeting of the Council next following his appointment.
- (iv) The Leader is empowered to take all the necessary urgent action where it is required, including the authorisation and incurrence of expenditure, following consultation with the appropriate Statutory Officer(s), in order to promote, protect or defend the reputation of the Council.**

## Responsibility for Functions & Bodies (Part 3, Paras. 4-15 & Art. 7)

<b>(i) Committee, Sub-Committees, Panels and Working Groups Appointed by the Council</b>	<b>Number</b>	<b>Quorum</b>
Appeals Panel	3	3
Appointments Committee	5	3
Armed Forces Working Group	9	3
Assessment Sub-Committee	3	3
Change Management Committee	8	3
Constitutional Working Group	5	3
Determination Sub-Committee	3	3
Development Control Committee	13	4
Independent Remuneration Panel	3	3
Investigatory Sub-Committee	3	3
Licensing and Regulatory Committee	13	4
Licensing Sub-Committee	3	3
Place Shaping Working Group	11	4
Policy, Finance and Development Committee	15	5
Service Delivery Committee	14	5
Review Sub-Committee	3	3
Taxi and Private Hire Sub-Committee	3	3

<b>(ii) Outside and Partnership Bodies Directly Facilitated by the Council</b>	<b>Number</b>	<b>Quorum</b>
Oadby Residents' Forum	11	n/a
Wigston Residents' Forum	12	n/a
South Wigston Residents' Forum	3	n/a
Health and Wellbeing Board	5	n/a
Community Engagement Forum	5	n/a
Children and Young Peoples' Forum	5	n/a
Community Safety Partnership	1	n/a
Senior Citizens Forum	1	n/a

# Appendix 4

## Council Procedure Rules, Quorum (Part 4, Rule 7.1)

### **7. Quorum**

- 7.1 Subject to any specific statutory requirement, the quorum of a meeting will be ~~one quarter~~ ***one-third*** of the whole number of Members who have the right to vote at that meeting, provided that no business shall be transacted at any meeting if less than three persons entitled to vote are present.

## Financial Procedure Rules (Part 4, Paras. 5.2 and 7.3)

### 5. Supplementary Estimates

(...)

- 5.2 The Chief Financial Officer can approve Supplementary Estimates up to £10,000 **£25,000** in consultation with the Chief Executive, from ~~£10,001~~ **£25,001** but less than ~~£30,000~~ **£50,000** in consultation with the Chair of Policy, Finance and Development Committee. Supplementary Estimates above these levels, either individually or cumulatively, require the approval of Policy, Finance and Development Committee.

### 7. Transfer of Budgets (Virement)

(...)

#### 7.3 Virement Authorisation Limits

Virement Type	Authorisation Level:				
	Head of Service	<b><u>Chief Financial Officer</u></b>	Chief Financial Officer in consultation with Chair of PFD Committee	Policy, Finance and Development Committee	Council
(a) Within a cost centre	In consultation with Service Accountant				
(b) Within a Budget Head	Less than £25,000	<b><u>£25,000</u></b> - <b><u>£49,999</u></b>	£25,000 - £49,999 <b><u>£50,000 -</u></b> <b><u>£250,000</u></b>	£50,000 - £250,000 <b><u>More than</u></b> <b><u>£250,000</u></b> <b><u>but less than</u></b> <b><u>£500,000</u></b>	More than £250,000 <b><u>More</u></b> <b><u>than</u></b> <b><u>£500,000</u></b>
(c) Between Budget Heads but within a Service	Less than £25,000	<b><u>£25,000</u></b> - <b><u>£49,999</u></b>	£25,000 - £49,999 <b><u>£50,000 -</u></b> <b><u>£250,000</u></b>	£50,000 - £250,000 <b><u>More than</u></b> <b><u>£250,000</u></b> <b><u>but less than</u></b> <b><u>£500,000</u></b>	More than £250,000 <b><u>More</u></b> <b><u>than</u></b> <b><u>£500,000</u></b>

(d) Between capital projects		<b><u>Less than £50,000</u></b>	Less than £50,000 <b><u>£50,000 - £250,000</u></b>	£50,000 - £250,000 <b><u>More than £250,000 but less than £500,000</u></b>	More than £250,000 <b><u>More than £500,000</u></b>
(e) Within Committee's responsibility				Less than £250,000	More than £250,000

## Members' Substitute Scheme (Part 4, Para. 4.5)

### 4. Attendance

(...)

- 4.5 In the case of Committees and Sub-Committees, written notice of the substitution must be received by Democratic Services no later than 5pm ~~before the last clear working day before the meeting~~ **12:00 pm (mid-day) on the day of the meeting** [e.g if a meeting is held on a Thursday, notice must be given by 5pm on Tuesday, thus allowing one clear day between]. In the case of other bodies, e.g working groups, similar notice is helpful but not obligatory. A form is available from Democratic Services for this purpose.
- 4.6 In the event of illness or other circumstances beyond the member's control, he or she may appoint a substitute at short notice at the discretion of the Chair of the relevant Committee. It is the responsibility of the appointing member to seek the Chair's approval in such an instance.

# Appendix 7

## **Council Procedure Rules, No Speeches until Motion Seconded and Application to Committees etc. (Part 4, Rule 16.1 & 25)**

### **(a) Officers' Version**

#### **16. Rules of Debate**

##### **16.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

(...)

#### **25. Application to Committees and Sub-Committees**

All of the Council Rules of Procedure apply to meetings of full Council. Only Rules 4 - 7, 13 - 16, 17 - 25 (but not Rule 22.1) apply to meetings of committees and sub-committees.

### **(b)(i) Members' Version (i.e. exception for Development Control Committee only)**

#### **16. Rules of Debate**

##### **16.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

(...)

#### **25. Application to Committees and Sub-Committees**

All of the Council Rules of Procedure apply to meetings of full Council. Only Rules 4 - 7, 13 - 16, 17 - 25 (but not Rule 22.1) apply to meetings of committees and sub-committees, ***with the special exception that Rule 16.1 which will not apply to meetings of the Development Control Committee.***

### **(b)(ii) Members' Version (i.e. no requirement to move and second from the outset)**

#### **16. Rules of Debate**

##### **16.1 No speeches until motion seconded**

***Speeches permitted before motion moved and seconded***

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

**Speeches are permitted before the mover has moved a proposal and explained the purpose of it and before the motion has been seconded and similarly when moving and seconding an amendment accordingly.**

(...)

## **25. Application to Committees and Sub-Committees**

All of the Council Rules of Procedure apply to meetings of full Council. Only Rules 4 - 7, 13 - 16, 17 - 25 (but not Rule 22.1) apply to meetings of committees and sub-committees.

# Appendix 8

## Members' Substitute Scheme (Part 4, Para. 3)

### (a) Officers' Version

#### 3. Nomination and Appointment

- 3.1 The Council, when establishing appointments to committees and working groups of the Council, will also appoint ***named*** substitutes for elected Members to those bodies on the nomination of the political group leaders. Substitutes to other working groups will be appointed by the establishing body, as appropriate. The substitutes themselves must also be elected members.
- 3.2 The number of substitutes appointed will relate to the number of seats that each political group or grouping has on the body concerned as follows:
- more than 5 seats - 3 substitutes;
  - 2 to 5 seats - 2 substitutes; and
  - 1 seat - 1 substitute.
- 3.3 On appointment, it shall be the responsibility of a substitute member to keep up to date with the business of the body to which he or she has been appointed to ensure effective ***and informed*** decision-making.

### (b) Members' Version

#### 3. ~~Nomination and Appointment~~

- 3.1 ~~The Council, when establishing appointments to committees and working groups of the Council, will also appoint named substitutes for elected Members to those bodies on the nomination of the political group leaders.~~ ***Any member may self-appoint a substitute in lieu of that member to attend any meeting of a committee and working group of the Council on an ad-hoc basis.*** The substitute themselves must also be an elected member.
- 3.2 ~~The number of substitutes appointed will relate to the number of seats that each political group or grouping has on the body concerned as follows:~~
- ~~more than 5 seats - 3 substitutes;~~

- 2 to 5 seats - 2 substitutes; and
- 1 seat - 1 substitute.

3.32 On appointment, it shall be the responsibility of a substitute member ~~to keep up to date with the business of the body~~ **to familiarise themselves with the business due to be transacted at the meeting** to which he or she has been appointed **to attend** to ensure effective **and informed** decision-making.

# Agenda Item 11



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Scheme of Members' Allowances (2019/20)**

**Report Author(s):** **Independent Remuneration Panel (IRP)**

<b>Purpose of Report:</b>	This report asks Council to consider, approve and adopt a Members' Allowance Scheme for 2019/20 ("the Scheme") under the Local Authorities' (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations") based on the recommendations of the Independent Remuneration Panel (IRP) with effect from 10 May 2019.
<b>Report Summary:</b>	The IRP is aware that Council is minded not to alter the Scheme until 2020 and therefore recommends the adoption of the attached Scheme for the 2019/20 municipal year (as set out at Appendix 2).
<b>Recommendation(s):</b>	<p><b>A. That the contents of the report as prepared by the Independent Remuneration Panel (as set out at Appendix 1 to the report) be noted by Council; and</b></p> <p><b>B. That the Scheme of Members' Allowances for 2019/20 as recommended by the Independent Remuneration Panel (as set out at Appendix 2 to the report) be considered, approved and adopted with effect from 10 May 2019.</b></p>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Anne Court (Chief Executive / Head of Paid Service) (0116) 257 2602 <a href="mailto:anne.court1@oadby-wigston.gov.uk">anne.court1@oadby-wigston.gov.uk</a></p> <p>Joanne Smith (PA to the Senior Management Team) (0116) 257 2606 <a href="mailto:joanne.smith@oadby-wigston.gov.uk">joanne.smith@oadby-wigston.gov.uk</a></p> <p>Laurie Faulkner (Independent Member) (0116) 257 2775 <a href="mailto:democratic.services@oadby-wigston.gov.uk">democratic.services@oadby-wigston.gov.uk</a></p> <p>David Wood (Independent Member) (0116) 257 2775 <a href="mailto:democratic.services@oadby-wigston.gov.uk">democratic.services@oadby-wigston.gov.uk</a></p> <p>John Whiting (Independent Member) (0116) 257 2775 <a href="mailto:democratic.services@oadby-wigston.gov.uk">democratic.services@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Not applicable.
<b>Vision and Values:</b>	Accountability (V1)
<b>Report Implications:-</b>	
Legal:	It is essential that the Local Authorities' (Members' Allowances) (England) Regulations 2003 are complied with in their entirety.

Financial:	The Scheme for Members' Allowances for 2019/20 as proposed is within the budget set aside for 2019/20.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	Independent Remuneration Panel (IRP)
<b>Background Papers:</b>	None.
<b>Appendices:</b>	<b>1.</b> Report of the Independent Remuneration Panel (April 2019) <b>2.</b> Proposed Scheme of Members' Allowances (2019/20)

## **1. Introduction**

- 1.1 This report asks Council to consider, approve and adopt a Members' Allowance Scheme for 2019/20 ("the Scheme") under the Local Authorities' (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations") based on the recommendations of the Independent Remuneration Panel (IRP) with effect from 10 May 2019.

## **2. Information**

- 2.1 The Council is required to have regard to the IRP's report each year.
- 2.2 The report of the IRP recommending a 2019/20 Scheme is attached at **Appendix 1**.
- 2.3 The proposed 2018/19 Scheme is attached at **Appendix 2**.
- 2.4 The IRP is aware that Council is minded not to alter the Scheme until 2020 and therefore recommends the adoption of the attached Scheme for the 2019/20 municipal year.
- 2.5 The report proposes no changes to the existing 2018/19 Scheme in accordance with the previous recommendations of the IRP and provides details of the work carried out by the IRP over the past year.
- 2.6 In accordance with the 2003 Regulations, once a Scheme for 2019/20 has been adopted, arrangements will be made to comply with all publicity requirements.

**Members' Allowances Review**  
**For**  
**Oadby & Wigston Borough Council**

**Report of the**  
**Independent Remuneration Panel**

## RECOMMENDATIONS

The Panel makes the following recommendations:

**(a)** Special Responsibility Allowances (SRA) to be agreed as set out in the following table.

<b>Special Responsibility</b>	<b>SRA (£)</b>
Leader of the Council	10,000
Deputy Leader of the Council * halved where shared	2,500*
Leader of the Opposition Group # pro rata based on the total membership of groups where applicable	2,500#
Chairman of Policy, Finance & Development, Service Delivery, Development Control	3,500
Vice Chairman of Policy, Finance & Development, Service Delivery, Development Control	1,150
Chairman of Council (Mayor)	3,500
Vice Chairman of Council (Deputy Mayor)	1,000
Chairman of Licensing & Regulatory Committee	2,500
Vice Chairman of Licensing & Regulatory Committee	1,000
Generic Task Group Chairman Allowance (pro rata if the Group disbands)	1,000
Change Management Committee Chairman	1,000
Community Engagement Forum Chairman	1,000
Children and Young Peoples' Forum Chairman	1,000
Community Safety Partnership Chairman (where it is a Member of the Council)	1,000
Place Shaping Working Group Chairman	1,000
Health and Wellbeing Board Chairman	1,000
Residents' Forum Chairman(s)	1,000
Members Standards Complaints – Adjudication Panel (up to 4 hours*, over 4 hours** per attendance)	50* or 100**
Member of Licensing Panel (up to 4 hours*, over 4 hours** per attendance)	30* or 60**
Member of Internal Interview Panel (up to 4 hours*, over 4 hours** per attendance)	50* or 100**
Representative on Outside Body (up to 4 hours*, over 4 hours** per attendance)	30* or 60**

**(b)** The Members Allowance Scheme included at Appendix A to this report be adopted, to be effective for the period 10 May 2019 until 9 May 2020.

**(c)** That a Basic Allowance of £4,750 should continue to be paid to each Councillor with effect from 10 May 2019.

**(d)** That Members should be permitted to claim no more than two Special Responsibility Allowances.

**(e)** The Council note the results of the Panel's continuing work and benchmarking exercise against comparable local authorities.

## **INTRODUCTION**

The Local Authorities (Members' Allowances) (England) Regulations 2001, requires Local Authorities to establish and maintain an Independent Remuneration Panel (IRP). The Local Authorities (Members' Allowances) (England) Regulations 2003, placed additional responsibilities on the role of the Panel.

The purpose of the Panel is to make recommendations to the Authority about allowances to be paid to Elected Members. The Panel has a duty, each year, to advise the Authority on its scheme and the amounts to be paid. The Council must have regard to this.

### **Membership of the Panel**

The Panel comprises of the following individuals:-

- Mr Laurie Faulkner - Magistrate and retired Head of Business Development at De Montfort University
- Mr David Wood - Self Employed Local Resident
- Mr John Whiting - Local Resident and Retired Tax Inspector

### **Process of the Review**

The Panel has addressed the requirements of the Regulations in drawing up the recommendations for the Council's 2019/20 Scheme.

The 2016 review had sought to rebalance the Scheme to produce a more transparent and simplified structure.

The Panel is aware that the Council is minded not to alter the Scheme until 2020 and therefore recommends the adoption of the attached Scheme for the 2019/20 municipal year.

## **HISTORY**

The scheme for 2016/17 revisited the basic principles that the Panel wished to focus on in 2013 in increasing the Basic Allowance and further streamlined the Special Responsibility Allowances by reducing them from eight bands to four.

### **2019/20 Scheme – Work since April 2018**

The Panel has met on two occasions, 31 October 2018 and 15 January 2019 to consider the scheme and make recommendations to Council.

The Panel notes that in 2016/17 the Council adopted the majority of the Panel's recommendations and the Panel has continued to carry out benchmarking of the current structure against the cluster of other comparable local authorities.

### **Special Consideration – Leader's Allowance**

At the request of the Leader in October 2017, consideration was given to whether, as a result of ongoing employee issues, a special additional payment was warranted for the temporary increase in workload. After hearing evidence of the nature of the work undertaken, the Panel recommended an additional one off payment of £2,000. Full Council subsequently approved authorisation of this payment in July 2018.

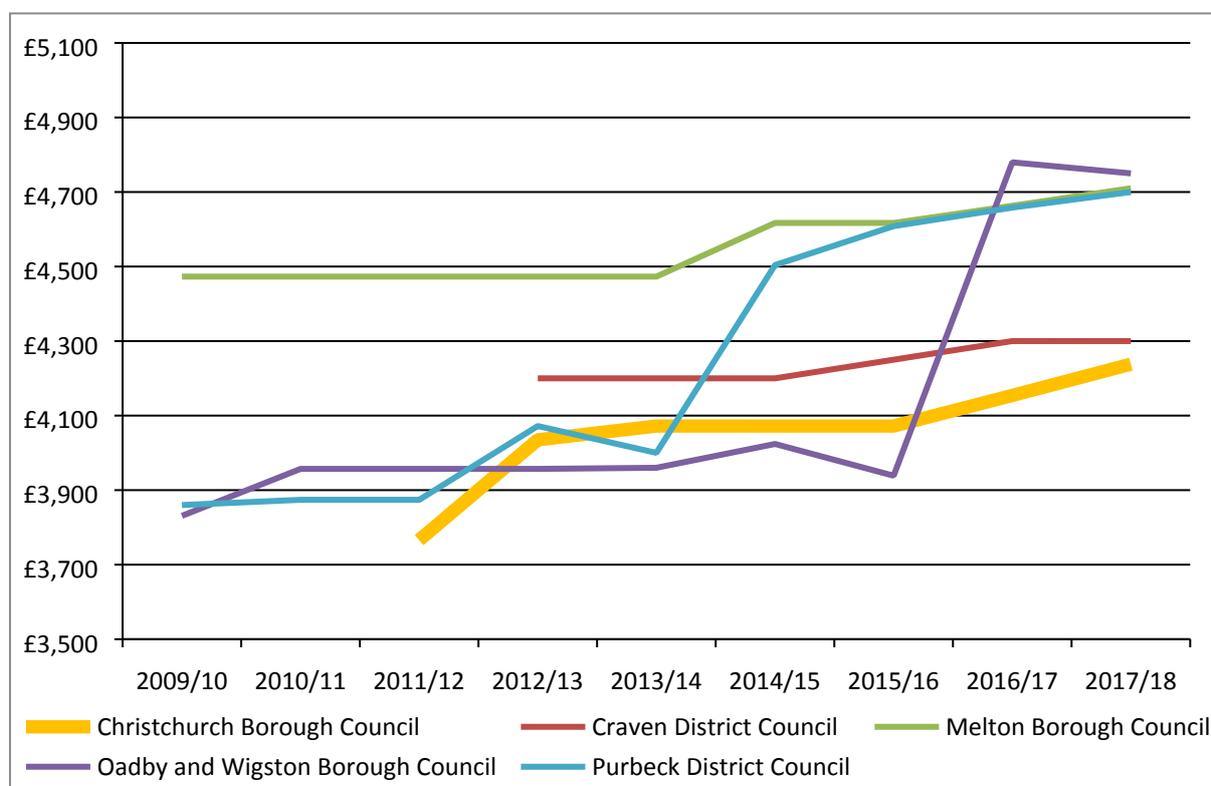
## OVERVIEW OF CLUSTER OF SIMILAR AUTHORITIES

In a similar way to last year, data was collected from a cluster of fourth option local authorities which is set out below.

Authority	Population	Number of Councillors	Basic Allowance October 2017
Christchurch Borough Council	48,368	24	£4,072
Craven District Council	55,800	30	£4,300
Melton Borough Council	50,900	28	£4,710
Oadby and Wigston Borough Council	56,170	26	£4,750
Purbeck District Council	46,200	25	£4,700
<b>Averages</b>	<b>51,488</b>	<b>27</b>	<b>£4,506</b>

Analysis of basic allowance payments across the cluster show that Oadby & Wigston Borough Council now pays the highest allowances in the cluster

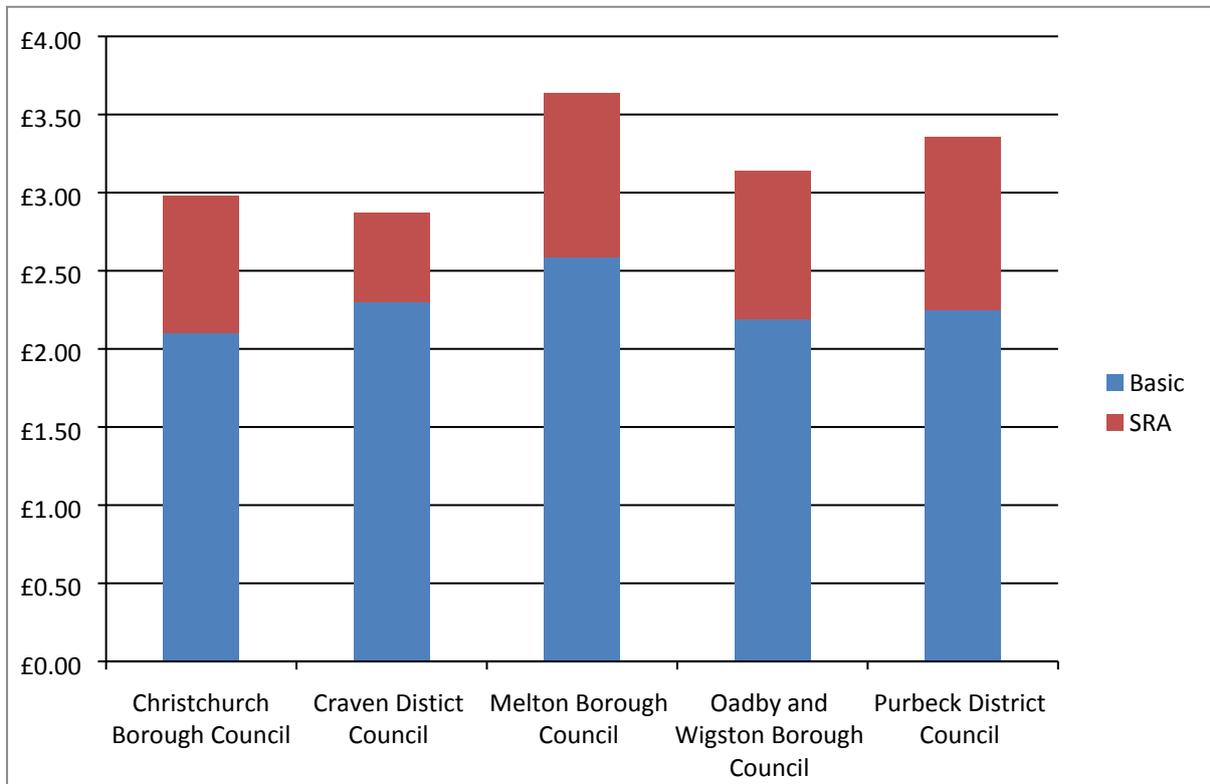
**Chart of Basic Allowances for Similar Authorities**



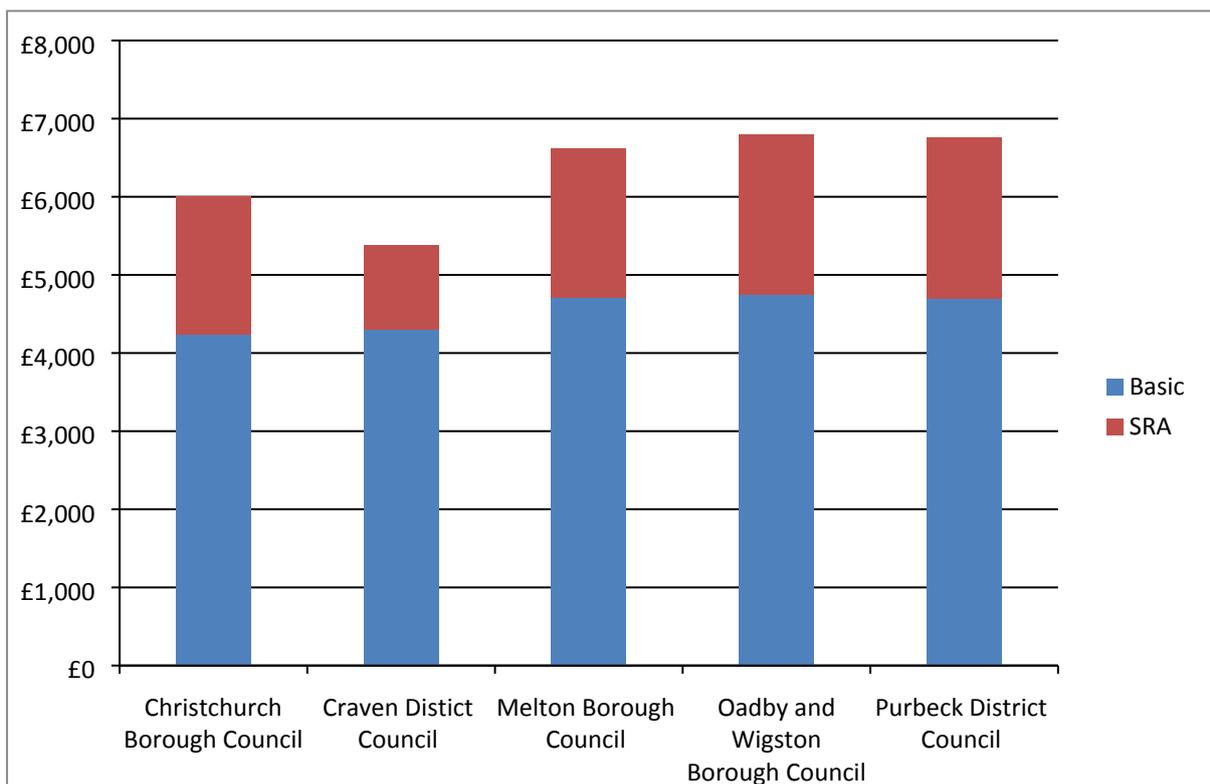
The chart above shows that Oadby & Wigston Borough Council has addressed the long standing issue of the low level of Basic Allowance, and in common with Purbeck District

Council, has chosen to review this on a periodic basis as opposed to applying an annual increase based on the index-linked pay award for staff.

**Basic and SRA per Resident for Similar Authorities for 2017/18**



**Chart of Basic and SRA per Councillor for Similar Authorities for 2017/18**



## **Future Work Plan**

The Panel will continue with its benchmarking exercises however it will need to identify a new cluster of similar authorities as both Purbeck District Council and Christchurch Borough Council will merge into new Unitary Authorities in May 2020. In addition Melton Borough Council is moving to an executive model and this will impact on the balance of basic to special responsibility allowances. and will periodically review the Scheme and make recommendations as necessary.

## **OADBY AND WIGSTON BOROUGH COUNCIL** **SCHEME OF MEMBERS' ALLOWANCES – 2019/20**

Oadby and Wigston Borough Council, in exercise of the powers conferred by the Local Authorities' (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:-

1. This scheme may be cited as the Oadby and Wigston Borough Council Members' Allowances Scheme and shall have effect for the period from 10 May 2019 to 9 May 2020.
2. In this Scheme,  
"Councillor" means a member of the Oadby and Wigston Borough Council who is a Councillor  
"Year" means the period ending with 9 May 2020.

### **Basic Allowance**

3. Subject to paragraph 6, a Basic Allowance of **£4,750** shall be paid to each Councillor.

The Basic Allowance is intended to recognise the time devoted by Councillors to their work, including their community representative role, and to cover some incidental expenses incurred by them.

### **Special Responsibility Allowances**

4. (1) A Special Responsibility Allowance shall be paid to those Councillors (in addition to the Basic Allowance) who hold the special responsibilities in relation to the Authority that are specified in Schedule 1 to this Scheme.
- (2) Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.
- (3) That Councillors be permitted to claim no more than two Special Responsibility Allowances. Where it appears to a Councillor that this policy has brought about an inequitable situation, that person may appeal to have the matter reviewed, to the independent Adjudication Panel (see paragraph 6 (7) post).
- (4) The Chief Executive, in consultation with the Leader of the Council and having regard to the guidance provided at Schedule 3 below, be authorised to approve the attendance of Councillors at appropriate events where they would be representing the Council and to make payment of special responsibility attendance allowance and any other relevant travel and subsistence expenses covered by the Scheme for the relevant period of absence from home, providing that authority for attendance is given by the Chief Executive in advance of the event taking place.

## **Claiming of Allowances**

- 5.** A Councillor may by notice in writing given to the Head of Law & Governance decline to claim any part of his or her entitlement to an allowance under this Scheme.

## **Part-Year Entitlements**

- 6. (1)** The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to Basic and Special Responsibility Allowances to a Special Responsibility Allowance where, in the course of the year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor or accepts or relinquishes a Special Responsibility in respect of which a Special Responsibility Allowance is payable.
- (2)** If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance to a Special Responsibility Allowance, then in relation to each of the periods
  - (a)** beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (b)** beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.
- (3)** Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a Basic Allowance shall be to the payment to such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his or her term of office subsists bears to the number of days in that year.
- (4)** Where this Scheme is amended as mentioned in sub-paragraph (2) above, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (2) (a) above, the entitlement of any such Councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days which his or her term of office as a Councillor subsists bears to the number of days in that period.
- (5)** Where a Councillor has during part of, but not throughout, a year special responsibilities as entitle him or her to a Special Responsibility Allowance, that Councillor's entitlement shall be to the payment of

such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.

- (6) Where this Scheme is amended as mentioned in sub-paragraph (2) above, and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a Special Responsibility Allowance, that Councillor's or Independent Person's entitlement shall be to the payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- (7) A meeting of an Adjudication Panel comprising the Chief Executive, a member of the Independent Remuneration Panel and a senior Councillor, be called to consider and decide upon any issue of uncertainty or ambiguity that might arise in interpretation of the Scheme.

### **Travelling and Subsistence Allowances**

7. Councillors may claim Travelling and Subsistence Allowances in respect of the following categories of meetings, subject to them being held outside the Borough, at the rates prescribed in Schedule 2 to this Scheme.
  - Conferences and meetings where attendance is authorised by the Council, a Committee or by the Chief Executive
  - Outside Bodies to which the Councillor has been appointed by the Council, a Committee or by the Chief Executive

Note: Councillors may not claim Travelling and Subsistence Allowances in respect of any meetings held inside the Borough. Allowance for such expenses is reflected in the basic allowance.

### **Childcare and Dependant Carers' Allowance**

8. Childcare and Dependent Carers' Allowances be paid for the actual receipted cost incurred to a Councillor, providing this does not exceed £10 per hour. The Allowances to cover attendance at any meeting of the Council for which the Councillor is a member or for attendance at any meeting of an outside body for which the Councillor is attending that meeting as a representative of the Council.

### **Claims**

9. Claims for the payment of Travelling and Subsistence Allowances under this Scheme must be made on the official forms provided within two months of the date on which the meeting took place.

These forms are available from the Chief Executive's Office.

## **Payments**

- 10.** Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to paragraph 6(2), in installments of one-twelfth of the amount specified in this Scheme direct into Councillor's bank/building society account on the 25<sup>th</sup> day of each month or as close thereto as is possible.
- 11.** Where a payment of one-twelfth of the amount specified in this scheme in respect of basic allowance or a special responsibility allowance would result in a Councillor receiving more than the amount to which, by virtue of paragraph 6, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

## **Suspension**

- 12.** All allowances will be withheld from any Councillor who has been suspended and any allowance paid must be reimbursed with the exception of any payment in arrear in respect of entitlement prior to the time of suspension.

## **Updating**

- 13.** This Scheme shall be updated on 10 May 2018 in line with the level of the Retail Price Index in any year when there is no independent review.

PROPOSED

## Schedule 1

### Special Responsibility Allowances

A Special Responsibility Allowance at the amount specified below shall be paid per annum to those Councillors who have the special responsibilities in relation to the Council as specified below:-

<b>Special Responsibility</b>	<b>SRA (£)</b>
Leader of the Council	10,000
Deputy Leader of the Council * halved where shared	2,500*
Leader of the Opposition Group # pro rata based on the total membership of groups where applicable	2,500#
Chairman of Policy, Finance & Development, Service Delivery, Development Control	3,500
Vice Chairman of Policy, Finance & Development, Service Delivery, Development Control	1,150
Chairman of Council (Mayor)	3,500
Vice Chairman of Council (Deputy Mayor)	1,000
Chairman of Licensing & Regulatory Committee	2,500
Vice Chairman of Licensing & Regulatory Committee	1,000
Generic Task Group Chairman Allowance (pro rata if the Group disbands)	1,000
Change Management Committee Chairman	1,000
Community Engagement Forum Chairman	1,000
Children and Young Peoples' Forum Chairman	1,000
Community Safety Partnership Chairman (where it is a Member of the Council)	1,000
Place Shaping Working Group Chairman	1,000
Health and Wellbeing Board Chairman	1,000
Residents' Forum Chairman(s)	1,000
Members Standards Complaints – Adjudication Panel (up to 4 hours*, over 4 hours** per attendance)	50* or 100**
Member of Licensing Panel (up to 4 hours*, over 4 hours** per attendance)	30* or 60**
Member of Internal Interview Panel (up to 4 hours*, over 4 hours** per attendance)	50* or 100**
Representative on Outside Body (up to 4 hours*, over 4 hours** per attendance)	30* or 60**

**NOTE:** Where daily rates are paid, time to be calculated from time when leaving home to time when returned to home.

## Schedule 2

### **Travelling and Subsistence Allowances**

#### **A. Travelling**

1. Motor Car – 52.2p per mile regardless of engine size\*
2. Motor Car Passengers - 3.0p per mile for the first passenger and 2.0p per mile for the second and subsequent passengers up to 4 (to whom a travelling allowance would otherwise be payable)
3. Motor Cycle - 26p per mile
4. Bicycle - 10p per mile
5. Toll, ferry and parking fees (including overnight garaging) - actual cost on production of a receipt
5. Taxis - actual fare (plus reasonable gratuity) either in case of urgency or where no public transport is reasonably available
6. Public Transport - second class or any available cheap day fare unless there are exceptional circumstances approved by the Chief Financial Officer for first class fare.

\*Mileage rate for Council officers.

#### **B. Subsistence**

1. Absence not involving absence overnight – up to the following limits on production of a receipt
  - (a) Breakfast (leaving home before 7.30am) £ 6.50
  - (b) Lunch (absent between 12 noon and 2pm) £ 8.00
  - (c) Tea\* (arriving home after 5.30pm) £ 6.00
  - (d) Evening Meal\* (arriving home after 8.30pm) £12.00

\*only one of these may be claimed

2. Absence overnight covering continuous period of 24 hours – reasonable cost of accommodation and meals on production of a receipt
3. Main meals on trains (i.e. breakfast, lunch or dinner) - reasonable cost (inc. VAT) on production of a receipt (in lieu of the subsistence allowance for the appropriate meal period)

## Schedule 3

### **Guidance for Use of Delegated Powers by Chief Executive in Respect of Members Conferences/Seminars/Meetings etc.**

#### **Introduction**

- 1.** Under the Scheme of Delegation, the Chief Executive has been granted delegated authority, in consultation with the Leader of the Council, to approve attendance by Members at conferences, seminars or meetings which have not previously been approved by the Council.
- 2.** In exercising his/her delegation the Chief Executive must have regard to these guidelines.

#### **Guidelines**

- 3.** The Chief Executive must ensure that there is sufficient budgetary provision taking into account:-
  - (a)** The financial provision required for the support and development needs of all Members for the financial year in question.
  - (b)** The cost and quality of the seminar/conference/meeting where applicable.
- 4.** The Chief Executive must ensure that:-
  - (a)** The meeting/conference/seminar is relevant to the Member's role and responsibilities at the Council, (i.e. by virtue of membership of a Committee, Sub Committee, Task Group, Panel or Outside Body) or, his/her position as Chairman or Vice-Chairman of a Committee, Sub-Committee, Task Group, Panel or Outside Body; or
  - (b)** Attendance would be beneficial to the Council or non-attendance would be prejudicial to the Council or its standing in the wider community; or
  - (c)** The conference/seminar/meeting provides necessary or relevant training or education to the Member in his or her capacity as a Borough Councillor.

# Agenda Item 12



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Treasury Management Policy and Strategies (2019/20)**

**Report Author(s):** **Chris Raymakers (Head of Finance, Revenues & Benefits)**

<b>Purpose of Report:</b>	The purpose of this report is to inform Council of current Treasury Management practices carried out by the Council.
<b>Report Summary:</b>	This report contains the revised Treasury Management Policy, the Council's Prudential Indicators, Treasury Strategy and Plan and Investment Strategy for the financial year 2019/20 to 2021/22.
<b>Recommendation(s):</b>	<p><b>A. That the Treasury Management Policy (as set out in Appendix 1) be approved by Council;</b></p> <p><b>B. That the Prudential Indicators for 2019/20 (as set out in Appendix 2) be approved by Council;</b></p> <p><b>C. That the Treasury Strategy and Plan 2019/20 (as set out in Appendix 3) be approved by Council;</b></p> <p><b>D. That the Investment Strategy 2019/20 to 2021/22 (as set out in Appendix 4) be approved by Council; and</b></p> <p><b>E. That the Capital Strategy 2019/20 (as set out in Appendix 5) be approved by Council.</b></p>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Stephen Hinds (Director of Finance &amp; Transformation) (0116) 257 2681 <a href="mailto:stephen.hinds@oadby-wigston.gov.uk">stephen.hinds@oadby-wigston.gov.uk</a></p> <p>Chris Raymakers (Head of Finance, Revenues &amp; Benefits) (0116) 257 2891 <a href="mailto:chris.raymakers@oadby-wigston.gov.uk">chris.raymakers@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Providing Excellent Services (CO3)
<b>Vision and Values:</b>	"A Strong Borough Together" (Vision) Accountability (V1) Innovation (V4)
<b>Report Implications:-</b>	
Legal:	Robust Treasury Management practices reduce the risk of any legal challenge to the Council's financial activities.
Financial:	Strong Treasury Management is reduces risk and ensures a good cash flow to support Council services.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.

Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	<a href="#">Local Government Act 2003</a> <a href="#">Chartered Institute of Public Finance and Accountancy (CIPFA)</a> <a href="#">Prudential Code for Capital Finance in Local Authorities (2017)</a> <a href="#">Treasury Management in the Public Services (CIPFA): Code of Practice and Cross-Sectoral Guidance Notes (2017)</a> <a href="#">Capital Finance (MHCLG): Guidance on Local Government Investments (2018)</a> <a href="#">Audit Commission: Report on Icelandic Investments (2019)</a> <a href="#">Prudential and Treasury Management Code (CIPFA) (2017)</a>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Treasury Management Policy (2019/20)</li> <li>2. Prudential Indicators (2019/20)</li> <li>3. Treasury Management Strategies and Plan (2019/20)</li> <li>4. Investment Strategy (2019/20 to 2021/22)</li> <li>5. Capital Strategy (2019/20)</li> </ol>

## 1. Information

1.1 The Council defines its Treasury Management activities as:

*"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks"*

1.2 Part of the Treasury Management operation is to ensure that the cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

1.3 The second main function of the Treasury Management service is the funding of the Council's Capital Programme. The Capital Programme provides a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure that the Council can meet its capital spending obligations.

1.4 This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

## 2. Treasury Management Policy (2019/20)

2.1 This Policy dictates the Council's overall approach to Treasury Management. It explains the key Treasury Management practices which are undertaken and outlines how the Council

carries these out in furtherance of its corporate goals. This Policy has been revised in line with the publication Treasury Management in the Public Services – Code of Practice and Cross Sectional Guidance Notes as attached at **Appendix 1**.

### **3. Prudential Indicators (2019/20)**

- 3.1 Part 1 of the Local Government Act 2003 and the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities 2017 edition (“the Code”) set out a framework for self-regulation of capital spending, in effect allowing Councils to invest in capital projects without any limit as long as they are affordable, prudent and sustainable. This allows the Council to determine the appropriate level of capital investment to properly deliver quality public services, subject to affordability.
- 3.2 To facilitate the decision-making process and support capital investment decisions, the Prudential Code requires the Council to agree and monitor a number of Prudential Indicators as attached at **Appendix 2**.
- 3.3 These indicators are mandatory and are purely for internal use by the Council. They are not to be used as comparators between authorities. In addition, the indicators should not be taken individually; rather the benefit from monitoring will arise from following the movement in indicators over time and the year-on-year changes.

### **4. Treasury Strategy and Plan (2019/20)**

- 4.1 In accordance with the requirements of CIPFA’s latest Code of Practice on Treasury Management and the Council’s Treasury Management Policy Statement, a Treasury Strategy and Plan for 2018/19 has been prepared and attached at **Appendix 3**.
- 4.2 For the purpose of this Strategy, Treasury Management includes the management of all capital market transactions in connection with the cash and funding resources of the Council. This covers all funds and reserves including the collection fund and includes the arrangement of leases.

### **5. Investments Strategy (2019/20 to 2021/22)**

- 5.1 This Strategy which is attached at **Appendix 4** is written in accordance with guidance issued under section 15(1)(a) of the Local Government Act 2003, The Ministry of Housing, Communities and Local Government (MHCLG) Guidance on Local Authority Investments issued in February 2018 (as revised), the Audit Commission’s report on Icelandic investments and the CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes.
- 5.2 The objectives of this Strategy are to:
  - facilitate investment decisions which ensure that the Council’s investment sums remain secure;
  - ensure the liquidity of investments so that the Council has sufficient cash resources available to carry out its functions at all times; and
  - achieve the maximum return on investments after taking into account security and liquidity.

### **6. Capital Strategy (2019/20)**

- 6.1 The CIPFA revised 2017 Prudential and Treasury Management Code require, for 2019-20, all local authorities to prepare an additional report which will provide:

- A high-level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
- An overview of how the associated risk is managed; and
- The implications for future financial sustainability.

6.2 This will be the Capital Strategy at **Appendix 5**. The aim of this report brings together our existing Medium Term Financial Strategy, Treasury Management Strategy and Capital Programme, whilst also highlighting governance procedures, risk appetites and the impact upon achieving the Council's new Corporate Objectives.

OADBY & WIGSTON BOROUGH COUNCIL



**Oadby & Wigston**  
BOROUGH COUNCIL

## Treasury Management Policy

Revised	31/03/2019
Next Revision	31/03/2020
Head Of Finance Approval	

# **OADBY & WIGSTON BOROUGH COUNCIL**

## **TREASURY MANAGEMENT POLICY**

### **Introduction**

The CIPFA code of practice Treasury Management in the Public Services was produced to assist all forms of public bodies with their treasury management strategies. In the publication of this policy the Council formally adopts the CIPFA code of practice as part of its standing orders and financial regulations.

### **Three Key Elements to the Policy**

#### **1. The Definition Of The Treasury Activities Of The Council**

Oadby & Wigston Borough Council defines its treasury management activities as “The management of the organisation’s cash flows, its banking, money market and capital market transaction; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.

#### **2. The role of Risk Management in the Treasury Policy**

Oadby & Wigston Borough Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the Council.

#### **3. Achievement of Business and Service Objectives**

Oadby & Wigston Borough Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable, comprehensive performance measurement techniques, with the context of effective risk management.

### **Treasury Management Practices (TMP)**

#### **TMP1 Risk Management**

The Section 151 Officer will design, implement and monitor all arrangements for the identification, management and control of treasury management risk, and will report annually on their adequacy and suitability. They must also report, as a matter of urgency, the circumstances of any actual or likely difficulty in achieving the organisation’s objectives in relation to a failure in the policy.

In respect of each of the following risks, the arrangements, which seek to ensure compliance with the stated objectives, are set out in the schedule to this document.

#### **1. Liquidity Risk**

Oadby & Wigston Borough Council will ensure it has adequate though not excessive cash resources, borrowing arrangements, overdraft or standby facilities to enable it at all times to have the level of funds available to it which are necessary for the achievement of its operation.

## **2. Interest Rate and Inflation Risk**

The Section 151 Officer, on behalf of the Council, will manage its exposure to fluctuations in interest rates and inflation with a view to containing its interest costs or securing its interest revenues as an integral part of its Treasury Strategy and Plan.

It will achieve these objectives by the prudent use of its approved financing and investment instruments, methods and techniques, primarily to create stability and certainty of income but at the same time retaining a sufficient degree of flexibility to take advantage of unexpected, potentially advantageous changes in the level or structure of interest rates. The above is subject at all times to the considerations and if required, approval of any policy or budgetary implications.

## **3. Credit and Counterparty Risk**

Oadby & Wigston Borough Council regards a prime objective of its treasury management activities to be the security of the principal sums invested. Accordingly, we will ensure that its counterparty list and limits reflect a prudent attitude towards organisations with whom funds may be deposited, and will limit its investment activities to the instruments, methods and techniques referred to in TMP4, and listed in the schedule to this document.

## **4. Refinancing Risk**

Oadby & Wigston Borough Council will ensure that its borrowing, private financing and partnership arrangements are negotiated, structured and documented, and the maturity profile of the monies raised are managed, with a view to obtaining offer terms for renewal or refinancing if required. All arrangements should be competitive and as favourable to the Council as can reasonably be achieved in the light of market conditions prevailing at the time of transaction.

## **5. Legal and Regulatory Risk**

Oadby and Wigston Borough Council will ensure that all of its treasury management activities comply with its statutory powers and regulatory requirements. It will demonstrate such compliance, if required to do so, to all parties with whom it deals in such activities. It will ensure that there is evidence of counterparties' powers, authority and compliance in respect of transactions they may effect with the Council, particularly with regard to duty of care and fees charged.

## **6. Fraud, Error and Corruption, and Contingency Management**

Oadby and Wigston Borough Council will ensure that it has identified the circumstances, which may expose it to the risk of loss through fraud, error, corruption or other eventualities in its treasury management dealings. Accordingly it will employ suitable systems and procedures, and will maintain effective contingency management arrangements, to enable risk to be minimised.

## **7. Market Risk**

Oadby and Wigston Borough Council will seek to ensure that its stated treasury management policies and objectives will not be compromised by adverse market fluctuations in the value of the principal sums it invests, and will accordingly seek to protect itself from the effects of such fluctuations.

## **TMP 2 Best Value and Performance Measurement**

Oadby and Wigston Borough Council is committed to the pursuit of best value in its treasury management activities. Accordingly, the treasury management activities will be the subject of ongoing analysis of the value it adds in support of the organisations stated objectives.

### **TMP 3 Decision-making and Analysis**

Oadby and Wigston Borough Council will maintain full records of its treasury management decisions, and of the processes and practices applied in reaching those decisions. Both for the purpose of learning from the past, and for demonstrating that reasonable steps were taken to ensure that all issues relevant to those decisions were taken into account at the time. The issues, processes and practices taken account of when reaching decision are detailed in the schedule.

### **TMP 4 Approved Instruments, Methods and Techniques**

Oadby and Wigston Borough Council will undertake its treasury management activities by employing only those instruments, methods and techniques detailed in the schedule, and within the limits and parameters defined in TMP1.

### **TMP 5 Organisation, Clarity and Segregation of Responsibilities and Dealing Arrangements**

Oadby and Wigston Borough Council considers it essential, for the purpose of the effective control and monitoring of its treasury management activities, for the reduction of the risk or fraud or error, and for the pursuit of optimum performance; that these activities are structured and managed in a fully integrated manner, and that there is at all times clarity of treasury management responsibilities.

That there is a clear distinction between the Section 151 Officer charged with setting treasury management policies and those officers charged with carrying out those policies.

If and when the organisation intends, as a result of lack of resources or other circumstances, to depart from these principles, the Section 151 Officer will ensure that the reasons are properly reported in accordance with TMP6.

### **TMP 6 Reporting Requirements and Management Information Arrangements**

Oadby and Wigston Borough Council will ensure that yearly reports are prepared and considered on the implementation of its treasury management policies; on the effects of decisions taken and transactions executed in pursuit of those policies; on the implications of changes resulting from regulatory, economic, market or other factors.

Council will receive:

- Annual Treasury and Investment Strategies and Plan Report for the coming year.
- An annual Treasury Management Performance Report to include any non-compliance with the Council's Treasury Management Policy and TMPs.

### **TMP 7 Budgeting, Accounting and Audit Arrangements**

Oadby and Wigston Borough Council will account for its treasury management activities in accordance with appropriate accounting practices and standards, and with statutory and regulatory requirements in force.

The Council will ensure that the costs involved in running the treasury management function will pertain to best value.

The Council will ensure its auditors, and those charged with regulatory review have access to all information and papers supporting the activities of the treasury management function as are necessary to fulfil their roles.

## **TMP 8 Cash and Cash Flow Management**

All monies in the hands of Oadby and Wigston Borough Council will be under the control of the Section 151 Officer, and will be aggregated for cash flow and investment management purposes. Cash flow projections will be prepared on a regular and timely basis, and the Section 151 Officer will ensure that these are adequate for the purposes of monitoring compliance with TMP1 – Liquidity Risk.

## **TMP 9 Money Laundering**

Oadby and Wigston Borough Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, we maintain procedures for verifying and recording the identity of counterparties and reporting suspicions.

## **TMP 10 Staff Training and Qualifications**

Oadby and Wigston Borough Council recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. We will therefore seek to ensure that individuals are provided with training as required and/or identified by the EDI process.

## **TMP 11 Use of External Service Providers**

Oadby and Wigston Borough Council recognises the potential value of employing external providers of treasury management services, in order to acquire access to specialist skills and resources. In doing so we will ensure that the cost and benefits are considered. We will also ensure, where feasible and necessary, that a spread of service providers is used, to avoid over-reliance on one company. Where services are subject to formal tendering standing orders will be applied.

## **TMP 12 Corporate Governance**

Oadby and Wigston Borough Council is committed to the pursuit of proper corporate governance throughout the authority, and to establishing the principles and practices by which this can be achieved. Accordingly the treasury management function will be undertaken with openness, transparency, honesty, integrity and accountability.

We have adopted and implemented the key recommendations of the Code, and this together with the other arrangements detailed in the schedule are considered vital to the achievement of proper corporate governance in treasury management. The Section 151 Officer will monitor and if and when necessary, report upon the effectiveness of these arrangements.

## **TREASURY MANAGEMENT PRACTICES - SCHEDULES**

This section contains the schedules which set out the details of how the Treasury Management Practices (TMPs) are put into effect by this organisation.

**TMP 1 Risk Management**

**TMP 2 Best Value and Performance Measurement**

**TMP 3 Decision-making and Analysis**

**TMP 4 Approved Instruments, Methods and Techniques**

**TMP 5 Organisation, Clarity and Segregation of Responsibilities, and Dealing Arrangements**

**TMP 6 Reporting Requirements and Management Information Arrangements**

**TMP 7 Budgeting, Accounting and Audit Arrangements**

**TMP 8 Cash and Cash Flow Management**

**TMP 9 Money Laundering**

**TMP 10 Staff Training and Qualifications**

**TMP 12 Corporate Governance**

## **TMP 1      RISK MANAGEMENT**

### **1      Liquidity**

It will be the function of the Section 151 Officer to calculate from cash flow forecasts the extent of any surplus cash available for investment. There will be no requirement of the Council to maintain a surplus cash balance in the bank account although such surpluses may occur from time to time. The intention should always be to maintain a nil cleared balance as far as possible.

In the event of the Council having to borrow for short-term cash flow reasons this will be carried out through the money markets, or from the Council's bank if more economic.

### **2      Interest Rate and Inflation**

The rate of interest on new investments will be made taking into account the market conditions and obtaining rates from a number of institutions on the Council's counterparty list.

Surplus cash may be invested with those institutions shown on the Council's counterparty list for a maximum maturity of 364 days.

The level of investments placed with any one institution are approved annually within the Treasury Strategy and Plan Report by Council. This limit may be adjusted by Council during the year if it is found to be prejudicial to the interest rates the Authority can earn on its investments.

The Authority determines annually, within its Treasury Strategy and Plan, the level of total external debt, temporary external borrowing and variable against fixed interest rate exposure.

### **3      Credit and Counterparty Policies**

The Section 151 Officer will be responsible for preparing for the Council a list of institutions in whom the Council's funds may be invested. This list will be supported by details of the criteria employed to assess the various credit standings of counterparties. As a general principle these institutions will have at least F1, F1+ Fitch short term rating or PI Moody's short term rating although, subject to the supporting report of the Section 151 Officer, other non-rated institutions may be included.

The Council will seek to ensure that the maximum amount of market, media and local intelligence is gathered and communicated to the responsible treasury staff to assist them in constantly reviewing sectors and individual institutions on the approved list. The Section 151 Officer may add, delete or amend institutions on the approved list during the year. In any event, the list of counterparties will be reviewed annually by Council.

The Council's current policy is not to appoint external fund managers. Under the present circumstances, the Authority does not have sufficient surplus funds to give either enough scope or sufficient diversity of portfolio to justify such consultancy fees.

### **4      Refinancing**

The maturity pattern of all outstanding debt must be reviewed before any new long term loan is taken and before debt is rescheduled.

Variable and fixed rate funds should be kept under review with the potential of securing discounts.

### **5      Legal and Regulatory Work**

Treasury management activities will be carried out in accordance with rules governing the investment of local authorities funds as set out in the Local Authorities (Capital Finance) (Approved Investments) Regulations 1990, and the Local Authorities (Capital Finance) Regulations 1997, as amended.

In addition activities will be conducted in accordance with the Council's approved Treasury Management Strategy and Plan, and Treasury Management Policy Statement. This includes the adoption of CIPFA's Code of Practice for Treasury Management in the Public Services and CIPFA's Prudential Code for Capital Finance in Local Authorities.

Evidence of officers delegated powers, to borrow and invest, will be provided on request to counterparties as set out in the constitution.

All the banks included in the Council's lending list are authorised under the Banking Act 1987, to accept deposits in the UK.

## **6 Fraud, Error and Corruption, and Contingency Management**

In order to minimise the possibility of fraud, error and corruption the procedures for carrying out and monitoring treasury management activities are subject to audit, as well as various internal controls and reporting to the Council.

Evidence of fraud and corruption should be reported to the Section 151 Officer and Director of Services, in accordance with the Council's Anti Fraud & Corruption Policy, who will then determine the appropriate course of action.

The Chief Executive and Section 151 Officer must include arrangements for the proper and continuous fulfilment of the Treasury Management function in any disaster planning.

The Council's fidelity guarantee insurance provides cover of up to £2.5 million for all employees for losses caused by fraud.

## **7 Market Risk Management**

The value and performance of the Council's investments is regularly monitored and is reported to Members on an annual basis.

In order to manage risk and protect public funds, the following are the only organisations with which investments will be placed.

- Other Local Authorities
- UK Clearing Banks and their subsidiaries
- Government Institutions
- Building Societies
- Money Market Funds
- CCLA Property Funds

In addition each clearing bank or subsidiary will be assessed for its credit standard and rating. The minimum rating that the authority will accept prior to placing a temporary loan are.

- Long Term Investments Fitch Rating A
- Short Term Investments Fitch Rating F1
- Money Market Funds are required to be rated AAA

In addition the Authority will invest with Building Societies with an asset base of at least one billion UK pounds as reviewed annually in the Councils Investment Strategy.

There should be a maximum amount which officers are permitted to invest with any one institution. This amount should be reviewed annually within the Treasury and Investment Strategies and Plan Report to the Council. Deposit accounts held with the Councils own bank are not subject to this limit.

The level of external debt, temporary external borrowing and exposure to variable and fixed rate interest should be set within the Treasury Strategy and Plan Report.

## **TMP 2**      **PERFORMANCE MANAGEMENT**

Banking services are renegotiated or re-tendered normally every 3-5 years to ensure competitive pricing.

The Council uses money broking services in order to make deposits or to borrow. Charges for all services are established prior to using them to ensure that the relevant terms are satisfactory in the light of market conditions.

The following brokers may be used by the Council:

- Martins Brokers
- Tradition Brokers

The quality of service provided by these brokers shall be monitored on a regular basis and reviewed annually.

In order to provide the best possible value in treasury management the Authority may employ financial consultants for specialist advice on the markets and developments in treasury management and accounting.

The following consultants may be used by the Council

- Link Asset Services

The performance of the Council's borrowing activities is monitored by calculating the average interest rate on external borrowing and is compared to the rate for the previous year. This is included in the annual Treasury Management Performance Report.

## **TMP3**      **DECISION MAKING AND ANALYSIS**

In carrying out treasury management responsibilities the Section 151 Officer will meet on a regular basis with the Head of Finance to discuss and agree the implementation of the Treasury Strategy and Plan, monitor performance and make decisions on operational treasury management issues.

Detailed records will be maintained of all borrowing and investments made by the Council. These records are reconciled on a monthly basis to the financial management system.

In respect of borrowing objectives, the Council will:

- minimise the revenue costs of debt
- manage the debt maturity profile to ensure that there is no overexposure to re-borrowing in any one year
- effect borrowing at the cheapest cost commensurate with future risk
- be aware of the future interest rate forecasts and to borrow accordingly
- monitor and review the level of variable interest rate loans in order to take advantage of interest rate movements
- ensure that borrowings accord with statutory requirements

In respect of investment objectives, the Council will:

- maximise the level of return commensurate with maximum protection of the Council's money
- invest in accordance with the approved list of counterparties

- manage the maturity profile to ensure that there is no exposure to reinvestment at any point in the year
- ensure all investments fall within the definitions of Approved Investments

#### **TMP4 APPROVED INSTRUMENTS, METHODS AND TECHNIQUES**

##### **1 Treasury Management Procedure Notes**

Detailed procedures to be followed when carrying out cash flow monitoring and any borrowing or investment activities will be maintained and updated as requested.

##### **2 Approved Activities of the Treasury Management Operation**

- borrowing
- lending
- consideration, approval and use of new financial instruments and treasury management techniques
- managing the underlying risk associated with the Council's capital financing and surplus fund activities
- managing cash flow
- banking activities
- leasing

##### **3 Approved Instruments for Investments**

The Council will only invest surplus funds in accordance with the investments approved under the Local Government (Capital Finance) (Approved Investments) Regulations 1990 and subsequent amendments i.e.

- Institutions authorised under the Banking Act 1987 by the Bank of England
- Building Societies
- Local Authorities
- Other public sector bodies as permitted by the above regulations

##### **4 Approved Methods and Sources of Raising Capital Finance**

The following instruments are available and may be utilised to provide capital finance:-

	Rates of interest	
	Fixed	Variable
PWLB	✓	✓
Market Long-term	✓	✓
Market Temporary	✓	✓
Bank Overdraft		✓
Internal Funds		✓
Operating Leases	✓	✓
Finance Leases	✓	✓

No instruments, other than those listed may be used.

#### **TMP5 ORGANISATION, CLARITY AND SEGREGATION OF RESPONSIBILITIES AND DEALING ARRANGEMENTS**

In accordance with the Council's Constitution, Council is responsible for approving the annual Treasury Strategy and Plan.

# 1 Responsibilities of Staff Relating to Treasury Management

## Section 151 Officer

- Ensure that Treasury Management activities comply with the CIPFA Code of Practice for Treasury Management in the Public Services.
- Submit budgets for treasury management activities
- Implement the Council's Treasury Strategy and Plan.
- Report to Council on the Treasury Strategy and Plan for the next financial year and Treasury Management Performance for the past financial year.
- Ensure the adequacy of internal audit and liaise with external audit
- Approve the Council's lending list and any changes to it
- Ensure staff involved in treasury management receive appropriate training
- Ensure that the treasury management function is adequately resourced
- Ensure all staff involved in dealing are aware of the principles contained in the Bank of England's London Code of Conduct for corporate dealing in the money market
- Assess and appoint money brokers
- Ensure that all proposed transactions are intra-vires

## Head of Finance, Revenues & Benefits

- Absence cover for the Section 151 Officer
- Prepare the annual Treasury Strategy and Plan Report and the annual Treasury Management Performance Report
- Prepare the annual budget for treasury management activities
- Review TMPs
- Transmit priority payments
- Advise the Section 151 Officer on treasury management matters
- Manage the treasury management function

## Technical Accountant

- Check daily cash-flow and agree dealing
- Ensure adherence to Council's lending list
- Check monthly reconciliations
- Maintain procedure notes for the treasury management function
- Dealing and recording of deals
- Completion of Priority Payment forms
- Maintenance of documentation
- Prepare daily and long term cash-flow projections
- Check receipt of treasury management funds
- Prepare documentation to confirm deal which should be signed by an approved signatory.

## Trainee Accountant

- Reconcile Treasury records to the financial ledger on a monthly basis.

## Other Responsible Officers

### Head of Paid Services

- That the system is laid down and properly resourced.

- That the Section 151 Officer complies with statutory guidelines as regards reporting to elected members on treasury policy, activity and performance.

### **The Monitoring Officer**

- Should ensure that all policy and strategy put forward by the Section 151 Officer complies with the law.

### **Internal Audit Service**

- Review compliance with approved policy and procedures.
- Review division of duties and operational practice.
- Review treasury function for probity.

## **2 Dealing and Decision Making Limits**

All treasury management activities should be carried out in accordance with the annual Treasury Strategy and Plan.

## **TMP 6 REPORTING REQUIREMENTS AND MANAGEMENT INFORMATION ARRANGEMENTS**

### **1 Annual Treasury Strategy and Plan**

The Treasury Strategy and Plan sets out the expected treasury activities for the forthcoming financial year. This strategy will be submitted to Council for approval before the start of each financial year.

The formulation of the annual Treasury Strategy and Plan involves determining the appropriate borrowing and investment decisions in the light of anticipated movement in both fixed and shorter-term variable interest rates.

The Treasury Strategy and Plan will include the following elements:

- The current treasury position
- The expected movement in interest rates
- The Council's borrowing and debt strategy
- The Council's investment strategy
- Treasury performance indicators (see 2 below)
- Specific limits on treasury activities
- Local treasury issues

The Section 151 Officer must ensure that all proposed transactions are intra-vires, and if not must make a report under Section 114 of the Local Government Finance Act 1988.

The Section 151 Officer and Chief Executive and Monitoring Officer, must ensure that the stated policy is adhered to and if not must also bring the matter to the attention of the elected members as soon as possible.

In the circumstances of a Section 114 report the external auditor must be advised immediately.

## **2 Borrowing Limits**

As required by the Local Government Act 2003 and CIPFA's Prudential Code for Capital Finance in Local Authorities, Council must approve before the beginning of each financial year the following limits:

- the Authorised Limit for External Debt
- the Operational Boundary for External Debt
- the Upper Limit on Fixed Interest Rate Exposure
- the Upper Limit on Variable Interest Rate Exposure

for the forthcoming year and the following two years.

Furthermore Council must approve before the beginning of the financial year:

- the Lower Limit for the Maturity Structure of Borrowing
- the Upper Limit for the Maturity Structure of Borrowing

for the following periods:

- under 12 months
- 12 months and within 24 months
- 24 months and within 5 years
- 5 years and within 10 years
- 10 years and above.

The Section 151 Officer is responsible for incorporating these limits into the annual Treasury Strategy and Plan and for ensuring compliance with the limits. Should it prove necessary during the year to amend these limits the Section 151 Officer in consultation with the Chief Executive may in exceptional circumstances do so, but only if it is necessary to avoid incurring a loss or cost to the Council.

Any such interim action must be reported to the Leader of the Council and Chairperson of the Policy, Finance and Development Committee and be endorsed at the next meeting of the Council.

### **3 Annual Treasury Management Performance Report**

An annual report will be presented to Council by the end of September, to report on the performance of the Treasury Management Function for the previous year.

This report will include the following.

- Actual borrowing, investments and repayments for the year, detailing counterparty amounts and terms.
- The actual interest rate changes for the year against the original plan.
- A commentary on general performance
- A commentary on compliance with the Treasury Management Policy Statement and the Treasury Strategy and Plan.

## **TMP 7 BUDGETING, ACCOUNTING AND AUDIT ARRANGEMENTS**

### **1 Accounting Practices and Standards**

The Section 151 Officer will prepare a budget for Treasury Management in accordance with the appropriate accounting practices and standards and with the statutory and regulatory requirements in force.

### **2 List of Information Requirements of External Auditors**

External auditors will have access to all papers supporting and explaining the operation and activities of the treasury management function.

## **TMP 8            CASH AND CASH FLOW MANAGEMENT**

### **1            Preparation of Cash Flow Statements**

Cash flow projections will be prepared on a regular and timely basis in order to effectively manage cash balances and to calculate interest and investment income.

There is no necessity to maintain an aggregate surplus cash balance but where possible it is the intention to achieve a nil cleared balance.

The cash flow forecast is updated daily to take account of income and expenditure i.e. creditors and debtors and this information is provided by the National Westminster Bankline service. This will ensure for the purposes of monitoring compliance with TMP1 Liquidity Risk Management, that adequate funds are available on a regular basis.

Whenever the projected cash flow statement indicates a surplus cash balance funds are invested with institutions on the counterparty list.

The Council make creditor payments on the due date which ensures that funds remain in the account for as long as possible.

Debtor invoices are raised on a regular and timely basis and procedures are in place for reminder and recovery action to take place for unpaid invoices.

Bank statements are received on a daily basis and are reconciled to the Cash Book.

## **TMP 9            MONEY LAUNDERING**

### **1            Procedures for Establishing Identity of Lenders**

The Council does not accept loans from individuals. Loans are obtained from authorised institutions under the Banking Act 1987, building societies or from other public sector bodies, e.g. the Bank of England or other local authorities.

## **TMP 10          STAFF TRAINING AND QUALIFICATIONS**

A number of different courses are run to accommodate the training requirements of staff involved in treasury management activities, as well as those involved at a strategic level. These courses will explain the complexities of dealing procedures, interest calculations, credit ratings, the regulatory framework, different types of investment instruments, etc.

Seminars are held for staff involved in managing the service, issues covered are for example:

- to provide updates on the implications of new regulations/ legislation
- codes of practice
- to obtain the latest economic forecasts for the economy and interest rates.

## **TMP 11          USE OF EXTERNAL SERVICE PROVIDER**

External Service providers may be employed to give expert advice on borrowing and lending decisions. The Council will at all times make sure that these providers will only be employed where

there is a clear value for money benefit to the organisation. The selection of these providers will be carried out under the Council's Contract Procedure Rules and their performance and value to the organisation will be monitored and measured.

The Council recognises that responsibility for treasury management decisions lies with the Council at all times

## **TMP 12      CORPORATE GOVERNANCE**

The Council is committed to proper corporate governance, openness and transparency in its treasury management activities as demonstrated by the adoption of the Treasury Management Code of Practice.

Information about the Council's treasury management activities is accessible and the strategy and outturn reports are public documents.

The procedures set out in the TMPs for reporting and audit (both internal and external audit) are designed to ensure the integrity and accountability of the function.

## **PRUDENTIAL INDICATORS 2019/20**

### **1.0 The Prudential Code**

Part 1 of the Local Government Act 2003 and C.I.P.F.A.'s Prudential Code for Capital Finance in Local Authorities (the Code) set out a framework for self-regulation of capital spending, in effect allowing council's to invest in capital projects without any limit as long as they are affordable, prudent and sustainable. This allows the Council to determine the appropriate level of capital investment to properly deliver quality public services, subject to affordability.

The revenue costs of capital investment can be supported through the Revenue Support Grant (RSG) mechanism up to a certain level, known as Supported Capital Borrowing. However, since 2010/11 this support has not provided and will not be provided in future years as RSG is phased out in

To facilitate the decision making process and support capital investment decisions the Prudential Code requires the Council to agree and monitor a number of Prudential Indicators.

For housing authorities these are separated for the Housing Revenue Account and non-Housing Revenue Account capital investment.

These indicators are mandatory, but can be supplemented with local indicators if this assists interpretation. The indicators cover affordability, prudence, capital expenditure, external debt and treasury management and form the basis of in year monitoring and reporting.

The indicators are purely for internal use by the Council and are not to be used as comparators between authorities, as any comparisons will be meaningless. In addition, the indicators should not be taken individually; rather the benefit from monitoring will arise from following the movement in indicators over time and the year on year changes.

### **2.0 Capital Expenditure and the Capital Financing Requirement**

The Capital Financing Requirement (CFR) represents the Council's underlying need to borrow for a capital purpose; the change year on year will be influenced by the capital expenditure in the year. In simple terms the CFR will increase by the amount of capital expenditure to be financed by borrowing less any amount set aside in the year to repay debt.

The expected movement in the CFR over the next three years is dependent on the level of supported and unsupported capital expenditure

decisions taken during the budgeting cycle. There are two main limiting factors on the Council's ability to undertake unsupported capital expenditure:

- Whether the revenue resource is available to support in full the implications of capital expenditure, both borrowing costs and running costs. Can the Council afford the implications of the unsupported capital expenditure?
- The Government may use a long stop control to ensure that either the total of all local authorities' plans do not jeopardise national economic policies, or in the event of an assessment by central government that local plans are not affordable at a particular council, it may implement a specific control to limit its capital expenditure plans.

The Council's expectations for capital expenditure and Capital Financing Requirement (CFR) in the next three years are shown in the following tables. These form two of the required Prudential Indicators.

## 2.1 Breakdown of Capital Expenditure by Service

The table below takes into account the Council's estimates of available resources as set out in the Medium Term Financial Strategy and the HRA Business Plan as adjusted for any major changes during the budget setting process.

	<b>2018/19 Estimate £ 000s</b>	<b>2019/20 Estimate £ 000s</b>	<b>2020/21 Estimate £ 000s</b>	<b>2021/22 Estimate £ 000s</b>
General Fund	3,861	1,750	350	350
HRA	1,239	1,500	1,273	1,273
<b>Total</b>	<b>5,100</b>	<b>3,250</b>	<b>1,623</b>	<b>1,623</b>

## 2.2 Capital Financing Requirement

The actual and estimated CFRs are set out below together with a split between supported and unsupported spending.

	2018/19 Estimate £ 000s	2019/20 Estimate £ 000s	2020/21 Estimate £ 000s	2020/21 Estimate £ 000s
<b>Capital Expenditure *</b>				
Supported Spend	3,183	2,581	1,273	1,273
Unsupported Spend	1,917	669	350	350
<b>Total Spend</b>	<b>5,100</b>	<b>3,250</b>	<b>1,623</b>	<b>1,623</b>
<b>Financed By:</b>				
Borrowing	1,917	669	350	350
Capital Receipts	279	0	0	0
Capital Grants	1,720	1,276	0	0
Earmarked Funds	184	0	0	0
Major Repairs Reserve	1,000	1,305	1,273	1,273
Revenue	0	0	0	0
Other Contributions	0	0	0	0
<b>Total Financing</b>	<b>5,100</b>	<b>3,250</b>	<b>1,623</b>	<b>1,623</b>
<b>Capital Financing Requirement</b>				
CFR - General Fund	16,498	17,167	17,517	17,867
CFR - HRA	19,628	19,628	19,628	19,628
<b>Total CFR</b>	<b>36,126</b>	<b>36,795</b>	<b>37,145</b>	<b>37,495</b>

\*These figures represent an affordable capital programme rather than the total of capital submissions put forward by budget holders.

## 2.3 External Debt

The following estimate of gross external debt is provided for information.

	2018/19 Estimate £ 000s	2019/20 Estimate £ 000s	2020/21 Estimate £ 000s	2021/22 Estimate £ 000s
Borrowing	31,500	33,000	37,000	37,500
Other Long term Liabilities	0	0	0	0
<b>Total Debt at 31st March</b>	<b>31,500</b>	<b>33,000</b>	<b>37,000</b>	<b>37,500</b>

### 3.0 Affordability Prudential Indicators

The indicators that follow provide an indication of the impact of the capital investment plans on the overall Council finances.

#### 3.1 Ratio of Financing Costs to Net Revenue Stream

The actual and estimates of the ratio of financing costs to net revenue stream identifies the trend in the cost of capital (borrowing costs net of interest and investment income) against the net revenue stream. The estimates of financing costs include current commitments and the proposals in the budget report.

	2018/19 Estimate %	2019/20 Estimate %	2020/21 Estimate %	2021/22 Estimate %
General Fund	13.6	17.3	16.2	16.5
HRA	11.7	12.7	12.3	11.8

#### 3.2 Incremental Impact of Capital Investment Decisions on the Band D Council Tax

The estimates of the incremental impact of capital investment decisions on the Council Tax indicator identifies the trend in the cost of proposed changes in the three year capital programme recommended in the budget report compared to the Council's existing commitments and current plans. The figures are based on the assumptions included in the budget.

	Budget 2018/19 £	Forward Projection 2019/20 £	Forward Projection 2020/21 £
2018/19 Programme	2.36	2.36	2.36
2019/20 Programme	2.31	2.31	2.31
2020/21 Programme	2.27	2.27	2.27
<b>Total</b>	<b>6.94</b>	<b>6.94</b>	<b>6.94</b>

#### 3.3 Incremental Impact of Capital Investment Decisions on Housing Rent Levels

The estimates of the incremental impact of capital investment decisions on housing rent levels are similar to the Council Tax calculation. This indicator identifies the trend in the cost of proposed changes in the housing capital programme recommended in the budget report compared to the Council's existing commitments and current plans, expressed as a change in weekly rent levels.

	<b>Budget 2017/18 £</b>	<b>Forward Projection 2018/19 £</b>	<b>Forward Projection 2019/20 £</b>
2017/18 Programme	0.43	0.43	0.43
2018/19 Programme	0.00	0.00	0.00
2019/20 Programme	0.00	0.00	0.00
<b>Total</b>	<b>0.43</b>	<b>0.43</b>	<b>0.43</b>

### **3.4 Prudential Indicators and Limits on Activity**

A key control over the Council's activity is to ensure that over the medium term net debt will only be for a capital purpose. The Council needs to ensure that net debt does not, except in the short-term, exceed the total of the Capital Financing Requirement (CFR). The following table sets out the estimated net borrowing position in relation to the estimated CFR.

	<b>2018/19 Estimate £ 000s</b>	<b>2019/20 Estimate £ 000s</b>	<b>2020/21 Estimate £ 000s</b>	<b>2021/22 Estimate £ 000s</b>
Borrowing	23,500	30,000	35,000	35,500
Investments	0	0	0	0
<b>Net Debt</b>	<b>23,500</b>	<b>30,000</b>	<b>35,000</b>	<b>35,500</b>
<b>CFR</b>	<b>36,126</b>	<b>36,795</b>	<b>37,145</b>	<b>37,495</b>

The Section 151 Officer reports that the Council complied with the requirement to keep net borrowing below the relevant CFR in 2019/20 and no difficulties are foreseen for the current year or in respect of net debt for future years. This opinion takes account of current commitments, existing plans and the proposals in this and the budget report.

It is predicted that the HRA CFR will end 2019/20 at £19.628 million. At present the Council will endeavour to keep it this level steady for this three year cycle of financial planning.

### **3.5 Treasury Management Prudential Indicators**

These indicators are shown in detail at Appendix 3.

# Appendix 3

## TREASURY STRATEGY AND PLAN 2019/20

### **1.0 Introduction**

In accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) latest Code of Practice on Treasury Management and the Council's Treasury Management Policy Statement, a Treasury Strategy and Plan is prepared each year.

For the purpose of this strategy, treasury management includes the management of all capital market transactions in connection with the cash and funding resources of the Council. This covers all funds and reserves including the collection fund and includes the arrangement of leases.

The strategy includes broad principles, which provide the framework within which the Council's treasury management activities are conducted together with detailed plans for the management of the Council's loans and investment portfolios. The strategy includes those indicators required by the Prudential Code that relate to treasury management.

### **2.0 Treasury Management Objectives**

The primary objective of treasury management operations will be to maximise the revenue resources available to the Council whilst ensuring the effective management of risks associated with treasury management activities in accordance with the following principles:

- i) That the cost of borrowing is minimised commensurate with following a prudent funding policy.
- ii) That the most advantageous rates of return on investments are secured commensurate with the primary principle of maintaining the capital value of funds.
- iii) That the Council maintains flexibility in its borrowing and lending portfolios.
- iv) That the Council manages its borrowings and investments as a combined portfolio in order to achieve the optimum net debt position.

The sections below provide a summary of the principal activities anticipated during the period covered.

### 3.0 Balanced Budget Requirement

It is a statutory requirement under the Local Government Finance Act 1992, for the Council to produce a balanced budget. In particular, it requires a local authority to calculate its budget requirement for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level of increase in costs to revenue from:-

- Increases in interest charges caused by increased borrowing and,
- Any increase in running costs from new capital projects

to a level which is affordable within the projected income of the Council for the foreseeable future.

### 4.0 Current Treasury Position

The Council's detailed treasury position is highlighted in the following table.

		31st March 2018		Rate	31st March 2019		Rate
		Actual			Actual		
		GF	HRA	%	GF	HRA	%
		£ 000s	£ 000s		£ 000s	£ 000s	
Fixed Rate Debt	PWLB	500		3.50	0		3.50
	PWLB	500		4.10	500		4.10
	PWLB	0	18,114	2.98	0	18,114	2.98
	PWLB	5,000		2.66	4,888		2.66
	PWLB						
	Market	8,000	0	0.55	8,000	0	0.68
Variable Rate Debt	PWLB	0	0		0	0	
	Market	0	0		0	0	
Total Debt		14,000	18,114		13,388	18,114	
Other Long-term Liabilities		0			0	0	
<b>Total</b>		<b>14,000</b>	<b>18,114</b>		<b>13,388</b>	<b>18,114</b>	
Fixed Investments		0			0	0	
Variable Investments		0			0	0	
<b>Total Investments</b>		<b>0</b>			<b>0</b>	<b>0</b>	
<b>Net Borrowing</b>		<b>14,000</b>	<b>18,114</b>		<b>13,388</b>	<b>18,114</b>	

## **5.0 Borrowing and Debt Strategy**

### **5.1 Long Term**

#### **General Fund**

At 31<sup>st</sup> March 2018 the Council's borrowing for General Fund purposes was total £6.0 million. This will be made up of three loans from the Public Works Loan Board (PWLB) as shown in the table at 4.0.

Up until the end of 2015/16 the Council was able to utilise cash balances which it had in the form of short-term investments, grants and capital reserves to help in the funding of its capital programme and as a result had not been forced to increase long term borrowing despite carrying out ambitious schemes both in the General Fund and Housing Revenue Account.

In 2016/17 the financing of the Council's new leisure development was finalised. The Council borrowed £5 million from the PWLB, taken over 39 years. The remaining £5 million of the £10 million project was funded by internal borrowing.

During 2017/18 and 2018/19 the Council did not borrow any further moneys long term and instead continued to take advantage of the very low short term rates to keep interest payments under control. This tactic is not in the long term sustainable with interest rates due to raise during 2019/20.

With internal balances and investments utilised, future capital programmes will need to be funded principally from borrowing. It is proposed to borrow up to £5million in 2019/20 to replace the short-term debt and bridging the gap between the CFR and actual borrowing. A further £4.5million can then be taken out during 2019/20 and 2020/21 depending on the activities of the Council's wholly owned housing company or in partnership with other Councils

Total external debt relating to the General Fund for future financial years are expected to be:

2019/20	£13.00 million
2020/21	£18.00 million
2021/22	£20.00 million

## **Housing Revenue Account (HRA)**

The self financing settlement involved the Council taking on £18.114 million of PWLB borrowing. The HRA business plan provides the repayment of HRA debt over its life. The initial borrowing was due to start repayment in 2020, however due to changes in government legislation which has impacted detrimentally on the financial position of the HRA, this debt repayment plan is now likely to need restructuring with a new plan being drawn up.

In 2016/17 and 2017/18 the HRA used a total of £1.6m borrowing to fund its capital programmes. This initially was supported by internal balances however this is not sustainable in the long term.

Although the figures have not yet been finalised it appears unlikely that any borrowing will be required for the HRA capital programme in 2018/19. However as the programme of current works is completed in 2019/20 borrowing will be required of around £0.8m.

The Council's initial investment of £18.114m which it borrowed for the new financial regime for housing in 2012 will start to be repaid at the end of 2019/20. This will mean the Council will have to start rescheduling its debt as changes to government housing policy have significantly reduced its ability to pay back these loans. The debt is repayable at £1million per annum.

### **5.2 Short Term**

It is anticipated that some short term borrowing will be necessary during the period covered by the strategy. Should such borrowing be required to meet any short term deficits, the loans will be secured at the most favourable rates available.

### **6.0 Prudential Indicators and Limits on Activity**

The purpose of these Prudential Indicators is to contain the activity of the treasury function within certain limits, thereby reducing the risk of an adverse movement in interest rates impacting negatively on the Council's overall financial position. However, if these are set to be too restrictive they will impair the opportunities to reduce costs.

#### **6.1 Authorised Limit for External Debt**

This represents the limit beyond which borrowing is prohibited and needs to be set and revised by Council. It reflects the level of borrowing which, while not desired, could be afforded in the short-term, but is not sustainable. It is the expected maximum borrowing need with some

headroom for unexpected movements. This is the statutory limit determined under section 3(1) of the Local Government Act 2003.

	2019/20 Estimate £ 000s	2020/21 Estimate £ 000s	2021/22 Estimate £ 000s	2022/23 Estimate £ 000s
Borrowing	40,000	42,000	44,000	45,000
Other Long-term Liabilities	0	0	0	0
Total	40,000	42,000	44,000	45,000

The Chief Financial Officer (Section 151 Officer) reports that the authorised limits given above are consistent with the council's current commitments, existing plans and the proposals in the capital programme report. The limits are also consistent with the Council's approved treasury management policy statement and practices. Risk analysis of the key elements of the council's cash flow forecasts has been undertaken to determine these limits.

## 6.2 Operational Boundary for External Debt

This indicator is based on the probable external debt during the course of the year (allowing for peaks and troughs in cash flow and the impact of treasury management decisions). It is not a maximum and actual borrowing could vary around the boundary for short times during the year. It should act as an indicator to ensure the authorised limit is not breached.

	2019/20 Estimate £ 000s	2020/21 Estimate £ 000s	2021/22 Estimate £ 000s	2022/23 Estimate £ 000s
Borrowing	35,000	37,000	39,000	40,000
Other Long-term Liabilities	0	0	0	0
Total	35,000	37,000	39,000	40,000

## 6.3 Limits in Interest Rate Exposure

**Upper Limits on Variable Rate Exposure** – This indicator identifies a maximum limit for variable interest rates based upon net interest payments.

**Upper Limits on Fixed Rate Exposure** – Similar to the previous indicator this covers a maximum limit on fixed interest rates.

	2019/20 Upper %	2020/21 Upper %	2021/22 Upper %
Limits on fixed interest rates	100	100	100
Limits on variable interest rates	25	25	25

#### 6.4 Maturity Structure of Fixed Borrowing

These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing.

	2019/20	
	Lower %	Upper %
Under 12 months	0	30
12 months to 2 years	0	35
2 years to 5 years	0	50
5 years to 10 years	0	75
10 years and above	0	100

#### 6.5 Total Principal Sums Invested

These limits are set to reduce the need for early sale of investment, and are based on the availability of investments after each year-end.

There are no proposals at present for the Council to invest sums for periods longer than 364 days.

#### 7.0 Local Performance Indicators

The Code of Practice on Treasury Management requires the Council to set performance indicators to assess the adequacy of the treasury function over the year. These are distinct historic indicators, as opposed to the Prudential Indicators, which are predominantly forward looking. The Council also sets local performance indicators which are as follows.

Local Indicator	2015/16	2016/17	2017/18	2018/19
Average rate of interest on borrowing compared to the national average	Level	Level	Level	level
Average rate of interest on investments compared to the national average	Level	Level	Level	Level

The results of these indicators will be reported as part of the Treasury Management Annual Report before 30<sup>th</sup> September each year.

## **8.0 Minimum Revenue Provision**

Local authorities are required each year to set aside some of their revenue budget as provision for debt repayment. This scheme of Minimum Revenue Provision (MRP) is set out in sections 27, 28 and 29 of the Capital Finance Regulations 2003.

Under the guidance a statement of policy on making MRP is required. Members are asked to approve the following statement:

### **General Fund**

***For the financial year 2018/19, it is proposed that in respect of debt that is supported by Revenue Support Grant (RSG), MRP is calculated using the Capital Financing Requirement (CFR) method. For new borrowing for which no Government support is being given and is therefore self-financed, it is proposed that the Asset Life method is used, with the exception of the borrowing related to the development of the leisure facilities, where the Annuity Asset Life method will be used.***

***The CFR method calculates MRP as 4% of the non-housing CFR at the end of the preceding financial year (4% of the capital expenditure funded by supported borrowing). This is consistent with the way in which supported borrowing costs are paid through Revenue Support Grant.***

***The Asset Life method requires MRP to be made in equal annual instalments over the estimated life of the asset for which the unsupported borrowing is undertaken.***

***The Annuity Asset Life method requires that the MRP for each year be the amount presumed to be the principal element of the equal amounts that would be payable each year in respect of a loan at a specified rate of interest that would reduce the outstanding principal amount to zero at the end of the estimated useful life of the asset. This results in an MRP charge that rises over time. This is deemed to be particularly appropriate for assets which generate increasing revenues over time.***

### **HRA**

***There is no statutory requirement to make a MRP in the HRA. There is, therefore, no requirement to follow the DCLG Guidance when***

***considering an appropriate provision for the HRA. Therefore, because***

- ***There is no statutory requirement,***
- ***Repayment of debt is due to begin in March 2020 and***
- ***Resources were required in the early years of the HRA business plan to fund the demands of the asset management strategy***

***During 2019/20 overall HRA debt will be reviewed with the view of planning to restructure, as required, as repayments become due each year. It is likely this will mean refinancing the loans on a term and rate which is most beneficial to the Authority.***

# Appendix 4

## **INVESTMENTS STRATEGY 2019/20 – 2021/22**

### **1.0 Introduction**

This strategy is written in accordance with guidance issued under section 15 (1) (a) of the Local Government Act 2003, the Department of Communities and Local Government (DCLG) Guidance on Local Authority Investments issued in April 2010, any revisions of that guidance, the Audit Commission's report on Icelandic investments and the revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes (2017).

The objectives of this strategy are to:

- Security - facilitate investment decisions which ensure that the Council's investment sums remain secure
- Liquidity - ensure the liquidity of investments so that the Council has sufficient cash resources available to carry out its functions at all times
- Optimum Yield - achieve the maximum return on investments after taking into account security and liquidity

### **2.0 Current Investments**

Surplus funds arising from day to day operations are invested based on the most up to date forecasts of interest rates and in accordance with the Council's cash flow requirements in order to gain maximum benefit from the Council's cash position throughout the year. In the current financial climate only specified investments will be considered as set out below.

### **3.0 Investments**

In accordance with relevant guidance, all investments will be placed with counterparties included on the Council's approved list. Institutions with which specified investments will be made include:

- UK government institutions and other local authorities
- institutions which have been awarded a high quality credit rating by a credit rating agency

The length of time an investment can be placed for is specified below under each category of counterparty, normally this will be no longer than 364 days.

Non-Specified Investments are any investment not meeting the definition of a specified investment above. The Authority does not intend to make any investments denominated in foreign currencies, nor any that are defined as capital expenditure by legislation, such as company shares. Non-specified investments will therefore be limited to long-term investments, i.e. those that are due to mature 12 months or longer from the date of arrangement, and

investments with bodies and schemes not meeting the definition on high credit quality.

The Council's Treasury Management Practice note 1 (3) states that 'The Section 151 Officer will be responsible for preparing for the Council a list of institutions in which the Council's funds may be invested. This list will be supported by details of the criteria employed to assess the various credit standings of counterparties'. The following credit ratings will be considered:

- Long-term ratings – these range from the highest rating of AAA to the lowest rating of D. As the title suggests, this indicator reflects the long-term stability of the institution.
- Short-term ratings - These have a time horizon of less than 12 months and therefore place greater emphasis on the liquidity necessary to meet financial commitments in a timely manner. As most of the Council's investments are expected to be for less than 364 days, this is of particular importance. The ratings are F1 (highest credit quality), F2 (good credit quality), F3 (fair credit quality) and B to D (representing various levels of potential default).
- Individual ratings – These range from the highest of A to the lowest of F. This rating is only assigned to banks and attempts to assess how it would be viewed if it were entirely independent and could not rely upon external support.
- Support ratings – These range from 1 to 5 with 1 being the highest. It is a judgement on whether a bank would receive support should this become necessary. It is assumed that any such support would come from the sovereign state or institutional owners.

The Council's counterparty list needs to provide security for the amounts invested whilst containing a sufficient number of institutions with which to place funds. For the purpose of this strategy in respect of Categories 1 and 2 below, only counterparties that meet all of the following criteria will be considered for investment.

- UK banks
- Building societies with asset bases in excess of £6 billion.
- By reference to all three major credit rating agencies (Fitch, Standard and Poor's, Moody's) only those that reach the minimum standard for the lowest agency rating set out.

#### Category 1

The minimum ratings that will be considered for all agencies are set out below:

	<b>Credit Agency</b>		
<b>Term</b>	<b>Fitch</b>	<b>Moody's</b>	<b>S &amp; P</b>
<b>Short</b>	F1	P1	A1
<b>Long</b>	AA-	AA3	AA-
<b>Individual</b>	C	D	
<b>Support</b>	3		

For any organisation that meets the above criteria, up to £1.5m may be invested at any one time for a maximum duration of 364 days.

**Any building society that meets the above criteria must also have an asset base in excess of £6 billion.**

#### Category 2

The minimum ratings that will be considered for all agencies are set out below:

	<b>Credit Agency</b>		
<b>Term</b>	<b>Fitch</b>	<b>Moody's</b>	<b>S &amp; P</b>
<b>Short</b>	F1	P1	A1
<b>Long</b>	A	A2	A1
<b>Individual</b>	C	D	
<b>Support</b>	3		

For any organisation that meets the above criteria, up to £1m may be invested at any one time for a maximum duration of 12 months.

**Any building society that meets the above criteria must also have an asset base in excess of £6 billion.**

Other counterparties that can be used and any restrictions applicable are set out below.

#### Debt Management Office

Investments of a maximum duration of 6 months can be made with this Government department.

#### Public Authorities in England, Scotland and Wales

Investments totalling up to £5m at any one time with a maximum duration of three years can be made with these bodies. These include local government, fire and police authorities.

#### Money Market Funds

Investments of up to £1.5m per fund at one time can be made provided they are AAA rated.

Credit ratings are monitored on a daily basis using Sector's credit rating service by the Section 151 Officer who will determine the amendments to be made to the counterparty list when credit ratings change.

## Property Funds

Investments up to £1m. CCLA Property Fund investment will be the Council's only Non-Specified Investment and there is a limit of £1 million for this asset class

The proposed counterparty list for investments is given at Annex 3.1.

### **4.0 Liquidity of Investments**

The period for which investments are placed will be based on the Council's cash flow forecasts and estimates of movements in interest rates. The Council generally does not expect to place investments for longer than 364 days although this situation will be kept under review by the Section 151 Officer should a longer term investment opportunity occur. Long-term investments will only be made where it is clear that surplus cash resources are not required for the day to day financing of the Council's activities. The maximum period for any long-term investments will be the three-year planning cycle covered by this strategy.

### **5.0 Policy on the Use of External Service Providers**

External investment managers will not be used, except to the extent that a Money Market Fund can be considered an external manager.

The Authority uses Link Asset Services as an external treasury advisor but still recognise that responsibility for treasury management decisions remains with the Council at all times. Whilst it is recognised that undue reliance should not be placed on external advisors, it is valuable to be able to access specialist skills and resources.

### **6.0 Scheme of Delegation**

Full Council

- Approval of annual strategy
- Review of treasury management policy and procedures, including making recommendations to responsible body

Policy, Finance and Development Committee

- Approval of annual treasury outturn report
- Approval of mid year treasury management updates
- Mid year treasury management updates

Section 151 Officer

- Day to day management of treasury management, within agreed policy
- Appointment of external advisors, within existing Council procurement procedures and standing orders.

### **7.0 Role of Section 151 Officer**

The Section 151 Officer has day to day responsibility for running the treasury management function.

## **8.0 Ethical Investment Strategy**

The Council aims to be aware of ethical issues within its investment strategy. Where any member of the Council becomes concerned about such issues, these matters should be reported to the Section 151 Officer. Where necessary, the Section 151 Officer will then present a response to the concerns raised to the next meeting of the Policy, Finance and Development Committee.

**EXTERNAL INVESTMENT OF FUNDS - APPROVED INSTITUTIONS****Category 1**

<b>Restrictions</b>	
<b>Max Amount £m</b>	1.5
<b>Duration</b>	364 days
<b>Asset Base (Building Societies Only)</b>	£6 bn

**Category 2**

<b>Restrictions</b>	
<b>Max Amount £m</b>	1
<b>Duration</b>	364 days
<b>Asset Base (Building Societies Only)</b>	£6 bn

The following institutions will also be classed as Category 2 although they currently may not meet the exact criteria.

Barclays Bank Plc

Lloyds Bank Plc

HSBC Plc

Santander UK Plc

National Westminster Bank Plc

Royal Bank of Scotland Plc

Bank of Scotland Plc

Nationwide Building Society

**Debt Management Office**

<b>Restrictions</b>	
<b>Max Amount £m</b>	N/A
<b>Duration</b>	6 months

Operated by a National Government Department

### **Public Authorities in England, Scotland and Wales**

<b>Restrictions</b>	
<b>Max Amount £m</b>	5
<b>Duration</b>	3 Years

All public authorities (including local government, fire and police authorities) in England, Wales and Scotland

### **Money Market Funds**

<b>Restrictions</b>	
<b>Max Amount £m</b>	1.5
<b>Duration</b>	N/A

Funds must be AAA-rated and operated by a company regulated by the Financial Services Authority. The Section 151 Officer, under delegated powers, will choose the appropriate fund(s).

## CAPITAL STRATEGY 2019/20

### 1. Introduction

1.1. The CIPFA revised 2017 Prudential and Treasury Management Code require, for 2019-20, all local authorities to prepare an additional report which will provide:

- A high-level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
- An overview of how the associated risk is managed; and
- The implications for future financial sustainability.

1.1. This will be the Capital Strategy Report. The aim of this report brings together our existing Medium Term Financial Strategy, Treasury Management Strategy and Capital Programme, whilst also highlighting governance procedures, risk appetites and the impact upon achieving our new corporate objectives.

1.2. In relation to our capital expenditure programme and investments, our aim is to deliver our new corporate objectives and our priorities with a programme that is affordable and sustainable.

### 2. Capital Expenditure

#### 2.1. Definition of Capital Expenditure

2.1.1. Capital expenditure is expenditure on the acquisition of a fixed asset or expenditure which adds to and not merely maintains the value of an existing fixed asset. Non-current assets are:

Operational assets:

- Council Dwellings
- Other land and buildings
- Vehicles, plant, furniture and equipment
- Community assets
- Intangible assets

Non-operation assets

- Investment properties
- Heritage assets
- Assets under construction
- Assets held for sale

1.1.1. It should also be noted that grants or loans to a third party towards expenditure that meets the above definition can also be capitalised. For example, Disabled Facilities Grants fulfil this criterion.

1.1.2. There are a number of reasons as to why the Council would incur capital expenditure, and these would include:

- To deliver our corporate priorities
- To meet statutory and legal requirements
- To refurbish and prolong the life of existing assets
- To avoid unnecessary revenue expenditure

### **1.1. Capitalisation Policy**

1.1.1. All new schemes, prior to inclusion in the capital programme, must first have been considered as part of the Service and Financial Planning process. This must include details of the objectives of the scheme, the resources required, the timescale and the revenue implications. The de minimis level for a scheme to be considered as a capital scheme has been set at £3,000.

1.1.2. The following categories of expenditure will be capitalised:

- The acquisition, reclamation, enhancement or laying out of land;
- The acquisition, construction, preparation, enhancement or replacement of buildings and other infrastructure;
- The acquisition, installation or replacement of vehicles, plant, machinery and equipment;
- The making of grants, loans or other financial assistance towards expenditure;
- The acquisition of share or loan capital;
- The acquisition of computer software licences.

## **2. Capital Plans**

The Council's capital programme comprises of these two key themes:

- Delivery of our Corporate Plan
- Delivery of our asset management plans

### **2.1. Core Influences**

2.1.1. The Council has an overarching core influence for our Capital Strategy and this is derived from our Vision and Priorities.

2.1.2. Oadby and Wigston Borough Council recently approved a new five-year Corporate Plan spanning the period 2019-2024. Oadby and Wigston is a borough that is continuing to thrive and develop, developing our communities and economy, enabling and shaping growth and delivering services to our customers to the highest standard. This Corporate Plan sets out the way in which the Council will deliver and develop our services for the next five years, with the three new corporate objectives that serve our residents, communities,

businesses and partners to the highest standards, improving our borough as a place to live, work and visit. Our Vision for 2019-2024 is:

“A Stronger Borough Together, Improving the Lives of Our Communities”

2.1.3. This is supported by three new corporate objectives which aim to serve our residents, communities, businesses and partners to the highest standards, improving our borough as a place to live, work and visit, with these being:

- Building, Protecting and Empowering Communities - “Be Proud of your borough as a place to live”
- Growing the Borough Economically - “Realise the aspirations of the borough, benefiting those who live and work here”
- Providing Excellent Services - “Delivering those services needed to the highest standard whilst providing value for money”

## **2.2. Building, Protecting and Empowering Communities**

2.2.1. This objective looks to not only build suitable accommodation to meet the needs of the community, delivering housing, attract people to our borough to live, reducing homelessness and the causes of homelessness, but to also build upon our strong communities, engaging with them and building greater community cohesion.

2.2.2. We also want to protect our communities, not just working with the Police to tackle crime, antisocial behaviour and enforcement, but to address health needs across the borough. We will work with health partners, including the Fire Service, to improve health equality, meaning nobody should feel excluded and reducing loneliness created by the modern world.

2.2.3. We will empower our communities, generating positive involvement, not only through the work of Councillors within their wards and neighbourhood forums, but to engage a greater proportion of our borough, engaging with those who often feel disenfranchised. We will increase our volunteering opportunities and encourage our communities to get more involved, taking greater responsibility for where they live, work and play.

## **2.3. Growing the Borough Economically**

2.3.1. This objective aims for our borough to be the best it can be, economically. We will work with businesses – from local sole traders to multinational corporations as to how we can help businesses develop and grow within our borough whilst attracting new organisations to the borough. This will not only provide greater opportunities for employment for our residents and regeneration opportunities, but helps our local students with opportunities to stay within the borough whereas they may be forced to look further afield for such opportunities.

2.3.2. The borough has a rich array of attractions that should attract people to the borough, but sadly we are not maximising this. We will market the borough as a place that is worth visiting, working with partners to create a “joined-up”

approach. We will also identify what areas of demand we are lacking and look to plug those gaps – increasing the reasons to visit the borough. We will also look at our entertainment and night-time economy and look to create a sustainable and enjoyable environment where people can enjoy the borough through a host of opportunities in the evenings.

- 2.3.3. The Council will look to be more commercial in regards to generating income that can protect frontline services and not have to cut them. We will look to maximise the value our assets can provide and look at ventures that could generate commercial income rather than increase taxes on our communities.

## **2.4. Providing Excellent Services**

- 2.4.1. This objective for our borough to put the customer first – getting things right first time and providing services to the highest standards. The Council has always aspired to provide excellent services for all of our customers, be they Residents, Businesses, Partner Organisations or internally, meaning that we need to understand their needs. The Council has already shifted to focussing on outcome delivery, and we will ensure that we will get things right at the first opportunity we have.

- 2.4.2. The Council will aim to achieve the prestigious and nationally recognised “Customer Service Excellence Award” to demonstrate that we are achieving what we have set out to do. The award is a quality-mark award that rates how the services received by residents are delivered by the Council. We will use this award as a driver of continuous improvement and enable our staff to improve their skills which will enable further improvements in the delivery of services.

- 2.4.3. We will also be utilising technology to make life safer for our residents or the implementation of smart technology in the homes of the vulnerable to allow them instant access to services, alongside the utilisation of technologies to improve our effectiveness in delivering our services.

- 2.5. The Council has a number of key strategic documents that link directly to our Corporate Plan, and these include the Medium Term Financial Strategy and Risk Management. The Council is currently finalising its workforce strategy and is updating our Asset Management Strategy. Other strategies, such as Play and Parks Strategy are in the pipeline for development and these will further inform the Councils long-term capital strategy.

- 2.6. There are a number of core influences that also directly influence our Capital Strategy and these include:

- The work of the Leicester & Leicestershire Enterprise Partnership (LLEP) and Local Authority Partners – collaborative strategies and plans such as the Strategic Growth Plan and the LIS.
- Local Government Association Peer Review
- Accounting Standards and Regulations
- The Local Plan – due for formal adoption in April 2019 identifying key areas that will influence Council delivery of sites and developments

- Housing Asset Management Plan – the long term development and maintenance of the Councils housing stock.

## 1. Capital Programme

- 1.1. The Council has always linked its Capital Programme to its Medium Term Financial Strategy, and this Strategy lasts until 2020. Given the financial uncertainty regarding local government finances, the Council will produce both a revised MTFs and an official Capital Programme that will run concurrently.
- 1.2. The 2019/20 Capital Budget is summarised below. New schemes for 2019/20 include the provision of a 3G Pitch in Oadby (costing around £840,000), an extension to Coombe Park Pavilion (£170,000), a sports pitch improvement programme (£80,000) and the provision to award private sports grants, funded by s106 money (£150,000).

<b>Fund</b>	<b>2019/20</b>	<b>Est c/f from 2018/19</b>	<b>Total 2019/20</b>
	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
Housing Revenue Account	1,500	643	2,143
General Fund	1,750	1137	2,887
<b>Total Programme</b>	<b>3,250</b>	<b>1,780</b>	<b>5,030</b>

- 1.3. New schemes for the year total £3.25m with approximately £1.8m carried forward from 2018/19. The carried forward schemes will include the completion of the Horsewell Lane Pavilion and Ervins Lock projects.

## 2. Capital Receipts

- 2.1. Capital receipts primarily arise from the disposal of council assets, subject to the de minimis limit of £3,000. However, it should be noted that the council has a limited asset base, both through the general fund and HRA, meaning there is limited opportunity to generate capital receipts through the disposal of assets.
- 2.2. The Council may also use capital receipts to repay debt or fund organisational transformation. In each case, this has the effect of reducing revenue impact on the general fund account.
- 2.3. The Council receives the Disabled Facilities Grant annually from Central Government, amounting to approximately £350k per annum. This grant is required to be spent in accordance with a Better Care Fund spending plan jointly agreed by local authorities and CCGs, and administered through the "Lightbulb Partnership".
- 2.4. The Council also receives other government grants occasionally which are normally ring-fenced for specific spend, such as air quality monitoring.

2.5. The Council is able to borrow money for capital purposes, subject to it being:

- Affordable;
- Sustainable; and
- Prudent.

2.6. The way the Council assesses the borrowing capabilities and proposals is using Prudential Indicators. These indicators are reported in our Treasury Management Strategy and Plan.

2.7. The Council may borrow externally (i.e. Loans via the Public Works Loan Board), or by way of applying our cash balances – internal borrowing. The Council looks to limit the amount of borrowing it undertakes given its significant impact on the repayment of interest and Minimum Revenue Position. The Council, when assessing the financial viability of capital schemes, looks to ensure these impacts are minimised. For example, the cost of funding Leisure Centre Development is funded in the majority by increased revenue generated, thereby minimising the impact on the General Fund.

2.8. The Council receives Section 106 contributions which are received via planning obligations through new developments within the borough. These are normally intended to fund new infrastructure developments and improvements to the area such as play equipment, community centres or affordable housing delivery.

2.9. The Council may use reserves to fund capital expenditure. However, given the Council's relatively low monetary value of its reserves, the Council is planning to boost its reserves in future years that will not only allow for greater financial stability, but to also allow funding to be used to pump-prime development.

2.10. The Council has the following sources of funding available for 2019/20 (excluding specific government grants such as the Disabled Facilities Grant).

<b>Funding</b>	<b>£000's</b>
Borrowing (General Fund)	1,425
Borrowing (HRA)	803
Grants and Contributions	876
S106 Funding	436
Usable Capital Receipts	140
Major Repairs Reserve	1,340
<b>Total</b>	<b>5,030</b>

2.11. When the 2019/20 Capital Programme was approved in February 2019, this was based upon the Corporate Objectives that ended in March 2019. These objectives were updated in March 2019 and came into effect on 1<sup>st</sup> April 2019. The

breakdown of spend by objective has been updated and can be seen in the table below (new schemes only).

<b>Funding</b>	<b>£000's</b>
Building, Protecting and Empowering Communities	1,517
Growing the Borough Economically	1,547
Providing Excellent Services	186
<b>Total</b>	<b>5,030</b>

### **3. Appraisal and Approval Process**

- 3.1. The Council approves the Capital Programme annually as part of the Budget Setting Process, which normally lasts for the duration of the Medium Term Financial Strategy. For 2019/20, Council only formally approved one year of the Capital Programme whilst we await formal confirmation of the post 2020 funding for local government. In future years, schemes falling within the first year of the programme will be fully analysed and appraised before being recommended to Council as part of the Budget Setting Process. The remaining years of the capital programme will remain to identify schemes of work, their costs and how they meet the Corporate Plan objectives. This plan, as with the Medium Term Financial Strategy is updated on a rolling basis, be this annually (formally) or as and when new information that can materially influence the programme comes to light.
- 3.2. Capital Projects are appraised by the Chief Financial Officer and Deputy Section 151 Officer before being submitted to the Senior Management Team for formal approval to be recommended to Council. All Capital Schemes are monitored by the Programme Management Board which comprises the Chief Executive, Deputy Chief Executive, Chief Financial Officer and Head of Customer Service and Transformation. The findings of the Programme Management Board are reported to the relevant committee, with the financial monitoring being reported to the Policy, Finance and Development Committee.
- 3.3. The Programme Management Board will also review all corporate projects – these may be comprised of Capital and Revenue Projects and Transformation projects. These are reported to the Service Delivery Committee. Projects funded by Section 106 agreements are reported to the Service Delivery Committee, as is the work of the Lightbulb Partnership which delivers our Disabled Facilities Grant.
- 3.4. The Capital Planning process covers the core items that enable assessment, whilst larger programmes of work also have to include a project initiation document alongside the business case for approval. The Council follows the PRINCE 2 methodology when managing and monitoring projects (including capital schemes).

3.5. The Capital Programme planning process is run concurrently with the budget setting process, and the appraisal process, findings and implications are built into the budget. However the Council is aware that, as with the revenue budget, the need to appraise and approve new projects can happen throughout the financial year. Therefore the Council can carry out the assessment of projects at any point during the year utilising the process outlined previously.

#### **4. The Prudential Code**

4.1. The Prudential Code states that the governance procedure for setting and revising the capital strategy and prudential indicators is the responsibility of full Council.

4.2. Part 1 of the Local Government Act 2003 and C.I.P.F.A.'s Prudential Code for Capital Finance in Local Authorities (the Code) set out a framework for self-regulation of capital spending, in effect allowing council's to invest in capital projects without any limit as long as they are affordable, prudent and sustainable. This allows the Council to determine the appropriate level of capital investment to properly deliver quality public services, subject to affordability.

4.3. For housing authorities these are separated for the Housing Revenue Account and non-Housing Revenue Account capital investment.

4.4. The Capital Financing Requirement (CFR) represents the Council's underlying need to borrow for a capital purpose; the change year on year will be influenced by the capital expenditure in the year. In simple terms the CFR will increase by the amount of capital expenditure to be financed by borrowing less any amount set aside in the year to repay debt.

4.5. The expected movement in the CFR over the next three years is dependent on the level of supported and unsupported capital expenditure decisions taken during the budgeting cycle. There are two main limiting factors on the Council's ability to undertake unsupported capital expenditure:

- Whether the revenue resource is available to support in full the implications of capital expenditure, both borrowing costs and running costs. Can the Council afford the implications of the unsupported capital expenditure?
- The Government may use a long stop control to ensure that either the total of all local authorities' plans do not jeopardise national economic policies, or in the event of an assessment by central government that local plans are not affordable at a particular council, it may implement a specific control to limit its capital expenditure plans.

4.6. The Council's expectations for capital expenditure and Capital Financing Requirement (CFR) in the next three years are shown in the following tables. These form two of the required Prudential Indicators.

4.7. The Council therefore demonstrates our compliance through monitoring a range of locally agreed indicators that are approved by Council. These indicators are included in the Treasury Management Strategy and are based upon the Capital plans approved in the budget and are formulated in accordance with our Capital Strategy.

4.8. A summary of the Prudential Indicators can be found in the Treasury Management Strategy.

## **5. Constitution**

5.1. Oadby and Wigston Borough Council's Constitution states that Full Council is responsible for approving the Medium Term Financial Strategy, which will be recommended by the Policy, Finance and Development Committee. This covers the Financial Strategy, Capital Programme and Treasury Management.

5.2. The Chief Financial Officer is responsible for determining the capital resources available to fund the expenditure plans of the Council. The Senior Management Team is responsible for ensuring that the Capital Programme is prepared on an annual basis for consideration by the Policy, Finance and Development Committee.

5.3. Progress against the Capital Programme is reported to the Service Delivery Committee and the Policy, Finance and Development Committee on a quarterly basis. Specific projects are reported to the relevant committee/sub-committee where appropriate.

## **6. Skills, Resources & Knowledge**

6.1. The Council employs a number of officers who have key responsibilities in the delivery of the core aims of Capital Strategy. In 2019, these include:

- The Deputy Chief Executive
- The Chief Financial Officer
- The Financial Services Manager
- The Corporate Asset Manager
- The Housing Services Manager
- The Regeneration Manager

6.2. These officers have extensive knowledge and experience of the development of capital schemes, including the commissioning of partners and suppliers to deliver the schemes.

6.3. The Council has in-house Legal and Finance teams who support the Council in the delivery of the Capital Programme.

6.4. The Council also makes use of external advice when developing projects which are commissioned either on a contract basis or as and when required, and these include:

- Treasury Management advisors
- External Legal advisors
- Property experts
- External valuers
- Local Government advisors

6.5. Members are engaged with the budget process, including the Service Delivery Committee, the Policy, Finance and Development Committee and Council, with Council being responsible for approving the Budget, Capital Programme and Treasury Management Strategy.

6.6. The Council runs Member inductions training for newly elected members and also has a member training plan to provide ongoing training support for members.



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Approval and Adoption of New Local Plan (April 2019)**

**Report Author(s):** **Jamie Carr (Planning Policy Team Leader)**

<b>Purpose of Report:</b>	<p>The purpose of this report is to highlight to Members that the Borough Council has received the Final Report from the Planning Inspectorate relating to the Examination of the Borough of Oadby and Wigston Local Plan (2011-2031).</p> <p>The Inspector has concluded that with the modifications discussed and agreed at the Examination Hearings and subsequently consulted upon, the Borough of Oadby and Wigston Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.</p> <p>With Members' approval, the Local Plan can now therefore be formally adopted by the Council.</p>
<b>Report Summary:</b>	<p>The Borough of Oadby and Wigston Local Plan is the overarching policy document for the authority area and sets out the vision and framework for future development for the Plan period 2011 to 2031. Once adopted, the new Local Plan will supersede the Council's Core Strategy Development Plan Document and the Town Centres Area Action Plan Development Plan Document, as well as the Saved Local Plan.</p>
<b>Recommendation(s):</b>	<p><b>That the Borough of Oadby and Wigston Local Plan (as set out at Appendix 1 to this report) and its accompanying Adopted Policies Map (attached at Appendix 2 to this report) be approved and adopted.</b></p>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Stephen Hinds (Director of Finance &amp; Transformation) (0116) 257 2681 <a href="mailto:stephen.hinds@oadby-wigston.gov.uk">stephen.hinds@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Planning, Development and Regeneration) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Jamie Carr (Planning Policy Team Leader) (0116) 257 2652 <a href="mailto:jamie.carr@oadby-wigston.gov.uk">jamie.carr@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	<p>Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2)</p>
<b>Vision and Values:</b>	<p>"A Strong Borough Together" (Vision) Innovation (V4) Customer Focus (V5)</p>
<b>Report Implications:-</b>	

Legal:	An up-to-date Local Plan helps to ensure effective and appropriate planning decisions are taken.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	Regulatory Governance (CR6) Economy/Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. Initial EA Screening (See Appendices)
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	Duty to Cooperate Partners Specific Consultation Bodies General Consultation Bodies; and Other stakeholders held on the Local Plan consultation database
<b>Background Papers:</b>	The background to the Final Report is set out within the Appendices.
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. The Borough of Oadby and Wigston Local Plan (2011-2031)</li> <li>2. The Borough of Oadby and Wigston Local Plan Adopted Policies Map (April 2019)</li> <li>3. Local Plan Initial EA Screening Assessment (January 2018)</li> </ol>

## 1. Background

- 1.1 At the beginning of 2015, the Planning Policy team began the lengthy demanding process of producing a new Local Plan (Plan).
- 1.2 In total, the Council has undertaken three public consultation events for the Plan, firstly relating to a Key Issues and Challenges document during the winter of 2015, secondly relating to a Preferred Options document during winter 2016, and finally, a Pre-Submission document during winter 2017.
- 1.3 Following the submission of the Plan to the Secretary of State in January 2018, the Plan was subject to Examination by an independent Planning Inspector at Hearing Sessions held in April, May and June 2018, who then, following on from a period of public consultation on the Schedule of Proposed Main Modifications in winter 2018, issued their Final Report to the Council on Monday, 25 March 2019.
- 1.4 The Report concludes that, subject to the incorporation of the Main Modifications, the new Plan is sound, legally compliant and capable of adoption by the Council.
- 1.5 In addition to producing the Plan itself, a fundamental element of the Plan's production was the evidence base that supports it. The supporting evidence base was wide ranging and

dealt with a plethora of planning related issues, both cross boundary and those isolated to the Borough.

- 1.6 Cross boundary issues included; housing market area wide housing and employment need; affordability; highway capacity and transport infrastructure requirements; green wedges; population migration flows; healthcare and education; and, flood risk.
- 1.7 The more localised issues included; local housing and employment need; traffic, congestion and highway improvements; protection and provision of open spaces; preservation and enhancement of heritage assets; delivering retail in the town, district and local centres; and, the provision of affordable housing and community facilities.

## **2. Borough of Oadby and Wigston Local Plan (2011-2031)**

- 2.1 Upon the adoption of the new Plan, it will replace the Saved Borough of Oadby and Wigston Local Plan (1999), the Borough of Oadby and Wigston Core Strategy (2010) and the Oadby and Wigston Town Centres Area Action Plan (2013).
- 2.2 Over the Plan period, 2011 to 2031, the spatial strategy within the Plan seeks to deliver at least 2,960 new homes; at least 8 hectares of new employment land; and, up to 2,974 square metres of new additional retail floorspace. To ensure that these levels of growth are fulfilled, the Local Plan identifies and allocates sufficient land within the most appropriate and sustainable locations, to meet all of these identified needs.
- 2.3 Further to the spatial strategy, the Local Plan sets out a number of other strategic and development management style policies that seek to fulfil the Vision and Spatial Objectives of the Council. These include;
  - policies that conserve and enhance the Borough's historic and heritage assets;
  - policies that protect and enhance the Borough's two green wedges as well as the important countryside areas;
  - policies that protect and enhance the more formal open space areas, such as the urban parks; and,
  - policies that seek to improve residents health and wellbeing as well as the design of all new development.
  - Policies that ensure residential conversions comply with the Nationally Described Space Standards.
- 2.4 The Planning Inspector proposed a number of Main Modifications in their Final Report, that can be summarised as follows:
  - Commitment to a full or partial review of the Local Plan should monitoring identify significant or persistent shortfalls in delivery that deviates significantly from the Local Plan strategy; for example, if another Housing Market Area authority cannot meet its own needs; or, should the post-2031 development strategy set out in the Strategic Growth Plan be capable of coming forward earlier;
  - Commitment to release Phase 3 of the Wigston Direction for Growth Area should delivery of other identified or allocated sites be slower than expected or if the Council is unable to demonstrate a five-year supply of housing land;
  - Support small scale sustainable development in Kilby Bridge Settlement Envelope with immediate effect;
  - Include realistic windfall allowances in housing supply calculations;
  - Modifications to wording of heritage related policies to ensure consistency with national policy;
  - Support self-build / custom-build residential developments on all sites;
  - Permit necessary development associated with suitable uses in Green Wedge

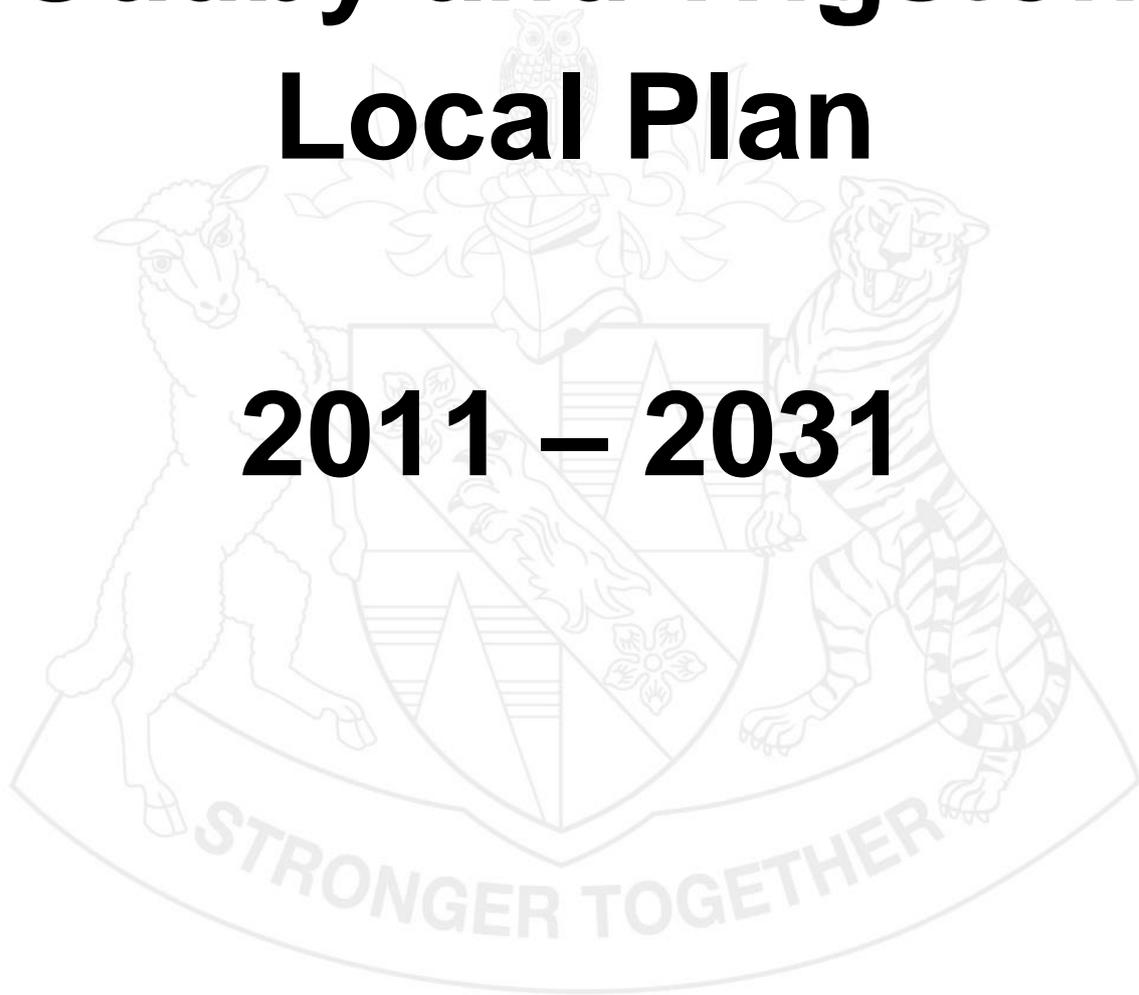
designations; and

- Extend the Oadby and Wigston Green Wedge to ensure that the settlement of Wigston and Oadby remain separated by green, undeveloped open space.

2.5 Taking account of the above, the appended Borough of Oadby and Wigston Local Plan (2011-2031) and the Adopted Policies Map represent the most up to date position in relation to the relevant National and Local planning policy, and therefore, these documents are being submitted to Members with the recommendation for them to be adopted and brought into operation with immediate effect.

# The Borough of Oadby and Wigston Local Plan

**2011 – 2031**



**Adopted April 2019**



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# **Chapter One – Introduction**

## **1. Strategic Context**

- 1.1.1 The Borough of Oadby and Wigston is a relatively small, compact and urbanised Borough that shares its boundaries with Leicester City, Blaby District and Harborough District. The entire urban area of the Borough sits within the area known as the Leicester Principal Urban Area (PUA). The Leicester PUA is defined as the built up area that is centred on Leicester. With the Borough area also being directly adjacent to the City of Leicester, the two share a strong spatial relationship, despite the differences in size and population.
- 1.1.2 Looking wider than the Leicester PUA, the Borough is part of a collection of local planning authorities (LPA's) that make up Leicester and Leicestershire. The LPA's situated within Leicester and Leicestershire are, Leicester City Council, Charnwood Borough Council, Harborough District Council, Hinckley and Bosworth Borough Council, Blaby District Council, Melton Borough Council, North West Leicestershire District Council and ourselves, Oadby and Wigston Borough Council. Leicester City Council is the only unitary authority situated within Leicester and Leicestershire area; with Leicestershire County Council taking control of the functions that the other Borough and District areas do not, for example highways and education.
- 1.1.3 The Leicester and Leicestershire area also comprises the Leicester and Leicestershire Housing Market Area (HMA). The Leicester and Leicestershire HMA authorities work together on a number of different strategies, partnerships, evidence base documents and processes and regularly meet under the Duty to Cooperate. Close joint working between the Leicester and Leicestershire HMA authorities ensures that there is a fully 'joined up' partnership approach to tackling issues affecting each local authority as well as the wider HMA; for example transport and highway assessment evidence, housing and economic needs assessments, and strategic employment distribution.
- 1.1.4 Currently the Leicester and Leicestershire HMA authorities, Leicestershire County Council and the Leicester and Leicestershire Enterprise Partnership (LLEP) are producing a (non statutory) Strategic Growth Plan that will act as the strategic planning framework for the Leicester and Leicestershire Housing Market Area, up to 2050.
- 1.1.5 In addition to the wider HMA working mentioned above, the Council also works closely with both Leicester City Council and Harborough District Council due to the cross boundary green swathes of land that are defined and designated as green wedges. Green wedges play a vital role strategically by providing 'green lungs' out from the City of Leicester into the open countryside of the surrounding district and borough Council areas.

## National Policy and Guidance (and Local Plan)

### National Planning Policy Framework and National Planning Practice Guidance

- 1.2.1 The National Planning Policy Framework (NPPF) was formally introduced by national government on the 27th March 2012 with the primary focus of delivering sustainable development. The NPPF sets out the government's planning policies for England and replaced numerous Planning Policy Statements and Planning Policy Guidance notes. The NPPF is a material consideration in determining planning applications and must be taken into account in the preparation of Local and Neighbourhood Plans. The NPPF is supplemented by national guidance in the form of the National Planning Practice Guidance (PPG).
- 1.2.2 The PPG was first launched during March 2014 and is a fluid document that is updated on an ongoing basis by national government when changes are required. The PPG is broken down into a number of different guidance categories (48 currently) that relate to certain aspects and / or policies set out in the NPPF, for example the Duty to Cooperate, Planning Obligations and Housing and Economic Development Needs Assessments.

### Local Plans

- 1.2.3 The government's NPPF states that Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Government also suggests that Local Plans should be consistent with the principles and policies set out within the NPPF, including the presumption in favour of sustainable development.
- 1.2.4 Local Plans are aspirational, yet realistic documents that set out the vision and framework for future development within a local planning authority area, and address needs and opportunities (for example) relating to housing, the economy, the environment, community facilities, local infrastructure, climate change and good design. The government also suggests they are critical tools for guiding decisions about individual development proposals as they (combined with Neighbourhood Plans) are the starting point for considering whether applications for development are appropriate and sustainable and can be approved.
- 1.2.5 The Oadby and Wigston Borough Council Local Plan is the overarching policy document for the authority area and sets out the vision and framework for future development for the Plan period 2011 to 2031. The Local Plan supersedes the Council's Core Strategy Development Plan Document and the Town Centres Area Action Plan Development Plan Document, as well as the Saved Local Plan.
- 1.2.6 This Local Plan covers the period to 2031 in order to align with the Strategic Growth Plan and to enable effective cooperative working with other local planning authorities in the Leicester and Leicestershire HMA over Plan periods.

## Local Context and Corporate Priorities

- 1.3.1 Although located in Leicestershire, it is important for the Borough of Oadby and Wigston to recognise the strong spatial relationship it shares with Leicester City, given that the Borough is located immediately adjacent to the City and located predominately within the Leicester PUA.
- 1.3.2 The Council is also aware of the importance to recognise the spatial relationships that are in place with the other neighbouring authorities and service delivery partners, so that it can continue to deliver high quality and tangible outcomes, for example, the delivery of strategic housing options.

### Corporate Priorities

- 1.3.3 The Borough Council has five Corporate Priorities that were agreed by Members in November 2016.
- 1.3.4 The five Corporate Priorities for the Borough are:

#### **We will deliver;**

**An inclusive and engaged Borough** – the Council will work with existing forums and will forge new relationships in order to strengthen community engagement and cohesion throughout the Borough. The Council will also listen to and empower residents by communicating, consulting and where possible offering a choice on decisions which would affect frontline services.

**Effective service provision** – the Council will continue to examine services and identify improvements in order to provide the most cost effective frontline services. Through innovation, the Council will strive for optimum use of its asset's, its human resources and those of its partners in order to protect frontline services.

**Balanced economic development** – the Council will develop, implement and create opportunities for balanced economic development that is primarily focused around the three centres (of Oadby, Wigston and South Wigston) whilst respecting the Borough's natural environment. The Council will also seek to provide suitable housing that meets local needs.

**Green and safe places** – the Council will invest in and encourage activities that provide green, pleasant and safe places in the Borough for everyone to enjoy. The Council will seek to protect the Borough's trees and natural habitat wherever possible.

**Wellbeing for all** – the Council will work with other organisations to improve wellbeing for all within the Borough. The Council will help secure new easy access to opportunities to enable everybody within the Borough to live a harmonious and healthy life.

## Duty to Cooperate

- 1.4.1 The Duty to Cooperate was coined in the Localism Act 2011. It places a legal duty on local planning authorities, county council's and public bodies to engage constructively, actively and on an ongoing basis to address strategic issues in their areas.
- 1.4.2 The duty requires on-going constructive and active engagement throughout the preparation of local plans and other activities relating to sustainable development and use of land, in particular in connection with strategic cross boundary matters.
- 1.4.3 The NPPF suggests that joint working on planning issues that cross administrative boundaries should be undertaken diligently for the mutual benefit of neighbouring authorities, and that LPAs should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in Local Plans. LPAs are encouraged to take account of different geographic areas, including travel to work areas, and county and district authorities should cooperate with each other on relevant issues.
- 1.4.4 The PPG suggests that local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. The PPG also suggests that local planning authorities need to satisfy themselves about whether they have complied with the duty and as part of their consideration, they will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.
- 1.4.5 To ensure that the Council has meet the Duty to Cooperate, it has actively and constructively engaged with, and continues to engage, actively and constructively with neighbouring local planning authorities, specific consultees and other public bodies in the preparation of this Local Plan, in accordance with the regulatory requirements and the approach set out in the NPPF.
- 1.4.6 The Council has also been working collaboratively with all other local authorities within Leicester and Leicestershire on the preparation of a Strategic Growth Plan and Memorandum of Understanding as well as the production of evidence, such as the HEDNA. Further information regarding how the Council has cooperated under the Duty can be found in the Council's Duty to Cooperate Statement.

## The Leicester and Leicestershire Statement of Cooperation and Strategic Growth Plan

- 1.5.1 The eight local authorities in Leicester and Leicestershire together with Leicestershire County Council and the Leicester & Leicestershire Local Enterprise Partnership (LLEP) are preparing a Strategic Growth Plan that sets out the aspirations for delivering growth in the Leicester and Leicestershire HMA. It will set out, in broad terms, the amount and location of future growth (housing, economic, infrastructure) the Leicester and Leicestershire HMA will be expecting to accommodate until 2050.
- 1.5.2 Although the Strategic Growth Plan deals with the time period up to 2050, it treats the period's pre 2031 and post 2031 very differently. Pre 2031, the housing and employment Objectively Assessed Needs for the Leicester and Leicestershire HMA, set out within the HEDNA, will be delivered through each of the local authorities individual Local Plan's. The Strategic Growth Plan therefore focuses on the period post 2031, for which it identifies a 'notional housing need'. It recognises that for this period there are no reliable estimates of population growth or household change, thus it estimates future housing needs by projecting forwards the annual figures set out within the HEDNA.
- 1.5.3 To ensure that the Leicester and Leicestershire HMA housing and employment OAN is fulfilled up to 2031, a Statement of Cooperation and subsequent Memorandum of Understanding will be produced and signed by each local authority within the Leicester and Leicestershire HMA. These will set out how the Leicester and Leicestershire HMA employment and housing OAN will be delivered; including how any unmet need within individual local authorities will be dealt with.
- 1.5.4 Post 2031, the strategy set out in the Strategic Growth Plan, for this period, will come into effect. One of the key elements to this strategy is the delivery of a vehicular expressway to the south and east of Leicester that links the M1 motorway with the A6, the A47 and the A46. This also reflects the proposal that has been put forward in the Midlands Connect Strategy. When this route is in place, it will significantly improve access to the motorway network, unlock new land for development and reduce the high levels of traffic and congestion that are apparent within the City of Leicester and the surrounding local authority areas including the Borough of Oadby and Wigston.
- 1.5.5 It should be noted that currently there is insufficient certainty surrounding the delivery of the new expressway for it to be a consideration in this plan, particularly because the delivery of the notional housing need (as identified in the Strategic Growth Plan) in the Borough is wholly dependent upon the expressway being in place. Transport evidence supporting this plan indicates that without the new expressway there is extremely limited highway capacity to bring forward levels of development above that proposed in this plan. The Council has committed to a review of this Local Plan within 5 years of the date of its adoption by which time proposals for the new expressway are likely to be at a more advanced stage and therefore its effects within the Borough a consideration in the new plan.

## Sustainability Appraisal and Strategic Environmental Assessment Directive

- 1.6.1 Under the Planning and Compulsory Purchase Act 2004, Local Plans must undergo a Sustainability Appraisal (SA) which involves the identification and evaluation of the Local Plan impacts on the three elements of sustainable development; those being the economic, social and environmental impacts. The PPG advises that an integrated Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) process can be undertaken, whereby the SA process incorporates the requirements of European Law on the environmental assessment of plans, referred to as the SEA Directive (European Directive 2001/42/EC).
- 1.6.2 The main purpose of an SA is to ensure the Local Plan promotes sustainable development through better integration of sustainability considerations. It can be used to highlight potential problem areas where a draft plan may not contribute to sustainable development as it should. By identifying potential issues at an early stage of Plan preparation, they can be resolved to ensure the Plan is as sustainable as possible at adoption.
- 1.6.3 When preparing its Local Plan, the Council is required by law to carry out a Habitats Regulations Assessment (HRA). The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in July 2007, and updated in both 2010 and 2012.
- 1.6.4 The overall purpose of HRA is to conclude whether or not a proposal or policy, or whole development plan would adversely affect the integrity of the site in question. The HRA refers to the assessment of the potential effects of a development plan on one or more European Sites, including Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Sites of Community Importance (SCIs) and Ramsar sites.

## **Chapter Two – Spatial Portrait**

- 2.1.1 In order to plan for the future of the Borough and its residents, it is fundamental to understand how the Borough is today, and the issues, challenges and opportunities that it has.
- 2.1.2 This Spatial Portrait provides a broad overview or ‘snapshot’ of the physical characteristics of the Borough as well as the current social, economic and environmental conditions that exist in the Borough. It highlights the summary of the key issues and challenges that the Local Plan will address. These provide the foundation from which the Vision and Spatial Objectives are built. These are set out later in this document.

### **Physical Characteristics**

- 2.2.1 The Borough of Oadby and Wigston is a relatively compact highly urbanised Borough (approximately 2,400 hectares in size) that lies directly adjacent to and shares boundaries with the City of Leicester. It also shares boundaries with Harborough District and Blaby District. The urban areas of the Borough fall entirely within the Leicester PUA resulting in a strong spatial relationship with Leicester City despite the differences in size and population. The Borough plays an important role in providing residents of the Leicester PUA with a link to the countryside due to its position, ‘sandwiched’ between the City and the countryside beyond.
- 2.2.2 For many years, the Borough has consisted of three main settlements (Oadby, Wigston and South Wigston). Oadby, a large village by the 1860s, established itself around agriculture. It expanded rapidly in the early 1900s as wealthy Leicester City business people built large family houses immediately to the east of the village. These houses still remain as fine examples of the Arts and Crafts movement, although many are now in the ownership of the University of Leicester which established its Oadby Campus after the Second World War.
- 2.2.3 Wigston, originally two settlements, was amalgamated into Wigston Magna in 1529. The two settlements were linked by a series of ‘Lanes’ which still remain. The canal and railway brought further growth to what had been a predominantly agricultural community, resulting in further development to meet industrial and housing needs. This continued after the Second World War with numerous housing estates rapidly extending the size of the town.
- 2.2.4 South Wigston, a new town developed in the mid to late 1800s (by Orson Wright the owner of large brickworks) followed the tradition of ‘model’ towns by Victorian philanthropists. Unlike other ‘model’ towns of the time, it was not just intended to house workers of the brickyard though. Other commercial premises, particularly associated with the clothing industry were established right from the start. The railway was fundamental to this development. The Victorian barracks, now used as the Territorial Army Headquarters, predated this growth. The current mature trees, open space and road layout to the north of the barracks date from the 19th century Glen Parva Grange Estate. This history is still very much evident today.

## Social Characteristics

### The Community - Population and Demographics

- 2.3.1 According to the Office for National Statistics (ONS), it is estimated that the total resident population of the Borough is 55,900. Of this total, 27,100 were males and 28,900 females (2014-based SNPP). \*figures do not total correctly due to rounding.
- 2.3.2 ONS statistics also suggest that the Borough has a higher than average population percentage over the age of 74 years old. Figures show that the Borough's 10.7 per cent (over the age of 74 years old) is the highest of all the Leicester and Leicestershire local authority areas and is over 2 per cent higher than the East Midlands average (8.3 per cent) and the England average (8.1 per cent).
- 2.3.3 The ethnic and cultural composition of the Borough is diverse. The overall Black and Minority Ethnic (BME) population (i.e. residents in categories other than White British) is 28.4 per cent (16,536 people). This figure is almost triple the Leicestershire County average of 11.07 per cent and approximately double the East Midlands regional figure of 14.6 per cent (Census 2011).

### Housing and the Economy

- 2.3.4 As mentioned above, the Borough area has three distinct settlement areas, Oadby, Wigston and South Wigston. Each of the three settlement areas have very different perceived levels of affluence (in this instance represented by indicative new build house prices 2016) as well as levels of social deprivation (in this instance represented by Indices of Multiple Deprivation 2015 (IMD) ranking).
- 2.3.5 As a whole, the Borough is ranked 249th out of 354, (where 1 is the most deprived) by the Indices of Deprivation 2015. The Borough has gained 2 places from its 2010 ranking of 247th. The indices also measure deprivation for each Lower Layer Super Output Area (LSOA) in England (32,844 areas). On a settlement basis, South Wigston has the highest levels of social deprivation, Wigston has lower levels than South Wigston, and Oadby has the lowest. In terms of IMD ranking (1 being the most deprived) South Wigston has the lowest ranked LSOA (6,661) in the Borough area and Oadby has the highest ranked LSOA (31,902).
- 2.3.6 Using average indicative new build house prices, Oadby is perceived as the most affluent area within the Borough. Average indicative new build house prices range from £160,000 to £670,000. Wigston is somewhere in the middle regarding affluence with average indicative new build house prices ranging from £133,000 to £303,000, and South Wigston is perceived as being the least affluent with average new build house prices ranging between £129,000 and £280,000.
- 2.3.7 2011 Census data shows that the average household size within the Borough is 2.63 persons per household. The average household size within the Borough increased markedly in the 10 years since 2001, where it was 2.45 persons per household. In general the Oadby area has the highest average number of persons per household, with some wards illustrating 3.7 persons per household.

- 2.3.8 The most up to date Housing and Economic Development Needs Assessment (HEDNA) illustrates an Objectively Assessed Housing Need for the Borough of 148 new homes per annum up to 2031. This OAN figure includes the need for affordable housing.
- 2.3.9 According to NOMIS data, the Borough currently has an unemployment percentage of 3.5 per cent. When compared to the East Midlands percentage of 4.3 per cent and the Great Britain percentage of 4.8 per cent, the Borough is fairing relatively well in regards to levels of unemployment. In terms of employment occupation, the Borough has lower than average Managerial and Professional employment levels, however much higher levels of people in Administrative and Skilled trades employment.
- 2.3.10 The Borough has a number of identified employment areas. These are areas of land designated for uses defined as employment by the Use Classes Order. Some of the units on the identified employment areas lack the quality and flexibility required by modern industry. In addition the environment, general layout and accessibility is poor. Whilst there is relatively low turnover of businesses, there is a lack of interest in the units that do become available for new employment uses. This is largely due to the quality of units and the identified employment areas having poor accessibility to the larger trunk roads such as the M1 and M69 compared to other nearby districts. The HEDNA identifies an employment land OAN of 1 hectare of B1a/b and 4 hectares of small scale B8 between 2011 and 2031.
- 2.3.11 One of the major land users, employers and catalysts (in Oadby) for inward investment in the Leicester PUA, as well as within Oadby itself, is the University of Leicester. The University has had a presence in the Borough for over 50 years and over this time has expanded its facilities which now provide student accommodation, conferencing and sports facilities. The presence of the Campus contributes to the local economy by increasing the use of the facilities and services in Oadby district centre, and the sports facilities are used and enjoyed by local clubs and groups. The University has plans to continue improving and expanding its facilities and replacing outdated accommodation.
- 2.3.12 Tourism in the Borough plays a small yet important role in the local economy in relation to the centres of Wigston, Oadby, South Wigston and the settlement of Kilby Bridge, as well as large areas of green space including Brocks Hill Visitors Centre and Country Park, Leicester Racecourse, Glen Gorse Golf Course and Oadby Grange Country Park.

#### The Centres of Wigston, Oadby and South Wigston

- 2.3.13 Wigston is the Borough's main town centre and contains the largest variety of shops, services and facilities. The town is centred on the fully pedestrianised Bell Street, The Arcade and Leicester Road. Bull Head Street provides the town with a bypass and there are a number of Council owned public car parks around the town, all of which promote free shoppers parking. Wigston is the only 'town' centre within the Borough and one of only a small number of town centres within the Leicester PUA. Wigston therefore fulfils an important town centre function for residents living in the southern areas of the Leicester PUA.
- 2.3.14 Oadby is a large district centre with a smaller, but nevertheless good range of shops, services and facilities which are mostly located along The Parade. Council owned public car parking is situated to the east and west of The Parade and is easily accessed from the north and south of the centre. Oadby is particularly influenced by the presence of three out of centre supermarkets situated along the A6.

- 2.3.15 South Wigston is a medium to small sized district centre extending almost the entire length of Blaby Road. This results in a stretched linear centre. Many of the properties and retail units clearly date back to the origins of the settlement. A large out of centre supermarket is located opposite Blaby Road Park at the eastern end of Blaby Road. The South Leicestershire College building, built in 2010, is also adjacent to the park.
- 2.3.16 Each of these centres are of equal importance to many local people. There is a tendency with the residents of Wigston, Oadby and South Wigston, not to travel out of 'their' settlement to access other shops, services and facilities that are available within the Borough. This leads to each of the centres providing a similar range of opportunities, albeit at a different scale. This arrangement is a result of the way in which the three settlements have evolved and a perception that if needs are not met by the nearest centre it is unlikely that the other centres in the Borough will meet the needs either. It is also a result of the limited public transport services that operate between the three centres, in comparison to the established links to the City of Leicester.
- 2.3.17 The centres, particularly Wigston, are not only influenced by their proximity to each other, but their proximity to Leicester City Centre and the Fosse Shopping Park in Blaby District. Both of these offer large amounts of retail floorspace and attract national retailers. Leicester City Centre offers a wide range of services and facilities. Nevertheless, the Borough's centres are valued by the Borough's residents. However, historically they have suffered from a lack of investment, particularly in relation to their public realm, quality of design and in terms of making the best use of sites within their spatial setting. Recently, the Council received EU funding to improve the public realm along The Parade in Oadby and Bell Street in Wigston. Both schemes were positively received by all and have improved the immediate built environment exponentially, as well as adding to the centres vitality and viability.

### Transport

- 2.3.18 The Borough is crossed by three main transport routes that serve the City of Leicester; the A6, the A5199 and the B5366. The B582 serves as the only transport route linking the settlements of Oadby and Wigston and one of only two routes linking Wigston with South Wigston, the other being B5418. The A563 links the very northern parts of Wigston and Oadby with Leicester City and provides a form of access to the M1 and M69 motorways. In general the Borough's access to main arterial routes such as the M1, A14 and the A47 is poor. Due to this poor access to main arterial routes and the fact that the three routes into Leicester City from the south pass through the Borough, the Borough's roads suffer from significant congestion, particularly at peak times.
- 2.3.19 Significant congestion is apparent at many of the junctions within the Borough, as well as along its routes. At peak times, traffic flows along a number of the main routes within the Borough are significantly hampered by congestion. Prior to the delivery of the key elements of the Strategic Growth Plan post 2031, the Borough Council will work closely with neighbouring local authorities as well as the County Council (as the highway authority) to ensure development, not only within the Borough, but outside of the Borough, is situated as to have least impact on the existing highway network.
- 2.3.20 Public transport links within the Borough are in general poor also, with limited bus services operating between South Wigston, Oadby and Wigston, Parklands Leisure Centre, Brocks Hill Visitor Centre and Country Park and the Borough's town and district centres. The public

transport links, however, into Leicester City from the town and district centres are relatively frequent.

- 2.3.21 The Borough has access to the Leicester to Birmingham railway line via South Wigston Station. This mode of transport also provides a regular service to Leicester and onward to Nottingham and the north, as well as Nuneaton and Birmingham to the south west. Passengers can also change at Leicester to access the Midland Mainline to London.

### Environmental Characteristics (including heritage assets)

- 2.4.1 Attractive, safe and accessible parks and green spaces contribute positively to social, economic and environmental benefits and promote sustainable communities.
- 2.4.2 The Borough has good access to the green open spaces and the open countryside via the Brocks Hill Country Park, the Green Wedge between Oadby and Wigston, the Green Wedge adjacent to the north east of Oadby, various other parks and open spaces, the River Sence, and the Grand Union Canal.
- 2.4.3 There are other areas which contribute to the Borough's Green Infrastructure also; such as Fludes Lane Woodland, Oadby Grange Country Park, Leicester Racecourse and Glen Gorse Golf Course. Furthermore, the Limedelves and part of the Grand Union Canal between Kilby and Foxton is classified as a Site of Special Scientific Interest, in part, a Regionally Important Geological Site, and a Local Wildlife Site. Although predominately urban, the Borough does have a good level of tree cover along a number of its streets / roads, for example Saffron Road in South Wigston.
- 2.4.4 There are 319 allotment plots (295 council and 24 privately owned) in the Borough which also play an important role in contributing to the natural environment and in promoting healthy lifestyles. The current demand for allotment plots is relatively low.
- 2.4.5 In total, there are 10 Conservation Areas which are influential in maintaining the townscape and landscape of the Borough. Nine of these were designated by Oadby and Wigston Borough Council and benefit from individual Conservation Area Appraisals and a Conservation Area Supplementary Planning Document. The other area, the Grand Union Canal Conservation Area was designated by Leicestershire County Council. Each of the Conservation Areas are extremely important and are designated due to their special architectural and / or historic interest. Each Conservation Area contributes to the Borough's varied and distinctive landscape character. It is imperative that these areas are conserved and enhanced for future populations to enjoy. In addition to the 10 Conservation Areas, there are currently 37 listings of Listed Buildings and Structures situated in the Borough. There are currently no identified Buildings at Risk. There are a number of parks within the Borough that are home to equipped children's play and sports facilities, such as football and cricket pitches.
- 2.4.6 In addition to the above, there are areas of archaeological importance, as well as a number of non designated heritage assets, for example locally listed buildings. Although not nationally designated, locally listed buildings are important to the local historic landscape and heritage of the Borough. The Borough Council recognises their importance locally and will seek to conserve and enhance these heritage assets. There are currently a number of locally listed buildings within the Borough, which are illustrated within Appendix 3 of this Plan.

## Kilby Bridge

- 2.5.1 The settlement of Kilby Bridge is located approximately a 20 minute walk south from Wigston town centre and is part of the Grand Union Canal Conservation Area. The settlement is separated by the A5199, with built development either side. It is bounded to the north by the Leicester to London railway and to the south by the Grand Union Canal and River Sence (and the southern extent of the Borough boundary). Due to its proximity to both mentioned watercourses, parts of the settlement are liable to flooding.
- 2.5.2 The settlement consists of a small number of residential properties, small scale commercial and a public house. Due to its rural character, it is unique to the Borough and is an attractive and valuable asset. To the east of the settlement, is a Site of Special Scientific Interest, in part, a Regionally Important Geological Site, and a Local Wildlife Site.

## Key Issues, Challenges and Opportunities

2.6.1 The current shape and characteristics of the Borough gives rise to a number of issues, challenges and opportunities, which are identified below:

### Physical characteristics

- highly urbanised and compact
- location between Leicester City and the open countryside
- a number of historical areas and heritage assets
- significant number of mature trees and hedge lines

### Population and demographics

- a higher than average number of older residents
- culturally diverse

### Housing and the economy

- a need for housing, both market and affordable
- Objectively Assessed Need of 148 new homes per annum up to 2031
- Objectively Assessed Need for 1 hectare of B1a/b and 4 hectares of small scale B8 employment land up to 2031
- areas of relatively high deprivation
- distinct disparities in land values and perceived levels of affluence
- areas of high average household sizes
- low levels of unemployment
- large presence of the University of Leicester in Oadby
- areas of identified employment land in need of refurbishment
- relatively high levels of skilled trade employment

### The centres of Wigston, Oadby and South Wigston

- Wigston as one of only a small number of 'town' centres within the Leicester PUA
- Council owned car parks
- free shoppers car parking
- proximity of South Leicestershire College in South Wigston
- proximity of Fosse Park retail park and Leicester City centre

### Transport

- only one east - west route linking Wigston and Oadby and only two routes linking Wigston and South Wigston
- access to main arterial highway routes is poor
- the majority of Borough roads suffer from significant levels of congestions, particularly at peak times
- reasonable public transport links from each of the centres to Leicester City but very limited public transport links between the three centres
- rail station located in South Wigston on the Leicester to Birmingham rail route

### Environmental

- protection and enhancement of the natural environment

- good access to green open spaces and the countryside
- a broad range of Green Infrastructure assets, including green wedges and water courses
- limited opportunities for the creation of new allotment plots
- a number of Listed Buildings, Conservation Areas and other heritage assets and their settings

### Kilby Bridge

- the settlements location directly adjacent to the Grand Union Canal; potential for small scale tourism
- a need to protect Kilby Bridge's environmental and biodiversity qualities
- potential flooding issues
- the settlements location as a gateway into the Borough from the south

2.6.2 Taking account of government policy and guidance, the need for sustainable development, the need for high quality design and innovation, and the specific local issues, challenges and opportunities that have been identified, the Council has created a list of key focus areas that set the context for this Plan. These focus areas will then drive the vision and objectives of this Local Plan and ultimately the local planning policy contained within.

### Key Focus Areas

- 1. Provision of sufficient land to meet the housing and employment Objectively Assessed Need's identified within the HEDNA**
- 2. Provision of house types and tenures and accommodation for all of the community**
- 3. High quality and innovative design, whilst respecting local history, heritage, character and vernacular**
- 4. Protection and enhancement of open and green spaces (including water assets)**
- 5. Protection and enhancement of natural environment assets (including ancient woodland, veteran trees and habitat creation) and other green infrastructure assets**
- 6. Provision of high quality employment areas, with good transport connections**
- 7. Maintaining and improving the Borough's prosperous, diverse and dynamic economy**
- 8. Development that is sustainable in terms of location, use and form**
- 9. Development is not located in flood risk areas or contributes towards flood risk in other areas**
- 10. Conserve and enhance areas of historical significance**
- 11. Conserve and enhance heritage assets and their settings**
- 12. The regeneration of the centres of Wigston, Oadby and South Wigston**
- 13. Leicester University and its students as a key Borough asset**
- 14. Maintaining low levels of unemployment**
- 15. Improving the poor transport connections between each settlement as well as the wider highway network**
- 16. Utilising the rural asset of Kilby Bridge settlement**

## **Chapter Three – Vision and Spatial Objectives**

3.1.1 The Vision and Spatial Objectives form the very heart of the Local Plan and are built from the foundations laid out in the spatial portrait and the key focus areas in the previous chapter; they also take account of the Council's Corporate Priorities. The Vision provides an interpretation of how the Borough might look in 2031 given the influence of this Plan.

### **Vision**

**In 2031, the Borough of Oadby and Wigston will be a safe, clean, and attractive place in which to live, work and visit. The Borough and its assets will be accessible to all through sustainable modes of transport. It will have a resilient and prosperous economy, secure environment, vibrant centres and healthy empowered communities. The Borough will be continuing to promote sustainable economic growth, as well as making the best use of its natural and heritage assets.**

**Growth will contribute to people's health, happiness and well-being in the Borough through the timely delivery of well-designed and high quality development. High quality development will continue raising the level in terms of environmental standards, quality of life and local distinctiveness.**

**Residents in the Borough will have the opportunity to enjoy peaceful, harmonious, high quality and healthy active lifestyles in communities that offer a range of; quality new housing which meet local needs; job opportunities; and other important services and facilities.**

**Residents will be able to enjoy a variety of open landscapes including parks, sporting facilities and the open countryside with its elements of natural beauty and wealth of wildlife areas where biodiversity has been conserved and enhanced.**

3.1.2 It is the role of the Local Plan to deliver the Vision and ensure that the right spatial planning policy is in place to do so. The Council's Vision can be broken down into four key areas of spatial focus:

#### **Vibrant town centres.....**

3.1.3 Wigston centre will play a key role as the main Town Centre and Oadby centre and South Wigston centre as District Centres. The relationship between these centres will be strengthened, particularly by working with public transport operators to improve public transport links.

3.1.4 The centres of Wigston, Oadby and South Wigston will be offering high quality facilities including retail, office, residential, and civic and leisure opportunities. The strong network of local centres will support the three main centres and will contribute to the overall sustainable mix of facilities throughout the Borough, reducing the need for local people to travel unsustainably.

3.1.5 Residents will be proud of the centres within the Borough and will use them to their fullest. The centres will be clean and safe and will have a high standard of architecture and use of materials in their public realm, built form and open spaces.

### **A prosperous economy.....**

- 3.1.6 New employment opportunities will continue to exist in the Borough. The centres of Wigston and Oadby will be the key focus areas for office and retail employment based opportunities.
- 3.1.7 The Identified Employment Areas of the Borough will be the focus for industrial, storage and distribution use employment. The identified areas will offer accommodation for all types and sizes of appropriate businesses that are located close by to good public transport links and the main highway network. Identified areas will be encouraged to redevelop poor quality units that are not fit for purpose, as new innovative ways of working and thinking become typical.
- 3.1.8 The provision of a range of housing and educational opportunities throughout the Borough will provide employers with a skilled workforce. Fast, frequent and affordable public transport between the Borough and Leicester City and the Borough's centres will ensure that local residents enjoy the benefits of living so close to one of Britain's major cities.

### **Healthy empowered communities.....**

- 3.1.9 Oadby, Wigston and South Wigston will be prosperous and healthy communities in their own right. Residents will have fair and equal access to all forms of services and facilities and will be part of a great community that supports one another. Residents will have good access to the network of high quality cultural, educational and health facilities, as well as high quality open spaces and the countryside areas. A diverse mix of housing types and tenures that are accessible to all will mean that all residents have a safe and secure home to live in.
- 3.1.10 Residents will be encouraged to utilise sustainable modes of transport as well as walking. Growth will be located in sustainable locations, and will integrate walking and cycling into its design proposals and schemes.

### **Safe, clean and attractive.....**

- 3.1.11 Residents and visitors alike will feel safe on the streets and in their homes because design has been a key component in keeping crime and anti-social behaviour to a minimum. All new development will integrate measures to conserve energy, achieve sustainable energy generation, and minimise waste. All new development will be located as to minimise existing and future flood risk, taking account of the flooding sequential test.
- 3.1.12 All new development in the Borough will have the best standards of design, including the centres of Wigston, Oadby and South Wigston. Investment in the Borough's Green Infrastructure will lead to improved biodiversity and a stronger understanding within the local community about their role in the conservation of habitats and species and the links with the urban and natural environment. The quality of Conservation Areas and other heritage assets and their settings will also have benefitted from careful and positive management.
- 3.1.13 Local residents will benefit from increased opportunities to access the open countryside, the River Soar and the Grand Union Canal waterways, particularly in the vicinity of Crow Mills in South Wigston and Kilby Bridge, located south of Wigston. There will continue to be a good range of leisure and recreational facilities including parks, leisure centres, allotments, golf courses, and sports pitches.

## **The Spatial Objectives**

3.2.1 In order to ensure that the Vision and strategy is effectively delivered, this Local Plan sets out a number of Spatial Objectives. The Spatial Objectives focus on the key issues and challenges that need to be addressed to fulfil the Vision. The objectives consist of a 'headline' and detail as to why each objective is a key issue locally.

### **Vibrant town centres.....**

#### **Spatial Objective 1: Regeneration of town and district centres**

Masterplans and associated policies and land allocations will deliver regeneration, investment and growth in the centres of Wigston, Oadby and South Wigston. The centres will be a focus of growth due to their sustainable locations at the heart of their communities. They will be the key locations for retail, leisure, community facilities, office based employment and some residential development. New development will respect the unique character of each centre and ensure the provision of open areas of public space that residents and visitors can enjoy.

#### **Spatial Objective 2: Wigston town centre**

Reinforce Wigston's role as the Borough's main town and one of only a small number of town centres in the Leicester PUA. Building on the recent public realm regeneration works along Bell Street, continued regeneration of the town centre will encourage investment from national retailers as well as supporting the smaller independent retailers that provide a diverse and unique mix of retail outlets. The realisation of the adopted Local Development Order and objectives set out within the Town and District Centre Guidance document will also support this regeneration.

#### **Spatial Objective 3: Oadby district centre**

Reinforce the role that Oadby's centre plays within the Borough. Continue to encourage the mix of retailers that accommodate the main shopping streets, as well as the supplementary uses such as cafes, bars and restaurants. As well as the encouragement of local residents, a concerted effort will be made to encourage the use of the centre by the thousands of students that reside under a mile away in University of Leicester's Manor Road student campus.

#### **Spatial Objective 4: South Wigston centre**

Continue to promote regeneration opportunities within the district centre that build upon the significant investments made to Blaby Road Park, and the South Leicestershire College campus. Reinforce the role that South Wigston's centre plays within the Borough. The realisation of the adopted Local Development Order will also support this regeneration.

### **A prosperous economy.....**

#### **Spatial Objective 5: Improved employment opportunities**

Areas identified within the Borough for industrial, storage and distribution employment will be protected from uncomplimentary or detrimental changes of use. Office based and retail based employment will be focused in the most sustainable locations. Such focuses will help to maintain the Borough's current low rates of unemployment by offering a variety of employment opportunities around the Borough that have good transport connections. Land will be allocated within the town centres, Identified Employment Areas and at the Wigston Direction for Growth for appropriate employment uses that meet the Borough's required need, as well as offering opportunities for

businesses to establish and grow. A mix of type and size of employment uses will be encouraged within each location identified, to achieve a better balance between the location of jobs and housing, which reduces the need to travel.

#### Spatial Objective 6: Accessible transport links

The use and development of sustainable transport, including travel planning, working from home, public transport, cycling and walking will be actively encouraged. Improve residents and employees access to fast, frequent and affordable public transport. The east / west public transport links between Oadby and Wigston and Wigston and South Wigston will be improved. In addition, the reliable public transport links between each of the Borough's main centres and the City of Leicester will be maintained and enhanced where possible to do so. Whilst encouraging the reduction of private car use, the highway network within the Borough will be improved to ensure as reliable and free flowing movement of vehicular traffic as possible.

#### Healthy empowered communities.....

#### Spatial Objective 7: Growth of the Leicester PUA

Establish a number of 'directions for growth', within Wigston and Oadby that are directly adjacent to the Leicester PUA, have appropriate access and do not have significant detrimental impacts on the current highway network. The 'directions for growth' will be located as to reinforce Wigston's main town centre role as well as realising Oadby centres role within the Borough. These growth areas will contribute towards meeting the Council's identified Objectively Assessed Needs.

#### Spatial Objective 8: A balanced housing market

A mix of housing opportunities will be provided to positively meet the housing needs of the local community, including private rented and affordable homes. A mix of type, tenure and affordability will be provided to ensure that all residents of the Borough have access to appropriate homes. The primary focus for new housing will be the three main centres, the rest of the urban area, as well as the allocated 'direction for growth' areas. Support will be given to proposals or schemes that realise these primary focus locations and the needs of the local community.

#### Spatial Objective 9: Healthy lifestyles

A wide range and mix of high quality cultural, educational and health facilities will be provided in the most appropriate and sustainable locations. Walking and cycling will be supported throughout the Borough and improved access to these travel methods will be required in large scale development schemes. The existing provision of publicly accessible open spaces and leisure and recreation facilities within the Borough will be conserved and enhanced. The Council will adopt a 'no net loss' strategy towards open spaces within the Borough.

#### Safe, clean and attractive.....

#### Spatial Objective 10: High quality and sustainable design

All new development within the Borough, whether it is new build or conversion, will be required to illustrate the highest standards of design and construction. Design will also be a key component in ensuring that streets are safe from crime and anti social behaviour and promote social inclusion and community cohesion. All development will be required to respect local history, character and vernacular, whilst incorporating measures to conserve energy, achieve sustainable energy generation and minimise waste. All development will be required to contribute towards; reducing

greenhouse gas emissions; reducing flood risk, both existing and future; and, achieving sustainable waste management.

#### Spatial Objective 11: Conserving and enhancing green (including water assets) infrastructure

All development should be respectful to the natural environment and landscape (including Local Green Spaces, ancient woodland and veteran trees), as well as conserving and enhancing the Borough's biodiversity. Both green and water assets will be protected, managed and enhanced. Due to the predominately urban nature of the Borough, enhancement of the landscape and biodiversity will consist of, for example the planting of trees and woodlands (where possible), and the creation of ponds and other natural habitats to improve species resilience to climate change. Provision of a network of multi-functional green spaces which secure a net gain in biodiversity will be sought.

#### Spatial Objective 12: Enhancing local heritage

To encourage the enhancement and conservation of historically significant buildings and heritage assets and their settings, archaeological sites, conservation areas, parks and other cultural assets providing opportunities for people to access and understand our local heritage. To conserve and enhance the Borough's heritage, respecting historic buildings and their settings, links and views.

#### Spatial Objective 13: Green Wedges and the Countryside

To protect and enhance the Green Wedges by limiting development to appropriate uses only, as well as safeguarding our other open spaces for sport and other forms of recreation. To encourage small scale development in the countryside that provides for employment, leisure and residential development essential to the needs of the more rural economy. To improve access for local people to the natural environment and key Green Infrastructure assets, so as to enhance the value of their leisure time.

#### Spatial Objective 14: Kilby Bridge regeneration

A settlement envelope will be created to set a development limit for the Borough's only rural settlement, Kilby Bridge. The settlement of Kilby Bridge, would benefit from small scale development, consisting of residential, commercial and tourism. Any development would need to conserve and enhance the Grand Union Canal Conservation Area and the other environmental and heritage assets.

## **Chapter Four – Sustainable Places**

- 4.1.1 Within the NPPF, the government has clearly stated that the presumption in favour of sustainable development is the golden thread running through the planning system, both when plan making and decision taking. The government also states that the planning system should be genuinely plan led, and should empower the local people to shape their surroundings.
- 4.1.2 Pursuing sustainable development in the Borough involves seeking positive improvement in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- creating sustainable communities;
  - making it easier for jobs to be created in the Borough's main centres;
  - widening the choice of high quality homes;
  - replacing poor design with high quality design;
  - improving the conditions in which people live, work and travel;
  - improving access to leisure opportunities; and
  - achieving net gains for the natural environment.

### **Policy1 Presumption in Favour of Sustainable Development**

All development proposals must take account of the broad aim of sustainable development; ensuring that development contributes positively towards ensuring a better quality of life for residents, now and for generations to come.

The Council will be positive when determining development proposals that reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will jointly work with applicants where possible to ensure that development proposals improve the social, economic and environmental conditions in the Borough; meeting the challenges of climate change and protecting and enhancing the Borough's ecosystems.

For development to be deemed 'sustainable' within the context of this Plan, it must contribute towards delivering the Spatial Strategy, the Council's Vision and Objectives, and must be in conformity with the local planning policies contained within this Plan. Development that conflicts with policies of the Plan will be refused unless material considerations indicate otherwise.

Should there ever be a time when the Plan is deemed absent or silent or out of date, the Council will not look upon development proposals positively, where the proposal is deemed unsustainable, and / or the adverse impacts associated with the proposal significantly and demonstrably outweigh the benefits, when assessed against the policies set out within the National Planning Policy Framework, when taken as a whole. Development will also be restricted if specific policies within the National Planning Policy Framework indicate that it should be.

## **Spatial Strategy for Development within the Borough**

- 4.2.1 The spatial strategy for the Borough is derived from the Council's Vision and Spatial Objectives, which are underpinned by the spatial portrait for the Borough as well as the Council's Corporate Priorities.
- 4.2.2 The spatial strategy also takes account of the wider Leicester and Leicestershire Housing Market Area and the Leicester PUA, as well as the role that the Borough plays within both. The Borough's urban areas sit entirely within the Leicester PUA and the Borough plays a key role in supporting the regeneration of Leicester City, as do all of the other local authority areas within the Leicester and Leicestershire Housing Market Area. The Borough and Leicester City have a unique and close spatial relationship, particularly in regards of supporting the local economy, shaping strategic green infrastructure, and influencing how residents live out their day to day lives. This close relationship is something that the Borough is seeking to conserve and enhance where possible.
- 4.2.3 All new development should be Plan led and should fulfil the key principles of sustainable development.

## **Housing Growth**

- 4.2.4 The Council's Objectively Assessed Need (OAN) for housing, of 2,960 for the period 2011 to 2031, is the starting point for the Council's Plan period target. The Council's OAN for housing is fully evidenced by the Leicester and Leicestershire Housing and Economic Development Needs Assessment. To get from this starting point, to a Plan period target, the Council has undertaken fundamental evidence base assessments that have illustrated that the Council's OAN is deliverable for the period 2011 to 2031.
- 4.2.5 As the Council is seeking to meet its Objectively Assessed Need in full, under the Duty to Cooperate it will not be reliant on any other local authority within the Leicester and Leicestershire Housing Market Area to help meet its own need. Although, the Council can meet its own need in full, it is aware that the City of Leicester has declared an unmet need and will need help from other HMA partners to deliver its unmet need up to 2031.
- 4.2.6 The spatial strategy makes provision for 2,960 new additional homes between 2011 and 2031.
- 4.2.7 The spatial strategy for housing growth allows sufficient flexibility to ensure that the Plan aligns with national policy and guidance, and allows for choice and competition within the Borough. The three Direction for Growth Allocations allocated within this Plan have upwards of 4 different developers, with further developers having interest in the smaller sites that have been allocated also. The Council would always seek to actively encourage the reuse of previously developed land, however is aware that prioritising this over sustainable growth areas would not be positive planning and would be at odds with national policy and guidance. The Council will take a three 'pronged' approach to providing the homes that the Borough needs. The three approaches are; allocating provision of new additional homes within the town centre of Wigston and the district centre of Oadby; allocating provision of new additional homes on smaller sites (11 to 99 new additional homes) that are within or directly adjacent to the Leicester PUA; and, allocating provision of new additional homes within the three Direction for Growth Allocations.

4.2.8 Table 1 illustrates the position as of 1<sup>st</sup> April 2017 regarding the housing delivery of the Plan period target. The table shows the number of net additional homes that have been built since 1<sup>st</sup> April 2011, the number of committed net additional homes and the number of net additional homes allocated in this Plan.

Table 1: Housing delivery for the Plan period

<b>(A) Housing requirement for the Borough for the period 2011 to 2031</b>	<b>2,960</b>
(B) New additional housing completions between 1 <sup>st</sup> April 2011 to 31 <sup>st</sup> March 2017	578
(C) New additional housing commitments as of 31 <sup>st</sup> March 2017	768
(D) Total new additional homes already complete or with extant planning permission as of 31 <sup>st</sup> March 2017 (B + C = D)	1,346
<b>(E) Residual provision between 1<sup>st</sup> April 2017 and 31<sup>st</sup> March 2031</b>	<b>1,614</b>
(F) New additional homes allocated on land within the town centre of Wigston and the district centre of Oadby	205
(G) New additional homes on allocated Direction for Growth Allocations	1,159
(H) New additional homes on smaller allocation sites (11-99 units)	244*
(I) New additional homes within the Kilby Bridge Settlement boundary	40
(J) New additional homes on windfall sites	70
<b>(K) Total new additional homes provided between 1<sup>st</sup> April 2017 and 31<sup>st</sup> March 2031 (F + G + H + I + J = K)</b>	<b>1,718</b>

\*two sites providing 10 new additional homes have been included within the figure, however will not be allocated as they are both below the large site threshold of 11 +. The sites are contained within the Council's latest SHLAA and consist of one site of 8 new additional homes and one site of 2 new additional homes.

4.2.9 The Council will apply the Plan, Monitor, Manage approach to deliver this Plan's spatial strategy.

4.2.10 The number of new additional homes allocated within this Plan (not including the town and district centre allocations) stem from the Council's latest Strategic Housing Land Availability Assessment (SHLAA). The allocated new additional homes figure (F + G + H) consists of town and district centre allocations, 0 to 5 year SHLAA sites and Direction for Growth Allocations. It should be noted that although certain allocations stem from the SHLAA, this was merely the starting point. Further evidence was undertaken to ensure that the sites within the SHLAA are appropriate, deliverable and sustainable.

4.2.11 In addition to F, G and H illustrated in Table 1, there is an additional number of new homes that can be delivered up to the end of the Plan period to 2031. This additional number of new homes consists of new homes within the settlement boundary of Kilby Bridge (up to 40 new additional homes), Phase 3 of the Wigston Direction for Growth (at least 300 new additional homes), and new additional homes provided on Windfall sites (at least 70 new additional homes). The additional number of homes provided within the Kilby Bridge Settlement Boundary (up to 40) and on Windfall sites (at least 70) will be in addition to the Plan period target of 2,960 new additional homes. Release of these sites will not be restricted and can come forward at any time throughout the Plan period. However, the additional new homes figure identified at Phase 3 of the Wigston Direction for Growth (at least 300) allows the Council a 'buffer' against the Plan period target of 2,960. Release of Phase 3 of the Wigston Direction for Growth would only be required should delivery of other identified or allocated sites within the Plan be slower than expected or the Council was in a position whereby it could not illustrate a 5 year supply of housing land. The additional homes figure could help fulfil a small proportion of Leicester City's declared unmet need.

Delivery of Phase 3 of the Wigston Direction for Growth is not dependent upon completion of Phase 2 and both Phase 2 and Phase 3 can be delivered simultaneously if necessary.

- 4.2.12 Should delivery of allocated sites be slower than envisaged by the Plan, or evidence suggest a need for further development, the land identified as Phase 3 of the Wigston Direction for Growth Area (on the Adopted Policies Map) shall be released for development. Any proposal would not be subject to cumulative strategic transport testing as the Plan period requirement of 2,960 has already been subject to appropriate testing. However, appropriate local testing, in particular, highway and transport infrastructure capacity, and liaison with the Borough Council, Leicester City Council's Highways Department and Leicestershire County Council Highways department will be required. Any proposal would also be subject to the development being sensitive to the countryside areas that surround it and sustainable and appropriate in size and facility provision.

Year	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	Totals
New additional housing completions between 01/04/11 and 31/03/17	79	44	47	116	117	175															578
New additional housing commitments as of 31/03/17							108	116	140	148	156	100									768
New additional homes allocated on land within the town centre of Wigston and district centre of Oadby								15	30	30	20	40	25	25	20						205
New additional homes on allocated Direction for Growth areas											40	154	181	193	192	182	182	35			1159
New additional homes on smaller allocation sites								52	124	68											244
New additional homes within the Kilby Bridge Settlement boundary									20	20											40
Annual dwelling total	79	44	47	116	117	175	108	183	314	266	216	294	206	218	212	182	182	35	0	0	2994
Cumulative dwelling total since 2011	79	123	170	286	403	578	686	869	1183	1449	1665	1959	2165	2383	2595	2777	2959	2994	2994	2994	
Local Plan target (2960) (148 per annum)	148	296	444	592	740	888	1036	1184	1332	1480	1628	1776	1924	2072	2220	2368	2516	2664	2812	2960	

Figure 1 – Local Plan Housing Trajectory

## **Employment Growth**

4.2.13 The Council's Objectively Assessed Need (OAN) for employment use land, for the period 2011 to 2031, is;

	<b>B1 a/b</b>	<b>B1c / B2</b>	<b>Small scale B8</b>	<b>Total</b>
<b>Total</b>	1	0	4	5

4.2.14 Similar to the OAN for housing, the OAN for employment use land is the starting point from which the Council's Plan period target stems. The Council's OAN for employment use land is fully evidenced by the Leicester and Leicestershire Housing and Economic Development Needs Assessment. To get from this starting point, to a Plan period target, the Council has undertaken fundamental evidence base assessments that have illustrated that the Council's OAN is deliverable for the period 2011 to 2031. As the Council is seeking to meet its Objectively Assessed Need in full, under the Duty to Cooperate it will not be reliant on any other local authority within the Leicester and Leicestershire Housing Market Area to help meet its own need.

4.2.15 In addition to the Housing and Economic Development Needs Assessment, the Council as part of its further evidence base, commissioned an Employment Land and Premises study, which sought to look in more detail at the demand / need for employment uses within the Borough area. The study also took account of the current state and quality of the Borough's existing employment use land stock.

4.2.16 The Employment Land and Premises study identifies an Employment use land requirement of 8.25 hectares (including 5 year buffer) for the period of 2011 to 2031.

4.2.17 The scope for meeting the identified employment use land requirements are extremely limited within the Borough, however viable and sustainable opportunities have been identified.

4.2.18 The spatial strategy makes provision for the following new additional employment use land between 2011 and 2031.

- 5 hectares of B1, B2 and / or B8 use land at the Wigston Direction for Growth Allocation (includes 2.5 hectares with extant outline planning permission),
- 0.55 hectares of B1, B2 and / or B8 use land at land at Magna Road, South Wigston
- 2.67 hectares of B1, B2 and / or B8 use land at Oadby Sewage Works, and
- 9,800 sqm of new office / commercial floorspace (0.3 hectares) within the town centre of Wigston and the district centre of Oadby.

4.2.19 The provision of the above exceeds the need / requirements illustrated within both the Housing and Economic Development Needs Assessment and the Borough's Employment Land and Premises study, and allows capacity for 'churn' within the Borough's existing employment sites.

4.2.20 The 0.55 hectares of B1, B2 and / or B8 use land at Magna Road, South Wigston is an outstanding employment land allocation, originally defined within the Council's Saved Local Plan. The Council's Core Strategy retained the allocation. The Council's Employment Land and Premises Study suggests that the land allocation should be further retained as it presents a logical extension to the Magna Road Identified Employment area. This Local

Plan will further retain the land allocation for employment uses B1, B2, and / or B8 uses. The allocation is defined on the Adopted Policies Map.

### **Town Centre Growth**

- 4.2.21 The spatial strategy is set around the principle that the town centre of Wigston and the district centres of Oadby and South Wigston will be key focus areas for new development up to 2031. These centres will accommodate an appropriate level of development relative to their size and character.
- 4.2.22 In 2013, the Council adopted a Town Centres Area Action Plan that set out levels of growth for the centres of Wigston and Oadby. The Area Action Plan also, through a masterplan, illustrated one way in which the levels of growth set out could be implemented. Since the adoption of the Area Action Plan, a certain level of growth and regeneration has occurred within the two centres. For the purposes of this Plan, levels of growth will be set out for the town centre of Wigston and the district centre of Oadby, that are similar to the levels set out within the Town Centres Area Action Plan 2013. This Plan, however, has amended the levels of growth to take account of development and regeneration that has occurred (since 2013) and up to date evidence base. The amended levels of growth are contained within this spatial strategy.
- 4.2.23 Since the adoption of the Area Action Plan, the following development has occurred within the centres of Wigston and Oadby;
- 26 new additional homes have been committed on Area Action Plan sites
  - Bell Street, Wigston has been fully pedestrianised, and
  - Over £800,000 has been spent on refurbishing the public realm within each of the centres of Wigston and Oadby
- 4.2.24 In addition to the above development, a Local Development Order has been produced for part of Wigston town centre.
- 4.2.25 To ensure that the development approach within the Borough's main centres is flexible, this Plan contains policies relating to overall levels of growth within the Borough's centres as well as generic development management policies (illustrated within Chapters 8 and 9). The existing masterplans relevant to the centres of Wigston and Oadby demonstrate that the objectives and levels of growth can be delivered. Upon adoption of this Plan, the Town Centre Area Action Plan will be superseded as a policy document and will become guidance. The document will be titled the 'Town and District Centre Guidance' document. This document will be reviewed and updated post adoption of this Plan when necessary.
- 4.2.26 It must be noted, that any development proposed within the Borough's town or district centres, will need to comply with all relevant policies contained within this Plan and not just those relating to town and district centres. Also, any new development proposed within the centre of Wigston or Oadby, must not compromise the delivery of the levels of development set out within this Plan.

### **Growth in the Leicester PUA, outside of the Borough's town and district centres**

- 4.2.27 This Plans spatial strategy supports housing development on suitable land within the Leicester PUA. Appropriate housing development proposed within the Leicester PUA will be supported in principle as it will be located within a sustainable location that has easy

access to public transport, and is within easy reach of the Borough's main centres as well as employment opportunities.

- 4.2.28 As well as housing, the Leicester PUA plays an important role in supporting a wide range of other uses, including local shops, parks and recreation grounds, public houses, doctor's surgeries and dental practices. It is important that such facilities are widespread throughout the Leicester PUA and are available locally to the majority of the Borough's residents. It is vital that a mix of uses is provided within the Leicester PUA that contributes towards the delivery of sustainable development.
- 4.2.29 One of the key pieces of evidence base for identifying potential housing sites within the Leicester PUA, is the Council's Strategic Housing Land Availability Assessment (SHLAA). The SHLAA identifies theoretical capacity of a site by an agreed process and methodology. The SHLAA is updated on at least an annual basis and aids the Council in producing short, medium and long term housing trajectories.

### **Direction for Growth Allocations**

- 4.2.30 The term 'direction for growth' was first used within the Council's Core Strategy, the term refers to strategic areas of development growth that are located outside of the Leicester PUA and are situated on predominately greenfield land. The previous Core Strategy identified a single direction for growth area towards the south east of Wigston. This growth area directly supported the Borough's main town centre of Wigston.
- 4.2.31 Due to the level of housing and employment growth required in the Borough, compliance with the NPPF, and the Council's promotion of positive planning, this Plan has identified three direction for growth allocations; one a direct extension of the previous growth area to the south east of Wigston (Wigston Direction for Growth); one in the most northerly part of the Borough, along Gartree Road and Stoughton Road in Oadby (Stoughton Grange Direction for Growth); and, one towards Oadby's most southerly part, along the A6 (Cottage Farm Direction for Growth).
- 4.2.32 Although the Borough is constrained by transport and highway capacity, all three of the direction for growth allocations have direct access onto good main road links and are situated directly adjacent to the Leicester PUA. All three direction for growth allocations allocated (once built out) will form a part of the Leicester PUA.
- 4.2.33 In preparing this Plan, a number of different site options were identified as possible locations for direction for growth allocations. The refinement of these options into the Spatial Strategy has been influenced by public consultation and preparation and analysis of evidence base.
- 4.2.34 The South East Leicestershire Transport Study published in 2017 was produced with the involvement of Oadby and Wigston Borough Council, Harborough District Council, Leicester City Council and Leicestershire County Council. The study concluded that, although there would be increased traffic levels on the surrounding roads and junctions of each growth area identified, each of the growth areas have the potential to accommodate growth without having a significant detrimental impact on the wider highway network. However, certain levels of mitigation will be needed.
- 4.2.35 In total, and over several Plan periods, the three growth areas have the capacity for up to 2050 new additional homes and 5 hectares of employment land for the Borough.

Approximately 300 new additional homes will be provided at the Stoughton Grange Direction for Growth Allocation, 400 (Phase 1 and 2) new additional homes will be provided at the Cottage Farm Direction for Growth Area, and approximately 1,350 (Phase 1, 2 and 3) and 5 hectares of employment land at the Wigston Direction for Growth Area. Both the Wigston Direction for Growth Area and the Cottage Farm Direction for Growth Area, have extant planning permissions for their Phase 1 elements, providing 450 new additional homes and 2.5 hectares of employment land and 150 new additional homes, respectively.

- 4.2.36 300 new additional homes at the Wigston Direction for Growth Area, are identified for Phase 3, which is planned for post Plan period (2031 onwards). However, should evidence suggest a need for further development at the Wigston Direction for Growth, it will be brought forward in conformity with the Council's trigger policy set out within this Plan. The Council does not expect or foresee any circumstances that could affect the delivery of new homes on any of its allocated sites, however the Council seeks to plan positively through this Local Plan.
- 4.2.37 Excluding the 300 new additional homes planned for Phase 3 of the Wigston Direction for Growth, approximately 1,700 new additional homes are to be provided at the Direction for Growth allocations, equating to nearly 60 per cent of the total new additional home delivery within the Borough during the Plan period 2011 – 2031.
- 4.2.38 The three growth areas will directly support the Borough's main town centre of Wigston and the district centre of Oadby. The growth areas will also contribute significantly towards the provision of vital facilities and services, including education provision, affordable homes provision, improved bus services, improved cycle ways and footpaths, community facility building provision, improved local shopping and leisure facilities, and provision of outdoor sport and open space. The growth areas will also contribute towards improvements to the local highway network.
- 4.2.39 Due to their scale, each of the Direction for Growth allocations will be required to produce a masterplan or development brief prior to the submission of a planning application.
- 4.2.40 Each growth area has a specific policy within Chapter 7 of this Plan.

#### **Phasing of Development throughout the Plan period**

- 4.2.41 The spatial strategy for housing growth allows sufficient flexibility to ensure that this Plan aligns with national policy and guidance, and allows for choice and competition within the Borough.
- 4.2.42 The spatial strategy is based on a three 'pronged' approach to delivering the growth that the Borough needs. The three approaches enable sustainable development to occur throughout the Borough.
- 4.2.43 As the housing delivery trajectory illustrates, the provision of new additional homes throughout the Plan period is neither smooth nor consistent, particularly during the early years of the Plan period. Such fluctuations can be attributed to the economic market, both nationally and locally, and the fact that nearly 60 per cent of the Borough's housing provision is located on three large growth areas.
- 4.2.44 In producing the housing trajectory, account was taken of lead in times for the larger sites, as well as the upfront infrastructure requirements of the larger sites. The further the

trajectory looks into the future, the more difficult it becomes to forecast provision rates, therefore towards the back end of the Plan period there is a smoothing of the trajectory, to take account of this.

- 4.2.45 It must be noted that, although the Council has made every attempt to allocate, identify and forecast all new additional homes for this Plan period, it realises that other development will come forward on non strategic sites that has not been allocated or identified (windfalls).
- 4.2.46 Government guidance states that Local Planning Authorities may make an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. It goes on to state that any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.
- 4.2.47 Evidence suggests that a windfall allowance should be included within the housing trajectory.
- 4.2.48 From the 1st April 2008 until 31st March 2017, 514 (or 61 per cent) of the total 842 additional new homes provided within the Borough would be defined as windfalls. Of the 514 additional new homes, 362 have been provided on large sites of 11 homes or more.
- 4.2.49 Over the 9 years mentioned above, the average number of new additional homes being delivered on both large and small windfall sites is 57 dwellings per year. The Council has not included a windfall allowance within the housing trajectory. The Council has been conservative in its approach and has decided to use only a proportion of the annual average; some 25 per cent of the 57 dwelling average per year, equating to 14 units per year or 70 units over a 5 year period. Other than the anomaly in 2011 – 2012 where none of the units were classed as windfalls, the number of windfall units has ranged between 30 and 89 in the other 8 years (6 of these 8 years have seen 60 units plus as windfalls).

## **Policy 2 Spatial Strategy for Development within the Borough**

The Council will always seek the reuse of previously developed land and will concentrate development within the Borough's key centres and the Leicester Principal Urban Area. In addition, the Council has allocated land outside of these areas to ensure that the development needs of the Borough are met.

In order to deliver the required levels of growth to meet the Borough's needs up to 2031, this Plan;

- allocates sufficient land to provide at least 2,960 new additional homes;
- allocates sufficient land to provide at least 8 hectares of employment use development; and,
- identifies sufficient land to provide up to 2,974 sqm of new additional retail floor space.

To achieve the above levels of development, the Council has identified and allocated land within Wigston town centre, Oadby district centre, South Wigston district centre, the Borough's designated local centres, areas within the Leicester PUA and the three Direction for Growth Allocations.

The Borough's main town of Wigston and main district centre of Oadby will contribute the following levels of development.

### **Wigston Town Centre**

- 9,000 sqm of new office floorspace
- 1,169 sqm of additional retail floorspace
- 129 new residential units
- At least the same number of existing public car parking spaces

### **Oadby District Centre**

- 800 sqm of new commercial floorspace
- 1,351 sqm of additional retail floorspace
- 76 new residential units
- At least the same number of existing public car parking spaces

The existing masterplans relevant to the centres of Wigston and Oadby demonstrate that the objectives and levels of growth can be delivered.

### **Areas within the Leicester PUA**

The areas situated within the Leicester PUA, but outside of the town centre of Wigston and the district centre of Oadby will contribute the following levels of development.

- 244 new additional homes, including;
  - Meadow Hill, Welford Road Wigston (53)
  - Land west of Welford Road, Wigston (50)
  - Arriva Bus Depot, Station Street, South Wigston (43)
  - Former Oadby Swimming Pool, Oadby (32)
  - Nautical William, Aylestone Lane, Wigston (23)
  - 39 Long Street, Wigston (18)
  - 53-59 Queens Drive, Wigston (15)
- 3.22 hectares of employment use land
- 454 sqm of additional retail floorspace

### **Direction for Growth Allocations**

The Direction for Growth Allocations will contribute the following levels of development.

- at least 1,159 new additional homes, and
- at least 5 hectares of employment use land

In addition to providing new additional employment use land, the Council will seek the retention of existing Identified Employment Areas.

To ensure that development and growth within the Borough is provided in a sustainable manner, the Council will work in partnership with local authorities, agencies and organisations to identify and coordinate the provision and funding of infrastructure and facilities (including green infrastructure) required to meet the needs of planned development and to conserve and enhance existing key biodiversity, environmental, social, cultural, historic and economic assets.

All allocated land is identified on the Council's Adopted Policies Map.

## **Regeneration Schemes and Large Scale Change**

- 4.3.1 Proposals for new regeneration schemes and initiatives that lead to large scale change will be identified and consulted upon in accordance with the Council's Statement of Community Involvement and the requirements set out in the appropriate Town and Country Planning Regulations. The Council will seek to consult with key stakeholders and ensure that representatives of the wider local community are involved throughout any planning and implementation process, relating to large scale change.
- 4.3.2 The key areas within the Borough for potential large scale new development or regeneration schemes are identified within Policy 2 of this Plan. The Council has an Town and District Centre Guidance document for the centres of Wigston and Oadby that will provide a basis for facilitating regeneration schemes within each location.
- 4.3.3 Much of the University of Leicester's student accommodation, conferencing facilities and sports and recreational facilities are based at their campus in Oadby. The Council continues to support the general principle of enhancement of the University of Leicester's Oadby Campus, however would encourage the preparation of a long term framework for its future development. All schemes relating to the Oadby campus should be in accordance with other relevant objectives and policies in this document.
- 4.3.4 Regeneration schemes in the Borough will be encouraged through masterplanning and / or Development Briefs. Such planning will provide an organised, streamlined and sustainable approach that will prevent ad hoc development out of context with the general character, history and structure of the area, from being detrimental or negative.
- 4.3.5 In large scale developments or schemes that are proposed, such as the Direction for Growth Allocations, proposals will need to include a mix of uses and take account of any existing local landscape or townscape character. Such mixed use should include residential dwellings, on site employment opportunities (where appropriate), recreation and leisure, community facilities and formation of a local centre (where relevant). Such a mix of uses will contribute towards sustainable development and will play a role in reducing the effects of carbon dioxide and other greenhouse gases on climate change.
- 4.3.6 Although development of previously developed land and / or buildings may be able to integrate and benefit from existing infrastructure, provision of new and/or improved existing infrastructure may be required to mitigate negative impacts of the large scale change. Any provisions sought will be done so in accordance with policies in this Plan, Leicestershire County Council Highways Department and Education Department, as well as national policy and guidance.

### **Policy 3 Regeneration Schemes and Large Scale Change**

When regeneration schemes or large scale change is proposed, the Council will require the production of, either, Masterplans, Development Briefs and / or other appropriate plans or strategies. In conjunction with Leicestershire County Council Highways Department, the Council will also require the production of Transport Assessments.

Submitted Masterplans, Development Briefs and / or appropriate plans or strategies, where relevant must:

- Identify the land area suitable for new development or redevelopment and set out the appropriate uses.
- Conserve and enhance heritage assets and their settings.
- Conserve and enhance Green Infrastructure assets and Local Green Spaces.
- Establish a spatial and sustainable pattern of growth.
- Identify constraints to development and illustrate how these will be overcome.
- Identify all sensitive features and measures for protection.
- Illustrate all relevant access, transport and potential traffic issues, as well as mitigation measures.
- Establish priorities for implementation along with timescales and sources of funding.
- Take account of local landscape and / or townscape character in the design of the scheme.
- Set out the necessary infrastructure needed to bring the site forward.
- Take into account all other relevant policies within this Local Plan.

Where regeneration schemes or large scale change is proposed, the earliest liaison between the applicant, the Borough Council and Leicestershire County Council Highways Department and Education Department (and Leicester City Council where relevant) is essential.

## **Chapter Five – Cohesive Communities**

### **Creating a Skilled Workforce**

- 5.1.1 Education and training can play a pivotal role in reducing unemployment and making the local economy more flexible and adaptable to change. It allows this by enabling businesses access to an appropriately skilled workforce. The Council's Economic Regeneration Strategy supports the Council's ambition for continued economic prosperity, education and training.
- 5.1.2 The Plan's spatial objective for education and learning (Healthy Lifestyles) is to improve and provide learning and educational opportunities and prospects for the Borough's residents. This includes practical vocational training and apprenticeship, across a broad range of sectors.
- 5.1.3 The skill base of the Borough is a critical factor for economic growth and future prosperity. The number of young people who reach adulthood with no qualification or skill is something that the Council wishes to discourage, as this can contribute to higher rates of unemployment. This in turn can discourage investment and growth in the Borough.
- 5.1.4 A survey carried out by the Office of National Statistics (ONS) illustrates that between 2004 and 2015, there was a relatively high percentage of Borough residents with NVQ 4 qualifications and above. Put in context, the percentage for the Borough is higher than the equivalent for the East Midlands and Great Britain. Conversely, there is a relatively high number of residents in the Borough with no qualifications, which is higher than the East Midlands and Great Britain figures. In 2013 approximately 4,200 (12.2%) of the Borough's residents had no qualifications, whilst the East Midlands and Great Britain figures were 10.4% and 9.4% respectively.
- 5.1.5 The Council will therefore continue to work in partnership with local educational facilities, such as schools and universities, the Leicester & Leicestershire Enterprise Partnership (LLEP), and Leicestershire County Council (as the Local Education Authority) to ensure that the skills, learning and educational needs of the Borough are met and that the Borough's younger generation has the opportunity to realise their full potential. In granting planning permission for major development schemes, developers will be encouraged to contribute to local employment development, skills and training, including – making best efforts to employ local contractors, subcontractors, apprentices and trainees during construction and, where appropriate, developing and implementing a business orientated employment and skills plan to develop skills.
- 5.1.6 Existing educational facilities (amongst other facilities) will be protected from potential loss through the Community Facilities Policy of this Local Plan and in principle support will be given to proposals that will result in improved educational facilities, including proposals to expand existing educational facilities or create new educational facilities.
- 5.1.7 The Council is keen to improve education and skills of its residents. To help achieve this, the Council will encourage applicants for major residential and non-residential development to liaise with local colleges and apprenticeship schemes, to utilise the existing skills of the Borough's residents as an integral part of the construction process.

#### **Policy 4      Creating a Skilled Workforce**

The Council will support development proposals that relate directly to the development of local skills, and training opportunities, particularly for young people and residents who are unemployed.

The Council will work with its partners including, Leicester & Leicestershire Enterprise Partnership, local universities, colleges, schools and academies and Leicestershire County Council, to maintain and improve the local work force and provide residents the best chance to be more competitive in the job market.

Planning permission will be granted for new residential development where the individual or cumulative impacts of the development on education provision can be addressed, at the developer's cost, either on-site or through financial contributions towards off-site improvements.

If there is an identified need to do so, the Council will use legal agreements to secure any necessary improvements in education provision arising as a result of development.

## **Improving Health and Wellbeing**

- 5.2.1 National government requires local planning authorities to ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision taking. Public health organisations, health service organisations, commissioners and providers, and local communities are expected to work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.
- 5.2.2 The Council is committed to maintaining and enhancing the health and wellbeing of its residents. Due to this commitment, the Council set up its own Health and Wellbeing Board that aims to bring key decision makers together from a range of local health providers to review local health data, share information on service provision and lobby for change. The Council will seek to ensure that all of its residents are happy and live long and healthy lives, with less inequality.
- 5.2.3 The Council will work collaboratively with the local Clinical Commissioning Group and the National Health Service (NHS), as well as local GP surgeries and other health partners to:
- support the NHS (including local GP Surgeries) in delivering a health and wellbeing service which meets the needs of Borough's residents;
  - encourage healthier communities through the targeting of unhealthy lifestyle choices;
  - seek contributions towards new or enhanced health facilities from developers where new housing development would result in a shortfall of provision; and,
  - ensure increased access to the Borough's open spaces as well as offering increased opportunities for physical activity.
- 5.2.4 On a regular basis the Leicester Shire and Rutland Statistics and Research department produce Joint Strategic Needs Assessments (JSNAs) for the local authorities within Leicester, Leicestershire and Rutland. The assessments analyse the health needs of populations to inform and guide commissioning of health, wellbeing and social care services within local authority areas.
- 5.2.5 In terms of 'general health' according to the most up to date Joint Strategic Needs Assessment, the percentage of Borough residents that are in 'very good health' is 45.19 per cent, which is slightly lower than the overall England percentage of 47.17 per cent. Conversely, the percentage of Borough residents that are deemed in 'bad health' or 'very bad health' are lower than the England percentages (3.71 per cent and 1.09 per cent, compared to 4.25 per cent and 1.25 per cent respectively).
- 5.2.6 Although the Borough, in general, fairs pretty well in terms of the statistics illustrated above, this Plan has a vital role to play in ensuring that the opportunities exist for people to make healthy and / or healthier lifestyle choices. It will also help address any health inequalities across the Borough.
- 5.2.7 By having a positive approach to local health and wellbeing, the Council will seek to create and support vibrant, sustainable and healthy communities by promoting and facilitating healthy living and lifestyle choices as well as creating an environment that offers plentiful opportunities for improving health and wellbeing.
- 5.2.8 To ensure that all new development contributes towards providing an array of opportunities for healthy living and wellbeing of the Borough's residents, all proposals should, through

design and provision, encourage walking and cycling, as well as encourage the use of other sustainable modes of transport. Where there is potential to do so, development should contribute towards, for example, the provision of and / or the refurbishment of footpaths, cycle ways, canal towpaths, outdoor adult gyms, outdoor sports provision, children's play equipment and recreational open spaces.

5.2.9 National policy suggests that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should plan positively for the provision and use of shared space, community facilities and other local services, and should guard against the unnecessary loss of valued facilities and services.

5.2.10 To ensure the community's needs are delivered and safeguarded, the Council will seek to prevent the loss of required local services and facilities. All new large scale development proposals that could have a detrimental impact on existing local services and facilities would need to submit a Health Impact Assessment (HIA) screening statement. The Department of Health sets out a guide to carrying out Health Impact Assessments. According to guidance, the initial stage of a HIA is 'screening'. It is this initial stage that dictates whether a full HIA is required or not. Guidance currently sets out five screening questions that should be answered when development is proposed.

5.2.11 A HIA is a practical approach used to judge the effects that a proposed development has on the health and wellbeing of the local community, whether positive or negative. The findings of a HIA are used to make recommendations as to how any positive health impacts of the proposed development may be increased and how any negative impacts can be reduced.

#### **Policy 5 Improving Health and Wellbeing**

Development proposals will be required to assess their impact upon existing services and facilities, specifically services and facilities relating to health, social wellbeing, culture and recreation.

All residential development proposals of 11 units or more and non-residential development proposals of a combined gross floorspace of more than 1,000 square metres will be required to submit a Health Impact Assessment screening statement. The statement will measure the potential impact and demands of the development proposal upon the existing services and facilities.

The Borough Council will require the Health Impact Assessment screening statement to be prepared in accordance with the advice and best practice for such assessments as published by the Department of Health and other agencies.

For developments where the initial screening assessment indicates more significant health impacts, a more comprehensive, in depth Health Impact Assessment will be required.

Where significant impacts are identified, planning permission will be granted where measures to mitigate the impact are provided, either onsite and / or offsite through the use of planning obligations.

## **High Quality Design and Materials**

- 5.3.1 High quality design, and the use of high quality materials is paramount in ensuring that new development creates attractive, buildings and spaces that are sustainable, well connected, and are in character within the locale they are set. It is imperative that new development provides buildings and spaces that people enjoy now and in the future.
- 5.3.2 Design in planning is about making places welcoming, easy and efficient for people to use in terms of functionality, durability, and accessibility. High quality and inclusive design should reflect local character and distinctiveness and be the basis for shaping balanced, safe, healthy and integrated communities. It is important to recognise that design is not just about the visual and functional aspects of a development but also its influence on social and environmental wellbeing.
- 5.3.3 The construction of buildings and spaces and the sustainability and efficiency of buildings and spaces are nationally regulated through Building Regulations. The Building Regulations are a set of national standards on key aspects of construction, including the reduction in carbon emissions and the efficient use of water.
- 5.3.4 Any development proposal should deliver the highest possible quality of design and use of materials. The design principles set out in this policy should be used to help structure discussions between the Council and the development proposer. A Design and Access Statement will be required to accompany any development proposal or application.
- 5.3.5 The Council will also actively encourage developers to take account of the standards and principles set out in the Building for Life 12 (published by the Building for Life Partnership). The Council seeks to ensure that all new buildings and spaces are 'fit for purpose' and are appropriate for healthy living.
- 5.3.6 For non residential buildings, the BREEAM standard was created as a cost-effective means of bringing sustainable value to development. Evidence demonstrates that sustainable developments, like those delivered through BREEAM, offer value in many ways, including: reduced operational costs. The Council would encourage the use of the BREEAM standard in all new non residential development.
- 5.3.7 Good design responds in a practical and creative way to both the function and identity of a place. It puts; land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long, as well as the short term.
- 5.3.8 Any development proposal should seek to ensure that there is a significant positive effect on the community in which it is situated. Any negative affect should be effectively mitigated; consideration should be given to the following aspects.
- local character (including landscape setting);
  - safe, connected and efficient streets;
  - a strong network of green spaces (including parks) and public places;
  - crime prevention;
  - high quality architecture;
  - access, inclusion and health;
  - efficient use of natural resources;
  - cohesive and vibrant neighbourhoods;
  - air quality and air quality management;

- sustainable construction; and,
- climate change.

- 5.3.9 Development should be designed to be adaptable and flexible and reduce the effects of climate change, throughout the proposed lifetime of the development, and not just in the short term. The use of sustainable building materials and the re-use of materials in all developments will be sought, as will the use of recycled aggregates in the construction of buildings and spaces. Development proposals should also seek to use design to create layouts and orientation that minimise energy consumption.
- 5.3.10 When new development proposals have an effect on existing areas of public realm or are incorporating areas of public realm (whether new or existing) into the design of a scheme, the Public Realm policy in this plan should be taken account of.
- 5.3.11 New development should provide high quality connections for pedestrians, cyclists and motor vehicle users that avoid dead ends or convoluted routes. New development should also integrate any new routes into the wider settlement routes and connect to existing services and facilities effectively and efficiently. Designing places that are easy and efficient to navigate is imperative.
- 5.3.12 When new development connects to and makes use of existing routes, it should not be restricted to highways and pavements, it will include other routes, such as canal towpaths and other public rights of way.
- 5.3.13 As well as connections, all development should provide the appropriate level of parking, including that for cycling and motor vehicles (where relevant).
- 5.3.14 Development should have regards to and enhance local character and history by ensuring that it responds to its landscape setting and history of the area, topography and wider context, within which it is located, as well as the local streetscape and local building materials.
- 5.3.15 All development proposals should also have regard to the design principles and guidance set out within the Council’s Landscape Character Assessment, and where relevant the Town and District Centre Guidance document and Local Development Orders.

**Policy 6 High Quality Design and Materials**

The Council will require the highest standards of inclusive design and use of the highest quality materials for all new development and major refurbishment in the Borough.

Proposals for new development and major refurbishment must create a distinctive environment by;

- respecting the existing local and historic character;
- utilising inclusive design principles, including layout, orientation, landscape, streetscape, scale, materials, natural surveillance and sustainable construction;
- creating development that is of high architectural quality;
- ensuring patterns of development are sympathetic to their surroundings; and,
- responding to the local topography and the overall form, character and landscape setting of the settlements;

Proposals for new development and major refurbishment must ensure safe and healthy communities by;

- creating inclusive places that design out opportunities for anti-social behaviour and crime;
- creating spaces that are accessible to all regardless of ability or background;
- encouraging sustainable means of travel, including walking, cycling and public transport;
- protecting local amenity, including, resisting development that has unacceptable contributions towards air quality, noise, vibration, smell, light or other pollution, loss of light or overlooking;
- providing opportunities to promote biodiversity;
- providing opportunities for well designed and integrated public art;
- incorporating measures to minimise waste and energy consumption, conserve water resources and provide for renewable energy generation;

Proposals for new development and major refurbishment must create connected places by ensuring that development;

- connects effectively and efficiently to existing routes and developments, by avoiding dead ends and convoluted routes, to allow it to integrate into the wider settlement and to link to existing services and facilities;
- integrates with existing sustainable modes of transport including cycle, pedestrian (including canal towpaths and public rights of way), and public transport; and
- provides appropriate parking facilities, including that for cycling and motor vehicles (where relevant).

Compliance with the above criteria will need to be expressed through submission of a Design and Access Statement.

Major development including large-scale refurbishment will require preparation of a masterplan, development brief and / or design code where deemed appropriate by the Council.

Proposals for innovative and outstanding design or construction that contributes to the aims of sustainable development and reducing the impacts of climate change will in principle be supported by the Council.

## **Community Facilities**

- 5.4.1 Community facilities (sometimes referred to as Community assets) are defined as buildings or spaces where community led activities for community benefit are the primary use and the facility is managed, occupied or used primarily by the voluntary and community sector. Community facilities can include purpose-built structures such as community halls and village halls, places of worship, health centres, schools and cultural facilities such as museums, libraries, theatres, post offices and public houses.
- 5.4.2 Some community buildings provide only one type of activity while others provide as diverse a range as possible in response to the needs of the communities they serve. They are a key part of sustainable communities and can contribute positively towards community health, recreation and wellbeing.
- 5.4.3 The Council will continually monitor and assess the local community's needs to ensure that provision of community facilities within the Borough is appropriate. For the purposes of this policy, built sporting facilities are not included within the definition of community facilities. Built sporting facilities will be taken account of within Policy 9 of this Plan.
- 5.4.4 In recent years the Borough has seen significant investment within its community facilities, both from the private sector as well as the Council itself, for example the new combined health centre in Wigston. Through working closely and collaboratively with key stakeholders, it is anticipated that such investments are likely to continue into the future.
- 5.4.5 Town centre masterplans, Local Development Orders, development briefs and Supplementary Planning Documents have previously and will continue to seek to meet any further identified needs for community facilities within the Borough. Any developer contributions will be sought in accordance with the Borough Council's Developer Contributions Supplementary Planning Document.

## **Retention, Enhancement and New Community Facilities**

- 5.4.6 The loss of community facilities can have a substantial impact on people's quality of life, wellbeing and overall viability of the local area. The Council will expect new development to at least retain, and where possible, improve existing local community facilities. It is important that these are integrated into the design of new development. If development proposals are likely to have an effect, whether positively or negatively on an existing community facility, it is imperative that the proposer of development has early engagement with the Council.
- 5.4.7 For existing community facilities, the Council will work with partners to secure future improvements and will protect them against redevelopment for alternative uses (should evidence suggest that there is a need to do so), particularly housing and commercial development.
- 5.4.8 The NPPF states that planning policies and decisions should:
- Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
  - Ensure that established community facilities are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

## **Asset of Community Value**

5.4.9 Part 5 Chapter 3 of the Localism Act 2011(Act) allows local people and groups to put forward to local authorities, what is known as an ‘asset of community value’; through the Community Right to Bid procedure. The Act requires local authorities to maintain a list of ‘community assets’ that have been put forward by qualifying groups or bodies and agreed for designation by the local authorities themselves. Further information regarding assets of community value can be found on the Council’s website. It is important to note that should a building be designated as an asset of community value, it does not preclude future development; however it does give the local community and / or local community group better opportunities of securing an assets future use for the community.

### **Policy 7 Community Facilities**

The Council will work with key partners including developers to secure and maintain a range of new community facilities.

All development proposals must support and enhance community services and facilities where appropriate by:

- providing on-site and / or contributing towards new or enhanced community facilities off-site to meet any needs arising from proposed development.
- avoiding the loss of community facilities, unless it can be demonstrated that they are no longer needed by the community they serve.

The Council will support community facilities where:

- there is good access by pedestrian routes, cycle routes and public transport;
- they encourage co-location of community uses;
- sufficient car parking is already available or can be provided to meet the needs of the development;
- residential amenity can be protected from any detrimental impact in terms of noise, traffic and hours of use; and
- the external appearance of the building can provide a sense of place and can positively reflect the character and appearance of its surroundings.

Generally, town centre, district centres and local centres will be the most appropriate locations for community facilities.

## Green Infrastructure

- 5.5.1 The NPPF states that Green Infrastructure is a network of multi-functional green space, both urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Green Infrastructure is regarded as a vital part of urban infrastructure. The Borough Council's aim is to continually improve the quality of its natural green assets as well as to ensure a net gain in its quantity. All new development should maximise existing Green Infrastructure and create new areas of green space that contribute towards the overall network of Green Infrastructure.
- 5.5.2 The NPPF requires the planning system to encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for recreation, wildlife and food production). Well designed Green Infrastructure is essential in improving environmental quality, health, wellbeing and community cohesion.
- 5.5.3 Green Infrastructure also plays an important role in terms of climate change mitigation (e.g. through carbon storage) and climate change adaptation (e.g. through moderating urban temperature extremes).
- 5.5.4 Throughout the Borough there is a network of existing areas of strategic Green Infrastructure falling into different categories which are important to the character of both the urban and rural areas; and provide valuable spaces for formal and informal recreational activities in our communities. These strategic areas include the countryside around the Leicester PUA, the green wedges, river corridors (and their riparian habitats), canals (and their riparian habitats) and railway lines, and are illustrated in Figure 2.

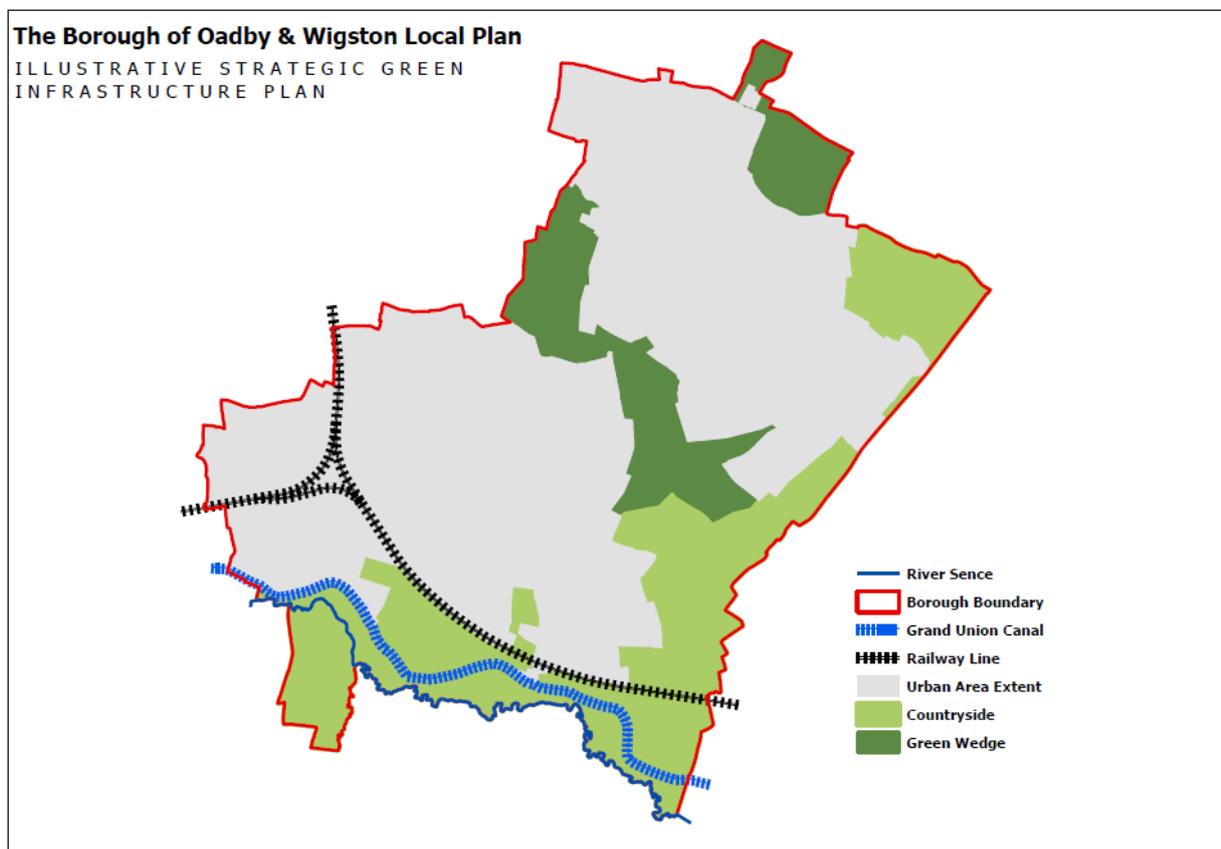


Figure 2: map illustrating the strategic green infrastructure corridors of the Borough

- 5.5.5 Current provision of more local Green Infrastructure within the Borough includes formal and informal open spaces, local green spaces, cemeteries, sports fields, the golf course, Leicester Racecourse, local wildlife sites, local nature reserves, country parks, Veteran trees, woodland, important hedgerows, ponds, The Washbrook and allotment sites.
- 5.5.6 Green Infrastructure offers significant opportunity for exercise, sport and informal recreation. Green Infrastructure offers access and movement and can promote sustainable modes of movement such as walking and cycling.
- 5.5.7 Green infrastructure should contribute to and enhance the quality of life of existing and future residents and visitors to the Borough. Opportunities to achieve this include;
- providing improvements that respect existing landscape character, that will assist in attracting and retaining inward investment;
  - protecting and enhancing existing biodiversity, creating new areas for biodiversity and reversing the fragmentation of habitats by restoring the connectivity between them;
  - providing continued, new and enhanced links to the countryside; and,
  - coordinating the use of green space to optimise its use for leisure, biodiversity, drainage, flood management and other socio economic activities.
- 5.5.8 The provision of accessible Green Infrastructure is seen as increasingly important to regeneration and creating places that are based upon local distinctiveness. Quality environments also attract quality investment in terms of housing, jobs, skills and visiting attractions.
- 5.5.9 Green Infrastructure can contribute to the high quality natural and built environment that fosters sustainable communities. Biodiversity is preserved and enhanced by ensuring Green Infrastructure is networked through corridors of green space. As well as biodiversity, Green Infrastructure includes sites of ecological, geological and historical interest. Within the Borough these sites include:

#### **Sites of Special Scientific Interest (SSSI)**

- The Grand Union Canal and Limedelves Site of Special Scientific Interest, located east of Kilby Bridge between Kilby and Foxton

#### **Regionally Important Geological Sites (RIGS)**

- Kilby Bridge Pit Regionally Important Geological Site, located between Wigston and Kilby Bridge, east of Welford Road

#### **Local Wildlife sites**

- There are numerous Local Wildlife sites located within the Borough.

5.5.10 In addition to the above sites, this Plan identifies habitats and species that comprise green infrastructure assets within the Borough. The identified assets include; veteran trees; trees with special interest; hedgerows; woodland; ponds; nature reserves; gardens; watercourses; otters; water voles; farmland birds; bats; Great Crested Newts, Marbled White Butterflies; and, Brown Hares.

5.5.11 The Council's Infrastructure Delivery Plan provides a detailed compilation of the various components of Green Infrastructure within the Borough and identifies the new Green

Infrastructure that is required in the Borough in order to accommodate growth. It establishes what needs to be done and by when, who needs to do it and what the priorities for action are. Where possible it identifies capital and, where appropriate, revenue costs together with sources of funding. It is intended that the Green Infrastructure Plan will contribute towards the delivery and implementation of this policy and that it will assist in the determination of planning applications in the Borough.

5.5.12 The proposed Direction for Growth Allocations should establish new Green Infrastructure corridors that link to the existing Green Infrastructure network. All new Green Infrastructure assets / corridors should tie in with, and connect and enhance existing green infrastructure assets / corridors. Provision of new Green Infrastructure is an important contribution that developers can make when sites are developed. More detail relating to the requirements of each of the Direction for Growth Allocations is contained within Chapter 7 of this Plan.

5.5.13 The Borough has two Green Wedges: the Oadby and Wigston Green Wedge separating the settlements of Oadby and Wigston and Oadby, Thurnby, Stoughton Green Wedge encompassing the land to the northern boundary of the Borough. These ensure that green corridors through the Borough and into neighbouring authority areas are maintained. Green Wedge Strategies (Oadby and Wigston Green Wedge Strategy (2004) and the Oadby, Thurnby, Stoughton Green Wedge Strategy (2005) provide the Borough with a framework for managing the green wedges.

## **Policy 8 Green Infrastructure**

The Council will seek a net gain in Green Infrastructure through the preservation and enhancement of open spaces and assets that comprise the Borough's Green Infrastructure and its network.

Where relevant, all new development resulting in a net gain in residential dwellings and / or other forms of development, such as employment, retail and commercial floor space must contribute towards achieving this net gain. Green Infrastructure assets will be created, preserved, managed and enhanced by:

- safeguarding and enhancing existing Strategic Green Infrastructure assets / corridors;
- contributing towards the creation of new multi-functional areas of green space;
- seeking opportunities to link fragmented habitats, protect vulnerable habitats and integrate biodiversity within communities;
- seeking the creation of new strategic and / or local Green Infrastructure assets / corridors within all new development;
- actively promoting the restoration, re-creation and enhancement of existing Green Infrastructure assets / corridors and the biodiversity that they support;
- not allowing development that compromises the integrity of the existing overall Green Infrastructure network;
- protecting and conserving species and sites of ecological and geological significance;
- facilitating off-site improvements to existing Green Infrastructure assets / corridors, particularly their quality and accessibility;

- where relevant, working in partnership to enhance the value of Strategic Green Infrastructure assets / corridors that are also of significance outside of the Borough, such as the Grand Union Canal and River Sence (including their riparian habitats).

## **Open Space, Sport and Recreation Facilities**

- 5.6.1 Open space, sports and recreation underpin peoples' quality of life, with well designed and implemented planning policy, being fundamental in delivering the broader Government objectives of, supporting urban regeneration and rural renewal; promotion of social inclusion and community cohesion; health and well being; and, promoting more sustainable local communities.
- 5.6.2 National planning policy and guidance sets out that it is for the local authority to assess the need for open space and opportunities for new provision in their areas.
- 5.6.3 The NPPF defines open space as 'all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and act as a visual amenity'.
- 5.6.4 Open spaces in towns and rural areas are essential in improving public health, well-being and quality of life. Attractive, safe and accessible parks and green spaces contribute positively to social, economic and environmental benefits and promote more healthy communities.
- 5.6.5 Since 2009, the Council has audited and assessed all of the land within the Borough that is fully accessible to the public, on an annual basis. The land areas identified in these audits / assessments are characterised into different typologies depending on their features and assets. The typologies used by the Council are outlined below:
- Parks and Recreation Grounds
  - Outdoor Sports Facilities
  - Children and Young Peoples Space
  - Informal Open Space
  - Natural Green Space
  - Amenity Green Space
  - Allotments
  - Cemeteries and Churchyards
- 5.6.6 As well as the open space typologies above, working closely with Sport England, the Council has assessed the current level of built sports facilities within the Borough, as well as the expected levels of need over the Plan period up to 2031. The typologies assessed are:
- Sports Halls
  - Swimming Pools
  - Small Halls / Community Venues
- 5.6.7 The assessment undertaken in collaboration with Sport England illustrates that the current level of provision of the built facilities described above are sufficient for the projected growth within the Borough over the Plan period up to 2031. The Council will seek no net loss of these current levels of built facility provision.
- 5.6.8 Each type of open space and built facility mentioned above has various community benefit. It is important that the Council provides a balance between types of open space in order to meet local needs. For example, not all residents living in each area will have a demand for open space in the form of playing pitches or allotments.

- 5.6.9 Locally based open space requirements have been developed by the Council and have been very successful in maintaining (and increasing) the levels of open space within the Borough. With this success it is felt that it would not be appropriate to deviate from the current requirements, however through close discussion with Sport England, the requirement and provision of the Outdoor Sport Space typology will be achieved through the Council's Playing Pitch Strategy rather than through the use of the Council's quantity requirement approach.
- 5.6.10 The requirements for each typology of open space are identified below.
- 5.6.11 The Council's Open Space Audit assesses the provision of open space on an annual basis and identifies areas of deficiency and surpluses in provision of open space, sports and recreational facilities. This is used to inform where resources arising from new development or where offsite contributions will be focused.
- 5.6.12 Proposals for new residential development should contribute to the provision and / or enhancement of open space in areas where there is a deficiency in provision, or poor quality of open spaces. This provision could be either on or off-site depending on the scale and nature of development and the level and quality of existing facilities in the local area. On-site provision of open space should provide at least the requirements as set out below, whereas off-site contributions towards open space provision should be consistent with the Council's Developer Contributions Supplementary Planning Document.
- 5.6.13 All areas of open space, sports and recreational facilities are relevant to Policy 9 and not just those identified within the Council's open space study and annual audits.

<b>Typology</b>	<b>Quantity Requirement</b>
Parks and Recreation Grounds eg recreation grounds, parks, and formal gardens	0.50 hectares per 1000 residents
Outdoor Sports Space eg playing fields, football pitches, tennis courts, bowling greens, artificial pitches	As identified within the Council's Playing Pitch Strategy
Children and Young Peoples Space eg sites with equipped play facilities	0.30 hectares per 1000 residents
Informal Open Space eg Spaces open to free and spontaneous use by the public, but neither laid out nor managed for a specific function such as a park, public playing field or recreation ground; nor managed as a natural or semi-natural habitat.	0.50 hectares per 1000 residents
Natural Green Space eg meadows, river floodplain, woodland, country parks, nature reserves	0.80 hectares per 1000 residents
Allotments eg growing produce, health, social inclusion and promoting sustainability	0.50 hectares per 1000 residents

Sports Halls	As identified within the Sport England built facilities assessment
Swimming Pools	As identified within the Sport England built facilities assessment
Small Halls / Community Venues	As identified within the Sport England built facilities assessment
<b>Cemeteries and Churchyard</b> There is no quantity requirement for these types of open space; however the Council has identified land south of Gartree Road in Oadby (as illustrated on the Adopted Policies Map) as appropriate for the provision of cemetery and burial grounds. This land will ensure the Council has sufficient land available to provide for the Borough's cemetery and burial needs up to 2031.	

**Policy 9    Open Space, Sport and Recreation Facilities**

In relation to open space, sport and recreation facilities, the Council will protect existing sites from development where; there is a demand to retain them; they contribute towards the Green Infrastructure in the Borough; and the equivalent cannot be provided elsewhere. New development will contribute either physically or financially to the provision or improvement of open space, sport and recreation facilities.

The quantity requirements, the Council's Playing Pitch Strategy and the Council's Developer Contributions Supplementary Planning Document will be used in relation to the provision of open space, sport and recreation facilities provision within the Borough, to satisfy need and allow every resident access to adequate, high quality, accessible open space and play areas.

Provision of open space, sport and recreational facilities must:

- be located close to their intended population catchment areas;
- be accessible by a choice of transport modes other than the private car;
- be of an appropriate scale and design; and
- seek positive impacts to landscape form.

Existing open space, sports and recreational buildings and land, including playing fields, must not be developed or lost unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

## **Public Realm**

- 5.7.1 Public realm is the public spaces between buildings and structures that are of the built and/or natural environment, that are open and freely accessed by the public. Public realm also provides the context and setting for existing and new development. It includes hard and soft surfacing materials, street furniture (including lighting, benches, litter bins), traffic and pedestrian signage, way finding and control, trees, and landscaping. For a full definition of public realm see the Borough Council's Public Realm Strategy Supplementary Planning Document.
- 5.7.2 Although it is acknowledged that many public realm schemes involve the use of street furniture, barriers and signage, the Council does not support schemes that create unnecessary street clutter. The use of signage and barriers will only be supported where they are incorporated innovatively into the design of a scheme or they are absolutely necessary.
- 5.7.3 It is anticipated that new areas of public realm / or improvements and / or refurbishments will form part of all large development proposals, for example, development within the town and district centre boundaries and development occurring at the Direction for Growth Allocations. Any public realm scheme must ensure that it is designed and developed to the highest standards. All schemes must improve the attractiveness of the streets and make the areas more desirable places to visit, to shop, work and live. Both Wigston town centre and Oadby district centre have identified areas for outdoor events such as markets, and schemes should be designed to accommodate such uses. Development that seeks to provide outdoor events spaces within South Wigston will be encouraged where relevant to do so. Further guidance relating to the centres of Wigston and Oadby can be found in the Town and District Centre Guidance document.
- 5.7.4 Further to the public realm improvement works that have already taken place within the town centre of Wigston and the district centre of Oadby, the following schemes will be actively encouraged:
- Further improvements to the public realm within the centres of Wigston, Oadby and South Wigston;
  - Improvements to the public transport facilities within the centres of Wigston, Oadby and South Wigston; and
  - Extension and improvement of The Lanes in Wigston town centre.
- 5.7.5 The use of high quality materials presents an attractive and welcoming environment, and they also ensure longevity against deterioration. Public realm development presents an opportunity to replace existing impermeable hard standing and surfaces with permeable materials and to incorporate Sustainable Drainage systems (SuDs). A good sustainable drainage scheme will be integrated into the development design and will provide multiple benefits, such as; creating an attractive environment; providing habitat and wildlife; being part of the green infrastructure network; and managing surface water run-off. Drainage features such as permeable surfaces, swales, filter strips, rainwater gardens and soak-aways are encouraged.
- 5.7.6 All public realm schemes will need to prioritise pedestrians over other modes, and must be designed to ensure the minimum amount of street clutter such as road signs and bollards.

Manual for Streets II (amongst many other documents) offers further guidance in this regard and should be considered when designing proposals.

- 5.7.7 The design of public realm in gateway locations will be of particular importance and should 'announce' the area / space to people entering or passing. Development at gateway locations will also improve the visibility and attractiveness of the Borough. Attractive gateway design can be achieved through a number of ways, including the use of high quality and different materials.
- 5.7.8 Whilst development proposals should be comprehensive and include proposals for surrounding public realm improvements, the Borough Council will use developer contributions to ensure appropriate levels of contribution for wider public realm improvements within the Borough's centres. Developer contributions that seek provision of new and / or improved public realm within the Borough's three main centres will be sought from developments within the centre boundaries, as well as development outside of the relevant boundaries that has an impact on the centres.
- 5.7.9 The Borough Council may also seek developer contributions for public realm schemes and improvements that are located outside of the main centres. Developer contributions sought on developments outside of the Borough's main centres will not be sought speculatively; they will be sought for known or planned public realm schemes. For developments occurring within the Borough's main centres, play and open space contributions will be utilised for public realm improvements.
- 5.7.10 Any developer contributions sought will be in accordance with the Borough Council's Developer Contributions Supplementary Planning Document. Further advice will also be available in the Borough Council's Public Realm Strategy Supplementary Planning Document.

## **Policy 10 Public Realm**

All proposals for large scale development and / or refurbishment and / or regeneration, must incorporate high quality public realm on-site and / or contribute towards public realm improvements off-site. All proposals that propose new public realm or impact upon the existing public realm must ensure that the pedestrian is prioritised over other modes of transport and that materials and design are of the highest standards.

Development proposals that provide public realm schemes, as identified within the Town and District Centre Guidance will be, in principle, supported. The following schemes will be supported;

- Further improvements to the public realm within the centres of Wigston, Oadby and South Wigston;
- Improvements to the public transport facilities within the centres of Wigston, Oadby and South Wigston; and
- Extension and improvement of The Lanes in Wigston town centre.

All public realm redevelopment or improvements must follow the principles and guidance set out in the Council's Public Realm Strategy Supplementary Planning Document.

The Borough Council will use developer contributions as necessary to ensure appropriate contributions to wider public realm improvements, both within the Borough's main centres and outside of the centres.

## **Chapter Six – Housing Delivery**

### **Housing Choices**

- 6.1.1 The NPPF suggests that local planning authorities should deliver a wide choice of high quality homes; they should widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The Council also wants to provide the most appropriate housing solutions for all of its existing population, as well as those future populations aspiring to live within the Borough.
- 6.1.2 The Council will use the most up to date housing evidence base, including the Housing and Economic Development Needs Assessment, to identify the size, type, tenure and range of housing that is needed within the different communities within the Borough. Specific note will be taken of the need for bungalows and retirement accommodation within the Borough. Historically the Borough has seen very little new provision of retirement accommodation or bungalows, and would therefore, in principal, actively support the development of bungalows in appropriate locations.
- 6.1.3 New housing development should not only be ‘fit for purpose’ for its inhabitants, it should also be located in sustainable locations, close by to key services and facilities and should protect and exploit opportunities for sustainable transport use. As well as being situated within sustainable locations, any residential proposals (including change of use, subdivision or new build) will need to reflect the character of the local area and should not be ‘out of place’; for example it would be inappropriate to propose sub-division to flats of an existing residential property in an area characterised by family housing, likewise it would be inappropriate to propose development of a substantial detached dwelling in an area that is predominately characterised by smaller terraced or semi-detached dwellings. Proposals that seek to deliver new homes that are in character within the area it is located will be, in principle, positively supported.
- 6.1.4 The Council is committed to providing new homes that are ‘fit for purpose’ and promote healthy living conditions, and are appropriate for modern living and requirements. The Council will require all new homes, regardless of type or tenure, to be of a size that allows sufficient space for all of its proposed inhabitants to live comfortably and sustainably.
- 6.1.5 In particular, proposals for conversion, change of use, and / or sub-division of existing properties into flats / apartments must be of an appropriate size suitable for modern living standards. Given that the Council has recently received a number of proposals for the conversion, change of use, and / or sub-division of existing properties into residential units, which are not of a size that is appropriate for modern living, the Council requires that any proposal for conversion, change of use and / or sub-division takes into account the Governments Technical Housing Standards.

#### **Policy 11 Housing Choices**

All residential development must contribute towards delivering a mix of dwelling types, tenures and sizes that meet the identified needs (and / or demand) of the communities within the Borough. All new residential development proposals must demonstrate how they contribute to achieving the identified needs as set out within the Housing and Economic Development Needs Assessment.

In addition, on all new large scale residential developments (11 dwellings and more) the proposal shall contain an appropriate housing mix having regard to the nature of the development site, character of the surrounding area, the most up to date evidence of need, as well as the existing housing mix of the immediate area.

Where a development is otherwise acceptable but an independent viability appraisal demonstrates that certain policy standards cannot be achieved, the Council will work with the applicant to ascertain whether there are alternative approaches that would deliver the desired policy outcomes. If the Council requires its own independent viability assessments to verify outcomes of the applicants assessment, it will be at the applicants cost.

The Council will support the development of bungalows, student halls of residence, specialist care accommodation, elderly care accommodation and retirement accommodation that meets an identified need and is proposed in appropriate sustainable locations.

All residential proposals will need to respect the character of the area in which they are located. Sub-division of plots and / or existing residential properties that are 'out of character' within the locale will be refused, unless the benefits of any proposed development outweigh the negative impact.

All residential proposals for conversions, sub-division and / or changes of use will be determined on a case by case basis, and must take into account the Government's Technical Housing Standards.

## **Housing Density**

- 6.2.1 The Borough of Oadby and Wigston is a small, compact, urban authority area that is directly adjacent to and shares a boundary with Leicester City. Its urban areas also sit entirely within the Leicester PUA.
- 6.2.2 With the authority area being compact in size and being majority urban in nature, building new homes to higher densities is key. Being relatively small in size (to put the size of the Borough into context, when looking at extent of the realm measurements in hectares, (on the 31st December 2013) the Office for National Statistics suggested that out of the 406 UK Local Authority Districts, the Borough of Oadby and Wigston is the 11th smallest; however when discounting the eight London Borough's within the eleven it is the 3rd smallest behind the Isles of Scilly and Watford) the Borough area has a finite supply of land on which development can be situated, therefore making the most efficient use of this land is paramount.
- 6.2.3 To ensure the development of new homes is concentrated within the most appropriate and sustainable locations, the Council is seeking a higher density within the town centre of Wigston and the district centres of Oadby and South Wigston. Seeking higher densities within built up centre locations will concentrate residential development close to essential services and jobs, and will reduce the need to travel by motor vehicle.
- 6.2.4 Concentrating housing within the more urbanised areas of the Borough will positively affect the local economy as there will be more people closely located to existing retail, service and leisure facilities. The Council is aware that a higher figure would not be appropriate throughout the entire Borough area, therefore, through this Plan is reducing the density figure on a 'sliding' scale outside of the main centre boundaries. This is to allow for flexibility relating to location, as well as responding to the distinct character areas of the Borough.
- 6.2.5 It must be noted that if development occurs outside of the Leicester PUA, once complete, the full extent of the development becomes part of the Leicester PUA and therefore would be subject to different policy.

### **Policy 12 Housing Density**

The Council is committed to delivering new homes in an effective and efficient manner. The Council is also committed to locating people close to much needed services and facilities as well as jobs. To ensure that the Borough provides the required number of homes for its communities, the Council will adopt the following density targets on all new development sites that involve the provision of new homes.

Proposed development sites that have a gross site size of 0.3 hectares and larger and are located within the town centre boundary of Wigston or the district centre boundaries of Oadby and South Wigston will be required to achieve an average density of at least 50 dwellings per hectare.

Proposed development sites that have a gross site size of 0.3 hectares and larger and are located outside of the town centre boundary of Wigston or district centre boundaries of Oadby and South Wigston, but within the Leicester PUA will be required to achieve an average density of at least 40 dwellings per hectare.

Proposed development sites that have a gross site size of 0.3 hectares and larger and are not situated within any of the above locations will be required to achieve an average density of at least 30 dwellings per hectare.

Where a development is otherwise acceptable but an independent viability appraisal and / or an independent character and design appraisal demonstrates that the required density cannot be achieved, the Council will work with the applicant to ascertain whether there are alternative approaches. If the Council requires its own independent viability assessments to verify outcomes of the applicants assessment, it will be at the applicants cost.

## **Affordable Housing**

- 6.3.1 The Borough of Oadby and Wigston is a relatively unique local authority area compared to other local authority areas within the Leicester and Leicestershire Housing Market Area. There are three distinct settlement areas all of which have very different socio-economic profiles as well as land values. In general, Oadby has the highest land values of the three settlements, with Wigston having the second highest and South Wigston the lowest.
- 6.3.2 According to the latest Housing and Economic Development Needs Assessment that has been undertaken for the Leicester and Leicestershire Housing Market Area the Borough has an identified Affordable Housing need. The Council has also identified delivery of affordable housing as one of its priorities because it recognises the important role it plays in providing homes for all within the community. Because of this, the Council required specific detailed evidence base relating to affordable housing provision within the Borough area.
- 6.3.3 The Council therefore commissioned an Affordable Housing Viability Assessment that sought to provide the Council with evidence relating to an appropriate affordable housing threshold by which to require affordable housing provision on a development site and an appropriate percentage of affordable housing provision should a development proposal meet the prescribed threshold. The Council's Core Strategy sought provision of affordable housing on all sites of 10 or more dwellings; therefore this was taken as the starting point for the assessment.
- 6.3.4 The assessment was undertaken by Andrew Golland Associates and concluded that although there was evidence to suggest that the affordable housing site threshold could be set lower than the Core Strategy's threshold of 10, national policy and guidance sets the threshold at 11 or more. Although there was evidence to suggest a lowering of the previous threshold, it was concluded that the Council would use the nationally set threshold 11 or more when requiring affordable housing provision on a residential development site.
- 6.3.5 Relating to the provision of affordable units on a development site once the threshold was met, the assessment concluded that a split target should be sought due to the large difference in land values in different parts of the Borough. The assessment suggested the following splits should be applied to each of the Borough's settlements.
- 10 per cent of the total number of units should be affordable for sites located within the settlement of South Wigston,
  - 20 per cent of the total number of units should be affordable for sites located within the settlement of Wigston, and
  - 30 per cent of the total number of units should be affordable for sites located within the settlement of Oadby.
- 6.3.6 The provision of Starter Homes on 'qualifying' sites will be done so in conformity with the national government guidance and policy at the time of consideration of the planning proposal. The Housing and Planning Act 2016 suggests that affordable housing includes starter homes within its definition. The Act also sets out the definition of a starter home. For the purposes of this local policy, the definition for starter homes will be consistent with that set out within the Housing and Planning Act 2016.
- 6.3.7 Further information relating to the provision targets and site thresholds of Affordable Housing can be found in the Council's latest Affordable Housing Viability Assessment. The policy and supporting text should also be read in conjunction with the Planning Obligations

policy contained in this Plan and the Developer Contributions Supplementary Planning Document.

### **Policy 13 Affordable Housing**

The Council is committed to the provision of appropriate housing for the whole community, therefore will require affordable housing on all new residential developments of 11 dwellings or more to meet identified local need.

Development will be permitted provided that at least the following percentages for affordable housing are met:

- Oadby – 30 per cent of the total number of units
- Wigston (including Kilby Bridge) – 20 per cent of the total number of units
- South Wigston – 10 per cent of the total number of units

A cumulative approach to affordable housing on a residential site will apply regardless of the number of different associated planning applications.

There is no maximum number of affordable housing units that can be provided on a site. Also the 11 dwelling threshold does not restrict proposals providing affordable housing on sites of fewer than 11 units.

Proposals for residential development that meet the 11 dwelling threshold but do not provide any affordable housing will be refused unless an appropriate off-site contribution is provided in lieu of the required number.

Where a development is otherwise acceptable but an independent viability appraisal demonstrates that certain policy standards cannot be achieved, the Council will work with the applicant to ascertain whether there are alternative approaches. If the Council requires its own independent viability assessments to verify outcomes of the applicants assessment, it will be at the applicants cost.

With the provision of affordable housing remaining a priority for the Council, should a site be proposed for 100 per cent of the units classed as affordable homes, the Council may take a flexible approach to other developer contributions.

Regarding the tenure split of affordable housing the Council will generally seek 80 per cent affordable rent and 20 per cent shared ownership, however will respond to local need at the time of determining a relevant planning proposal.

## **Self Build and Custom Build**

- 6.4.1 The Self Build and Custom Housebuilding Act 2015 places a duty on the Council to keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to provide self-build and custom house building projects and to place a duty on certain public authorities to have regard to these registers when carrying out planning and other functions.
- 6.4.2 The Council will ensure that a list is maintained of all those who have registered an interest in Self Build and Custom Housebuilding and will notify such if an appropriate plot of land becomes available.
- 6.4.3 Through the planning application process, the Council will actively support the provision of Self Build and Custom Build plots if there is a need to do so.

### **Policy 14 Self Build and Custom Build**

To ensure that the housing mix within the Borough reflects the needs of its communities, the Council will support the provision of Self Build and Custom Build serviced plots on all sites, provided that proposals satisfy all other relevant policies within this Plan.

In line with national legislation, the Council will keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward Self Build and Custom Build housing projects.

## **Urban Infill Development**

- 6.5.1 The NPPF sets out the 12 core planning principles, one of which being to encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. The definition of previously developed land excludes residential garden land or any other open amenity space around buildings. The majority of previously developed land within the Borough is situated within the built up urban areas. It is this land that can be subject to urban infill development proposals.
- 6.5.2 Urban infill development is classed as development occurring on sites located within the defined urban area of the Borough, usually situated between existing buildings. The NPPF suggests that local planning authorities should resist inappropriate development of garden land that would, for example cause harm to the local area.
- 6.5.3 With the Borough being relatively compact and urban in nature, appropriate infill development has consistently come forward year on year and it makes a valuable contribution towards the Council's provision of, both, residential and other uses. Through local planning policy, the Council will manage inappropriate infill development that has a detrimental impact on the locale in which it is proposed. The Council will also manage development that seeks to split existing residential plots.
- 6.5.4 Although, in principle the Council would encourage proposals that seek appropriate infill development, any proposal would need to be suitably situated and be of a sustainable design and construction. All development proposals would also need to conform to all other relevant policies within this Plan.
- 6.5.5 The Council's Landscape Character Assessment sets out guidance for each of the Urban Character Areas of the Borough and should be taken into account in any development proposals.

### **Policy 15 Urban Infill Development**

Within the urban areas of the Borough, proposals for infill development on previously developed land that are of high quality design, improve the character of the locale, do not have any adverse effect on / or loss of amenity to adjacent properties or nearby properties, and do not cause unacceptable noise, will in principle be supported.

Any proposal for development on residential garden land or any other open amenity space around buildings will not be permitted unless it conforms to the guidance set out within the Council's Landscape Character Assessment.

Proposals that split existing residential plots and propose development on the garden land of and / or open amenity space of existing plots will not be granted planning permission unless the proposal sits comfortably, is consistent with, in character with, and respects the direct existing street scene in which it is situated. The Council will not accept development proposals that 'over develop' a site from its original intended or existing use.

Development proposals would also need to illustrate high quality design and use of materials that are consistent with the character of the area and the existing properties in the direct area.

## **Gypsies, Travellers and Travelling Showpeople**

6.6.1 It is important to provide for the accommodation needs of Gypsies, Travellers and Travelling Showpeople within the wider context of meeting identified local housing needs. There are distinct differences in the culture and way of life of Gypsies and Travellers, and Travelling Showpeople. For this reason Planning Policy for Traveller Sites (DCLG, 2015) provides two separate definitions:

Gypsies and Travellers:

*'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'*

Travelling Showpeople:

*'Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.'*

6.6.2 A Gypsies' and Travellers' Accommodation Needs Assessment has been prepared in partnership with other authorities in Leicester and Leicestershire to help understand the latest accommodation needs for Gypsies and Travellers, and Travelling Showpeople within the Leicester and Leicestershire local authorities involved. Oadby and Wigston Borough Council was one of the local authorities involved.

6.6.3 The needs assessment mentioned above has an identified need for the Borough of 0 (zero), both for static and transit pitches.

6.6.4 This criteria based policy for the provision of Gypsies, Travellers and Travelling Showpeople should be used to guide the allocation of sites to meet identified needs where they are identified. The policy seeks to ensure that sites are accommodated in sustainable locations with access to a range of essential services, such as education, healthcare, welfare, shops, water and sewerage facilities, where possible.

### **Policy 16 Gypsies, Travellers and Travelling Showpeople**

The Council will identify sufficient land to accommodate Gypsy and Traveller needs should evidence suggest a need to do so. Should a need be identified that requires the identification of land for Gypsy and Traveller pitches, the following criteria will apply:

- Sites must be accessible, by a range of transport modes, to essential local services and facilities, including shops, schools and GP surgeries.
- Sites must preferably be located within or adjacent to the Leicester PUA.
- Sites must have formal safe access to the highway network, and must have sufficient parking provision on site.
- Sites must be (or have the opportunity to be) served by adequate water and sewerage services / facilities.

- Sites must not be located within Flood Zones 2 or 3.
- Sites must not be situated on contaminated land or within areas with poor ambient air quality.
- Sites must be incorporated and integrated into the surrounding area through high quality design.
- Sites will not have an unacceptable impact on adjoining / neighbouring properties and / or land uses.
- Sites will not have adverse impacts on environmentally sensitive areas, areas of historic or heritage interest, or areas of landscape character importance.

Any proposal for Gypsy and Traveller site provision must also conform to current national policy and guidance.

## **Chapter Seven – Allocations and Regeneration Opportunity Areas**

### **Kilby Bridge Settlement Envelope**

- 7.1.1 Kilby Bridge is the Borough's only rural settlement and is located in the floodplain of the River Sence, in the southernmost part of the Borough. The settlement currently contains uses that are not complementary to the existing character of the settlement and rural area. Therefore, it is important that only appropriate development, such as small scale residential (up to 40 new additional homes across the whole settlement envelope), leisure, tourism and canal based development occurs within the settlement in the future.
- 7.1.2 Within the proposed Settlement Envelope (as illustrated in the Council's Adopted Policies Map), small scale regeneration masterplans should be prepared for any proposed development and should take account of the local environs, including The Grand Union Canal, Limedelves Site of Special Scientific Interest, Barn Pool Meadow Local Wildlife Site and its associated Regionally Important Geological Site and linkages between the Wigston Direction for Growth and Kilby Bridge. It is extremely important that such assets are conserved and enhanced where possible. The Grand Union Canal's designation comprises the canal and all canal related facilities, including towpaths, boatsheds, wharfs, mileposts, bollards, local keepers cottages, ponds and clay pits.
- 7.1.3 Development proposals should take into account the potential impact of climate change on water resources, water quality and on the level of flood risk posed. Development should be sustainable without increasing the risk of flooding elsewhere. The Environment Agency's Flood Zone maps indicate that the north and west of the settlement is at risk of flooding and is within or in close proximity to a Flood Zone 3 area. Any proposal for the development of this site will require consultation with the Environment Agency and should be accompanied by a Flood Risk Assessment to demonstrate compliance with sequential and exception tests where appropriate.
- 7.1.4 The River Soar and Grand Union Canal Strategy suggested that Kilby Bridge, together with South Wigston or Blaby, could become South Leicestershire's 'Waterway Hub' and that there are possibilities to unlock the leisure and tourism potential in this area. The Council would in principle encourage the development of a marina within the Kilby Bridge area, along the canal.
- 7.1.5 Proposals that seek to accommodate small scale A1, A2, A3 and/or A4 uses that are related to the canal use and / or small craft workshops or similar, where the products which are made and sold on site, would be in principle supported. Proposal to encourage recreational uses for local residents, cyclists and equine and small scale diversification activities such as small rural business and leisure uses may also be appropriate, provided the supportive infrastructure can be accommodated on site. Small scale residential proposals will also be deemed acceptable, although the proposal should fundamentally seek to be complementary to the existing surroundings and sensitive to existing landscape and historic features. Any development must ensure that there is no significant detrimental impact on the existing highway network.

## **Policy 17 Kilby Bridge Settlement Envelope**

The Council will in principle support small scale development proposals within the defined Settlement Envelope of Kilby Bridge as shown on the Council's Adopted Policies Map. Any residential development proposed within the defined envelope must be small scale (up to 40 new additional homes across the whole settlement envelope) and delivered at a minimum of 30 dwellings per hectare.

All development proposals will need to take account of the rural and historic landscape, as well as the distinctive character of the Grand Union Canal Conservation Area and views across open countryside. All proposals must give careful consideration to the proposed scale of the development and in particular, take account of the impact that any scheme may have upon this rural 'gateway' into the Borough.

The key objectives of the Kilby Bridge Settlement Envelope are to:

- Maintain the open, attractive, and rural setting;
- Retain and enhance public access to the Grand Union Canal; River Sence; and the Kilby-Foxton Site of Special Scientific Interest (SSSI);
- Conserve and enhance the Grand Union Canal Conservation Area;
- Deliver small scale sustainable residential development(s) that will provide a range of housing types, unit sizes and tenures whilst retaining the distinctive landscape and historic character through designing attractive schemes that will complement this gateway location;
- Protect the existing local economy, as well as to enhance it through delivering small scale outdoor leisure, recreation and tourism development;
- Give consideration to the incorporation of small scale 'starter' units for suitable rural businesses; and
- Provide publicly accessible open space on land to the east of the settlement boundary, between the railway line to the north, Grand Union Canal to the south and the SSSI to the east.

The Council will encourage early engagement with regards to any potential scheme, together with the submission of a detailed masterplan illustrating the proposed scale, design, layout, mix of dwellings, tenure and an appreciation for how the wider issues including transport, accessibility and mitigation of potential impacts will be taken into account.

All development proposals within Kilby Bridge Settlement Envelope will need to conform to other relevant policies within this Plan.

## **Stoughton Grange Direction for Growth Allocation and Oadby Cemetery Allocation**

### **Stoughton Grange Direction for Growth Allocation**

- 7.2.1 Stoughton Grange Direction for Growth Allocation is formed of two distinct parts; the former Stoughton Grange Farm Park, to the north of Gartree Road and the greenfield land to the south of Gartree Road and the west of Stoughton Road. The former farm park is currently utilised by a number of small independent businesses. The Stoughton Grange Direction for Growth Allocation forms a direct extension to the Leicester PUA to the north of Oadby and supports the role of Oadby district centre as the Borough's second largest centre which is a key aspiration of the Council and a spatial objective within this Plan.
- 7.2.2 The growth area is situated in one of the most northerly parts of the Borough. The growth area is adjacent to large areas of former park land and formal gardens to the north that were associated with the former Stoughton Grange Hall. These form a particularly important characteristic in establishing the setting and the character of the area and must be protected and enhanced.
- 7.2.3 The entire growth area has historically been designated as land within the Green Wedge; however the Council's most recent Green Wedge Review has identified the Direction for Growth Allocation as potential release land. A Green Wedge Review was undertaken by the Council due to the need for additional growth.
- 7.2.4 To the north and west of the growth area, land is designated as Countryside and Green Wedge outside the Borough in Harborough District. The Green Wedge designation will remain to the east of the site that is currently in use as the University of Leicester's playing fields as well as arable land. Part of the growth area consists of the proposed transport route (known formerly as the Eastern District Distributor Road). This proposed transport route will be maintained as part of any development on this growth area.
- 7.2.5 The growth area is also adjacent to a number of privately owned buildings that have statutory listings. Grange Cottage, Lodge Cottage and South Lodge are all Grade II listed buildings. To the north east of the site in Harborough District is Stoughton Conservation Area, a scheduled monument and numerous Listed Buildings. There are also other heritage assets at Evington to the north west and Stoughton to the north east. These heritage assets will need to be taken into account and protected through any proposed development of the growth area.
- 7.2.6 The Council has allocated the Stoughton Grange Direction for Growth Allocation for a residential led mixed use development consisting of at least 300 new homes. For the greenfield land area to the south of Gartree Road, the Council would expect two access points, one from Gartree Road to the north and one from Stoughton Road to the east. For the land area to the north of Gartree Road, at least one access point onto Gartree Road would be expected.
- 7.2.7 Due to the size of the Direction for Growth Allocation, detailed transport assessments will be required to assess the impact on traffic generation (specifically generated by the proposal site) on the key junctions within the vicinity of the site, specifically at Stoughton Road / Harborough Road, Gartree Road / Stoughton Road, Shady Lane / Gartree Road, Manor Road / Stoughton Road / Manor Road Extension, and Stoughton Drive South / Gartree Road. Such specific work will be the land promoter's responsibility. Any detailed transport assessment should use the South East Leicestershire Transport Study as its

starting point, and should take into account the necessary mitigation measures identified by the study. Subject to the outcomes of this specific transport assessment work and collaboration with Leicestershire County Council Highways department (and Leicester City Council Highways department, where relevant), off site transport infrastructure or financial contributions towards off site transport infrastructure will be required to make the development sustainable. Required Infrastructure relating to this growth area will be that agreed by Leicestershire County Council Highways department and the Borough Council.

- 7.2.8 The land area to the north of Gartree Road will be mixed use and will consist of new small scale residential, and a mix of small scale A1, A2, A3, A4 and any other appropriate small scale uses. .
- 7.2.9 The size of the development would require other specific infrastructure; the requirements are set out in the policy below and include;
- 30 per cent affordable housing provision
  - contribution towards an existing and / or new community facility building within Oadby.
  - provision towards new education facilities, and
  - onsite open space, consisting of allotments, sports pitches, play areas and structural landscaping
- 7.2.10 Development proposals should take into account the potential impact of climate change on water resources, water quality and on the level of flood risk posed. Development should be sustainable without increasing the risk of flooding elsewhere. The Environment Agency's Flood Zone maps indicate that the northern most part of the site is at risk of flooding and is in close proximity to a Flood Zone 3 area. Any proposal for the development of this site will require consultation with the Environment Agency and should be accompanied by a Flood Risk Assessment to demonstrate compliance with sequential and exception tests where appropriate.
- 7.2.11 The Council will support provision of self and custom build homes as part of the delivery of 300 new homes. There is currently 5 individuals on the Council's self and custom build register that have suggested Oadby (or anywhere within the Borough) as being an appropriate location for a self and custom build plot. The Council would also actively encourage the provision of a mix of residential house types, including bungalows and flats.
- 7.2.12 Recreational uses for local residents cyclists and, equine and small scale diversification activities such as small rural business and leisure uses may also be appropriate, provided the supportive infrastructure can be accommodated on site. Any proposal should fundamentally seek to be complementary to the existing surroundings and sensitive to existing landscape features.
- 7.2.13 The Stoughton Grange Direction for Growth Allocation is identified on the Council's Adopted Policies Map.

#### Oadby Cemetery Allocation

- 7.2.14 This direction for growth allocation also includes a separate allocation for cemetery and burial uses. The land allocation is a direct extension of the existing cemetery and burial allocation, allocated by the Council within the previous Saved Local Plan and Core Strategy.

7.2.15 The existing cemetery and burial space within the Borough, is due to reach capacity within the Plan period, therefore the Council is allocating this land to meet future need. Should a cemetery or burial proposal for the allocation site come forward it would need to be sufficiently evidenced and justified. Evidence would need to detail the current and proposed ground conditions, the size and scale of any development, as well as its need, impact and use. Access into the proposed site, as well as any impact on the direct highway network would also need to be assessed against any proposal put forward. Such assessment(s) would be required to support any masterplan proposal or planning application submission.

7.2.16 The Oadby Cemetery Allocation is identified on the Council's Adopted Policies Map.

### **Policy 18 Stoughton Grange Direction for Growth Allocation and Oadby Cemetery Allocation**

#### **Stoughton Grange Direction for Growth Allocation**

The Council will allocate land to the north of the Borough in Oadby, for the Stoughton Grange Direction for Growth Allocation.

The Council will in principle support new development proposals that create a sustainable, well designed and high quality development that is sensitive to its surroundings and will not have a detrimental impact on the surrounding Green Wedge and Countryside and will conserve and better reveal the historic significance of the site including its listed buildings, and archaeological remains, in particular those relating to the former Stoughton Grange Hall and surviving elements of its designed landscape and planting.

Any development proposed within this growth allocation would require the production of a detailed masterplan. The following elements will be required on-site or via an off-site contribution where stated:

- safeguarding of the potential transport route (former Eastern District Distributor Road);
- at least 300 new homes, of which at least 30 per cent must be affordable;
- land area to the north of Gartree Road will be mixed use and will consist of new small scale residential, and a mix of small scale A1, A2, A3, A4 and any other appropriate small scale uses;
- at least two vehicular access points, one off Gartree Road and one off Stoughton Road, for the land area to the south of Gartree Road;
- at least one access point off Gartree Road for the land area to the north of Gartree Road;
- off-site contribution towards an existing and / or new community facility building in Oadby;
- off-site contribution towards new education facilities;
- on-site open space (unless alternative off-site provision is justified in whole or in part), consisting of allotments, sports pitches, play areas and structural landscaping in accordance with the Open Space, Sport and Recreation Facilities policy of this Plan;
- provision of an appropriate number of bus stops and associated infrastructure, including bus shelters and information display boards onsite as well as off-site, to allow for this sustainable method of public transport;

- provision of any other associated infrastructure required to bring the site forward sustainably, including cycle ways and footpaths on-site as well as off-site; and
- off-site transport infrastructure or financial contributions towards off-site transport infrastructure will be required to make the development sustainable.

Any proposal for development of this growth allocation will be required to conform to all other relevant policies set out within this Plan and must be accompanied by a Heritage Impact Assessment. Any proposal would also be required to submit a detailed Transport Assessment as part of any planning application to ensure that Leicestershire County Council Highways Department can fully assess any traffic / transport implications stemming from the development.

The Stoughton Grange Direction for Growth Allocation is identified on the Council's Adopted Policies Map.

#### Oadby Cemetery Allocation

The Plan allocates land to the north of the Borough in Oadby for cemetery and burial uses.

Any cemetery or burial proposal for the allocation site would need to be sufficiently evidenced and justified in terms of ground conditions and its size, scale, need, impact and use. The impact on the direct highway network would also need to be assessed against any proposal put forward. The Oadby Cemetery Allocation is identified on the Council's Adopted Policies Map.

## **Oadby Sewage Treatment Works**

- 7.3.1 The Oadby Sewage Treatment Works (Sui Generis Use Class) is currently in active use by Severn Trent Water, but it has been demonstrated to the Council that the works will become surplus to requirements over the lifespan of this Plan. Due to this, the Plan allocates this land area for employment use development. The land area will form an extension to the existing Kenilworth Drive Identified Employment Area and is illustrated on the Council's Adopted Policies Map.
- 7.3.2 Any proposal for redevelopment of the site, will be required to appropriately assess biodiversity, ecology, flood risk and contamination, and will need to mitigate (if necessary). Any proposal will also need to ensure adequate vehicular access arrangements, as well as promote sustainable transport modes. A transport assessment will also be required to assess the impact on the local road network close to the site.
- 7.3.3 The Oadby Sewage Treatment Works is approximately 2.67 hectares in size and is located adjacent to Kenilworth Drive Identified Employment Area; Leicester Racecourse; the Borough Council's Depot; and, Leicestershire County Council's Recycling and Household Waste Site. The site is also adjacent to the Oadby and Wigston Green Wedge. Access is possible from the existing road off the B582 Wigston Road, or via a limited access entrance in the south-east corner of the site.

### **Policy 19 Oadby Sewage Treatment Works**

The Council will allocate the site for employment land use development (use classes B1, B2 or B8). The land area will form an extension to the existing Kenilworth Drive Identified Employment Area and is illustrated on the Council's Adopted Policies Map.

Any proposal for redevelopment must create a sustainable, well designed and high quality scheme. The applicant will be required to produce a masterplan illustrating how the wider issues including accessibility, impacts on the local highway network, impacts upon the surrounding Green Wedge, impacts on flood risk and mitigation of potential contamination will be taken account of and mitigated if necessary.

Any proposal must provide an appropriate number of bus stops and associated infrastructure, including bus shelters and information display boards on-site as well as off-site, to allow for this sustainable method of public transport.

Any proposal must provide any other associated infrastructure required to bring the site forward sustainably, including cycle ways and footpaths, on-site as well as off-site.

Off-site transport infrastructure or financial contributions towards off site transport infrastructure may be required to make the development sustainable.

All development proposals will need to conform to other relevant policies within this Plan.

## **Wigston Direction for Growth Allocation**

- 7.4.1 The Wigston Direction for Growth Area forms a direct extension to the Leicester PUA to the south east of Wigston. The Wigston Direction for Growth Area was originally defined within the Council's Core Strategy. In 2016, a scheme for 450 new homes and 2.5 hectares of new employment land (and associated other infrastructure) was granted planning permission by the Council. The granted permission included the provision of two access points, one to the north, directly on to Newton Lane and one to the south, directly on to Welford Road. Both points of access consist of a roundabout. For the purposes of this Local Plan, this granted permission for the Wigston Direction for Growth Area forms 'Phase 1'.
- 7.4.2 As well as the above mentioned, Phase 1 includes;
- 20 per cent (90 new dwellings) affordable housing provision
  - a new community facility building
  - provision towards new education facilities, and
  - onsite open space, consisting of allotments, sports pitches, play areas and structural landscaping
- 7.4.3 The location of the Wigston Direction for Growth Area was chosen due to its proximity to the Borough's main town centre of Wigston and its public transport links into Leicester City. Supporting the role of Wigston as the Borough's main town centre directly contributed towards the Vision and Spatial Objectives of the Core Strategy. This is still a key aspiration of the Council and forms a spatial objective within this Plan. Further development at the Wigston Direction for Growth Area will continue to support this.
- 7.4.4 This Plan allocates additional land within the Wigston Direction for Growth Area to accommodate further new homes (600 homes) and further new employment accommodation (2.5 hectares) (Phase 2). Through the development of both Phase 1 and Phase 2 of this Direction for Growth Allocation, the Council is expecting the delivery of approximately 1,000 new homes and in the region of 5 hectares of new employment land. The cumulative size of such a development would require other specific infrastructure; the requirements are set out in the policy below, and include;
- provision of a new primary school
  - formation of a new local centre
  - provision of a new community facility building, and
  - provision of outdoor sports space and open space
- 7.4.5 The elements mentioned have previously been subject to a public consultation in the form of a masterplan produced by the land promoters.
- 7.4.6 The provision of a new primary school onsite will be achieved through close collaboration between the land owner / developer and Leicestershire County Council's education department. The new primary school will be provided to the specification agreed by Leicestershire County Council's education department and will include the appropriate provision of vehicular and cycle parking and access associated to this specific use.
- 7.4.7 The onsite local centre, new community facility building, primary school and outdoor sports and open space provision should be located within the same area, to create a 'community' hub at the heart of the development. It would be expected that the community facility

building would incorporate changing facilities directly related to the provision of outdoor sport, and would be built to the standards and specification as agreed by the Borough Council and Sport England. Sport England guidance, for example Village and Community Halls Design Guidance Note, should be taken into account through the design stage of the community facility building.

- 7.4.8 The local centre would consist of a minimum 3 units, to ensure that it meets the Council's definition of a local centre. With the hub being at the heart of the development it is expected that the units provided as part of the local centre would consist of A1, A3 and A4 uses as defined by the Town and Country Planning Use Classes Order. The hub area will also include the appropriate provision of vehicular parking and access associated to these specific uses. It is also expected that the hub area will have high quality pedestrian links with the wider development, as well as good public transport links with the rest of the Borough and beyond.
- 7.4.9 There may be opportunity to consolidate the school building and community facility building, provided that the two uses could operate independently from one another.
- 7.4.10 It should be noted that the Council is aware that such a cumulative approach to the development could require amendments to the existing Section 106 agreement relating to Phase 1. The Council will work collaboratively with the land owner to amend the Section 106 as deemed necessary.
- 7.4.11 The delivery of approximately 1,000 new homes and 5 hectares of employment land will contribute positively to the delivery of the Plan period targets, as set out in the Spatial Strategy for Development in the Borough Policy 2.
- 7.4.12 Due to the size of the Direction for Growth Area (both phases) detailed transport assessments will be required to assess the impact on traffic generation (specifically generated by the proposal site) on the key junctions within the vicinity of the site, including the junction at Welford Road / Bull Head Street / Moat Street / Newton Lane, the junction at Bull Head Street / Wakes Road / Oadby Road, and the junction at Bushloe End / Long Street / Moat Street. Such specific work will be the land promoter's responsibility. Any detailed transport assessment should use the South East Leicestershire Transport Study as its starting point, and should take into account the necessary mitigation measures identified by the study. At least two accesses (at least those already granted planning permission) into the site will be required to accommodate the level of vehicle movement, not only for residential use but also vehicle use associated with the employment land. Such specific work will be the land promoter's responsibility. Subject to the outcomes of this specific transport assessment work and collaboration with Leicestershire County Council Highways department, off site transport infrastructure or financial contributions towards off site transport infrastructure could be required to make the development sustainable. Required infrastructure relating to this growth area will be that agreed by Leicestershire County Council Highways department, Leicester City Council Highways department and the Borough Council.
- 7.4.13 This growth area is situated within easy walking distance of the settlement of Kilby Bridge and the leisure opportunities associated with the Grand Union Canal and River Sence. It will relate directly to the Strategic Objectives of promoting healthy lifestyles by encouraging walking and cycling subject to creation of appropriate cycle ways and pedestrian routes within the development that link to Kilby Bridge.

- 7.4.14 The provision of new housing located close to new employment directly relates to the Spatial Objectives that seek new employment opportunities within the Borough that has better access to the highway network, and the Council seeking to increase the accessibility of the Borough, as well as promoting more sustainable modes of transport.
- 7.4.15 The Council will support provision of self and custom build homes as part of the delivery of 1,000 new homes. There is currently 4 individuals on the Council's self and custom build register that have suggested Wigston (or anywhere within the Borough) as being an appropriate location for a self and custom build plot. The Council would also actively encourage the provision of a mix of residential house types, including bungalows and flats.
- 7.4.16 Phase 2 of the Wigston Direction for Growth Area is identified on the Council's Adopted Policies Map.
- 7.4.17 Subject to appropriate testing, in particular highway and transport infrastructure capacity, and liaison with the Borough Council and Leicestershire County Council Highways department, should evidence suggest a need to do so in the future, further development could occur within this growth area beyond this Plan period, subject to the development being sensitive to the countryside areas that surround it and sustainable and appropriate in size and facility provision. This will be Plan led and will be considered through a future review of this Plan.

#### **Policy 20 Wigston Direction for Growth Allocation**

The Council will expand the current Wigston Direction for Growth Area. The Council will allocate further land at the Wigston Direction for Growth Area for 'Phase 2' development.

Through the Council's previous Plan and subsequent granted planning permission, 'Phase 1' of the Direction for Growth Area in Wigston consists of 450 new homes and 2.5 hectares of new employment land.

In 'Phase 2', this Plan allocates land for at least 600 new homes and in the region of 2.5 hectares of employment land.

Development proposed within 'Phase 2' of the Wigston Direction for Growth Area is in addition to 'Phase 1' and will require the production of a detailed masterplan. The following elements will be required on-site or via an off-site contribution where stated:

- at least 600 new homes, which at least 20 per cent must be affordable;
- in the region of 2.5 hectares of new employment land;
- a new primary school;
- a roundabout (vehicular) site access from Welford Road;
- a link road through the site allowing all parts of the site (including Phase 1) to be accessed from Newton Lane and Welford Road;
- formation of a new Local Centre – that contributes towards the provision of A1, A3 or A4 uses;
- a community facility building (including changing facilities);

- on-site open space (unless alternative off-site provision is justified in whole or in part), consisting of allotments, sports pitches, play areas and structural landscaping in accordance with the Open Space, Sport and Recreation Facilities policy of this Plan;
- provision of an appropriate number of bus stops and associated infrastructure, including shelters and information display boards on-site as well as off-site, to allow for this sustainable method of public transport; and
- provision of any other associated infrastructure required to bring the site forward sustainably, including cycle ways and footpaths, on-site as well as off-site.

Any proposal for development of 'Phase 2' will be required to conform to all other relevant policies set out within this Plan. Any proposal would also be required to submit a detailed Transport Assessment as part of any planning application to ensure that Leicestershire County Council Highways Department can fully assess any traffic / transport implications stemming from the development.

## **Cottage Farm Direction for Growth Allocation**

- 7.5.1 The Cottage Farm Direction for Growth Area forms a direct extension to the Leicester PUA and is situated towards the south east of Oadby, along the A6. The growth area in its entirety will consist of up to 400 new homes (and associated other infrastructure), however 150 new homes have already been granted planning permission. The granted permission provides for a single traffic light controlled access onto the A6. For the purposes of this Plan, this granted permission for the Cottage Farm Direction for Growth Area forms 'Phase 1'.
- 7.5.2 As well as the abovementioned, 'Phase 1' includes;
- 30 per cent (45 new dwellings) affordable housing provision
  - provision towards new education facilities, and
  - onsite open space, consisting of allotments, sports pitches, play areas and structural landscaping
- 7.5.3 The Cottage Farm Direction for Growth Area supports the role of Oadby district centre as the Borough's second largest centre which is a key aspiration of the Council and a spatial objective within this Plan.
- 7.5.4 This Plan allocates additional land at the Cottage Farm Direction for Growth Area to accommodate a further 250 new homes (Phase 2).
- 7.5.5 Due to the size of the Direction for Growth Allocation, detailed transport assessments will be required to assess the impact on traffic generation (specifically generated by the proposal site) on the key junctions within the vicinity of the site, specifically at Glen Gorse Roundabout, Glen Road / Florence Wragg Way Roundabout, Glen Road / Ash Tree Road, and Glen Road / Harborough Road / London Road / Waldron Drive. Such specific work will be the land promoter's responsibility. Any detailed transport assessment should use the South East Leicestershire Transport Study as its starting point, and should take into account the necessary mitigation measures identified by the study. Subject to the outcomes of this specific transport assessment work and collaboration with Leicestershire County Council Highways department, off site transport infrastructure or financial contributions towards off site transport infrastructure could be required to make the development sustainable. Required Infrastructure relating to this growth area will be that agreed by Leicestershire County Council Highways department and the Borough Council.
- 7.5.6 It should be noted that the Council is aware that such a cumulative approach to the development could require amendments to the existing Section 106 agreement relating to 'Phase 1'. The Council will work collaboratively with the land owner to amend the Section 106 as deemed necessary.
- 7.5.7 The delivery of up to 400 new additional homes will contribute positively towards the delivery of the Plan period target, as set out in the Spatial Strategy for Development in the Borough Policy 2.
- 7.5.8 The Council will support provision of self and custom build homes as part of the delivery of Phase 2. There is currently 5 individuals on the Council's self and custom build register that have suggested Oadby (or anywhere in the Borough) as being an appropriate location for a self and custom build plot. The Council would also actively encourage the provision of a mix of residential house types, including bungalows and flats.

7.5.9 The cumulative size of the development would require other specific infrastructure; the requirements are set out in the policy below and include;

- provision of affordable housing at 30 per cent
- contribution towards an existing and / or new community facility in Oadby, for example Coombe Park pavilion
- provision towards new education facilities, and
- onsite open space, consisting of allotments, sports pitches, play areas and structural landscaping.

7.5.10 Due to the sites location adjacent to the Council owned Coombe Park recreation ground, there may be possibility to extend and refurbish this existing facility rather than locate open space or sports provision in another location within the growth area. Any extension of the Coombe Park recreation ground would need to be done so in collaboration with the Council and would need to include, an extension to the existing recreation ground, an extension and refurbishment to the existing pavilion and an extension to the existing parking provision. The Council would require improved pedestrian routes from the development into Coombe Park and the education facilities beyond. A new road access would also be encouraged into Coombe Park from any proposed new development.

7.5.11 The entire growth area is located within close proximity to the existing Oadby and Wigston Green Wedge. Due to the proposed development expansion of this area, the Council has extended the extent of the existing Green Wedge to bound the south west of the growth area to ensure (amongst other justified reasons) that there is no future coalescence of the settlements of Wigston and Oadby. A Green Wedge Review was undertaken by the Council due to the need to accommodate additional growth. The full extent of both of the Borough's Green Wedges are illustrated on the Council's Adopted Policies map.

7.5.12 Phase 2 of the Cottage Farm Direction for Growth Area is identified on the Council's Adopted Policies Map.

### **Policy 21 Cottage Farm Direction for Growth Allocation**

This Plan will seek to expand the current Cottage Farm site ('Phase 1') and form the Cottage Farm Direction for Growth Allocation. The Council will allocate further land to the south east of Oadby, for 'Phase 2' development.

In 'Phase 2', this Plan allocates land for at least 250 new additional homes.

The Council will in principle support new development proposals that create a sustainable, well designed and high quality development that is sensitive to its surroundings and will not have a detrimental impact on the surrounding Green Wedge and Countryside.

Development proposed within 'Phase 2' of the Cottage Farm Direction for Growth Area is in addition to 'Phase 1' and will require the production of a detailed masterplan. The following elements will be required on-site or via an off-site contribution where stated:

- at least 250 new additional homes, of which at least 30 per cent must be affordable;
- vehicular access to the growth area will be directly off the A6;
- a link road through the site allowing all parts of the site (including 'Phase 1') to be accessible;

- off-site contribution towards a community facility building in Oadby and / or the extension and refurbishment of Coombe Park pavilion, including further car parking;
- improved pedestrian access into Coombe Park from the development;
- on-site open space (unless alternative off-site provision is justified in whole or in part), consisting of allotments, sports pitches, play areas and structural landscaping in accordance with the Open Space, Sport and Recreation Facilities policy of this Plan;
- off-site contribution towards new education facilities.
- provision of an appropriate number of bus stops and associated infrastructure, including bus shelters and information display boards on-site as well as off-site, to allow for this sustainable method of public transport; and
- provision of any other associated infrastructure required to bring the site forward sustainably, including cycle ways and footpaths, on-site as well as off-site.

Any proposal for development of 'Phase 2' will be required to conform to all other relevant policies set out within this Local Plan. Any proposal would also be required to submit a detailed Transport Assessment as part of any planning application to ensure that Leicestershire County Council Highways Department and Leicester City Council Highways department can fully assess any traffic / transport implications stemming from the development.

## **Chapter Eight – Economic Prosperity**

- 8.1.1 The national government is committed to securing economic growth in order to create jobs and prosperity by building on the country's inherent strengths. The national government is also committed to meeting the twin challenges of global competition and of a low carbon future.
- 8.1.2 Promoting balanced economic growth is one of the key elements of delivering sustainable development. This Plan seeks to make the Borough a more sustainable place to live by creating a balance between homes, jobs, retail development, green infrastructure, and education.
- 8.1.3 The NPPF indicates that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.
- 8.1.4 The Council's Economic Regeneration Strategy sets out an economic vision and plan, for future economic development across the Borough. It also acts as a framework for driving economic development and regeneration locally. It will help enable the realisation of funding opportunities by demonstrating that the Council has ambitious aspirations based on factual evidence.
- 8.1.5 The Council is ambitious with its plans for the future and wants to create prosperity and better quality of life for all of its residents and businesses; it recognises how a successful and sustainable economy can have a positive impact upon the quality of life of residents and businesses.
- 8.1.6 The Leicester and Leicestershire Business Survey (2015) reflect the views of local businesses within the Borough. This provides an annual audit of business conditions across the Borough as follows:
- 56% of the Borough's businesses expect to start offering new products or services, the highest of all the Leicestershire districts.
  - 35% of the Borough's businesses expected general business conditions to improve.
  - 40% of the Borough's businesses are quite or very likely to take on further apprentices in the future, the highest of all the Leicestershire districts.
  - 81% of the Borough's businesses expect an increase in sales turnover in the next 12 months the highest of all the Leicestershire districts.
  - 72% of the Borough's businesses expect their business to grow over the next 12 months.
  - 57% of the Borough's businesses plan to train or up skill staff in the next 12 months.
  - 10% of the Borough's businesses are looking to relocate.

## **Delivering Retail**

- 8.2.1 The NPPF requires local planning authorities to recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. Local planning authorities are expected to objectively identify sites for retail land. Ensuring town centres are recognised and protected. Identifying sufficient land to meet the retail needs of the Borough is positively achieved through this Plan.
- 8.2.2 The National Planning Practice Guidance (PPG) suggests that local planning authorities should plan to support town centres in generating local employment, promoting beneficial competition within and between town centres, and creating attractive, diverse places where people want to live, visit and work.
- 8.2.3 Town centres act as a key locations for a diverse range of uses such as retail, leisure, commercial, office, tourism, cultural activities, community facilities and also provide an important, sustainable location for housing.
- 8.2.4 The main town centre within the Borough is Wigston. This Plan seeks to reinforce the role of Wigston as the Borough's main town centre. The Plan also seeks to positively reinforce the roles of Oadby and South Wigston as a district centres. Local policy will strive to ensure the existing blend of facilities is maintained and improved within each centre as well as supporting mixed use development that includes retail, employment, residential, community, leisure, culture and tourism facilities.
- 8.2.5 Wigston town centre and the centres of Oadby and South Wigston have the highest concentrations of retail provision within the Borough.
- 8.2.6 In terms of retail provision within the Borough, a 'town and district centre first' approach will be applied. Proposals for main town centre uses should be prioritised within the town or district centres, however, some flexibility will be allowed for edge of centre locations if the main centres cannot accommodate the retail provision proposed. Only if suitable sites are not available within the main centre or edge of centre locations should out of town sites be considered.
- 8.2.7 The NPPF also requires local planning authorities to apply the sequential test to planning applications for main town centre uses that are not proposed in existing centres and are not in accordance with an up-to-date Local Plan.

## **New Retail Provision**

- 8.2.8 In 2016 the Council commissioned Nathaniel Litchfield & Partners (NLP) to undertake a Retail Capacity Study for the Borough, to serve as local evidence to support local planning policy.
- 8.2.9 New forms of retailing have emerged in recent years as an alternative to more traditional high-street shopping. Home/electronic shopping has expanded considerably with increasing growth in the use of personal computers/tablets/mobile phones and the internet.
- 8.2.10 According to the NLP report, online shopping has the potential to be a significant threat to the retail centres within the Borough as it removes the potential barrier of having to travel to physical retail stores.

8.2.11 The NLP study's household survey results suggest that 3.6% of households in Oadby and Wigston Study Area did their last main food and grocery shopping via the internet (collection point/home delivery), and 3.8% of households did most of their comparison shopping via the internet, TV or catalogue.

8.2.12 One of the key areas of the Study was the setting out of current convenience and comparison retail capacity in Wigston, Oadby and South Wigston and the potential capacity for additional convenience and comparison retail floorspace over the Plan period to 2031. The results for potential capacity for additional retail floorspace are shown below.

### **Wigston Town Centre**

8.2.13 Quantitative capacity for additional convenience and comparison retail floorspace.

<b>Year</b>	<b>Convenience sq.m (net)</b>	<b>Comparison sq.m (net)</b>	<b>Total sq.m (net)</b>
2016	297	0	297
2021	341	322	663
2026	454	1,105	1,559
2031	554	1,980	2,534 (1,169)

Nathaniel Lichfield & Partners Retail Capacity Study (2016)

8.2.14 The table above indicates that throughout the Plan period there is not a significant quantitative capacity for convenience floorspace in Wigston. The capacity peaks at 554 sq.m (net) by 2031. Put in context, the identified capacity is equivalent to a small scale foodstore unit. In terms of additional capacity for comparison retail goods floorspace in Wigston, in the short term, only 322 sq.m (net) has been identified up to 2021. However, longer term, the capacity increases to 1,980 sq.m (net) by 2031. It should be noted that at the time of writing the retail capacity report the former Coop retail unit within Bell Street, Wigston was unoccupied. The report suggests that should the unit be reoccupied for retail purposes, the capacity would reduce by 1,365 sq.m. Since the time of writing, the unit has been reoccupied for retail use, therefore the overall capacity for additional retail floorspace within Wigston has reduced from 2,534 sq.m to 1,169 sq.m.

### **Oadby District Centre**

8.2.15 Quantitative capacity for additional convenience and comparison retail floor space.

<b>Year</b>	<b>Convenience sq.m (net)</b>	<b>Comparison sq.m (net)</b>	<b>Total sq.m (net)</b>
2016	0	0	0
2021	0	212	212
2026	0	750	750
2031	0	1,351	1,351

Nathaniel Lichfield & Partners Retail Capacity Study (2016)

8.2.16 The table above shows that there is 0 (zero) quantitative capacity for convenience retail floorspace in Oadby in the short, medium or long term, up to 2031. Due to this, there is no demonstrable requirement to proactively plan for new convenience floorspace in Oadby district centre up to the end of the plan period. However, according to retailer demand, Oadby is lacking in deep discount food store options which could be an attractor for the large student population. It would be appropriate for the Council to identify land within town centre locations to deal with retail unit 'churn'. In terms of potential capacity for additional comparison retail floorspace in Oadby district centre, the table shows that in the short term to 2021 there is not a significant capacity. However, over the long term this capacity does increase to a more significant 1,351 sq.m by 2031. The overall capacity for additional retail floorspace in Oadby is 1,351 sq.m.

### **South Wigston District Centre**

8.2.17 Quantitative capacity for additional convenience and comparison retail floor space.

<b>Year</b>	<b>Convenience sq.m (net)</b>	<b>Comparison sq.m (net)</b>	<b>Total sq.m (net)</b>
2016	0	0	0
2021	0	59	59
2026	0	207	207
2031	0	373	373

Nathaniel Lichfield & Partners Retail Capacity Study (2016)

8.2.18 The table above indicates that there is 0 (zero) capacity for additional convenience goods floorspace in South Wigston district centre up to 2031. Similarly, there is very limited capacity for additional comparison retail floorspace. The quantitative potential capacity for new comparison goods floorspace is projected to be 373sq.m by 2031. The overall capacity for additional retail floorspace in South Wigston is 373 sq.m.

### **Local Centres**

8.2.19 The NPPF does not define a local centre; however, the retail capacity report suggests that local centres might include a range of small shops of a local nature, serving a small catchment. Typically, it might include, amongst other shops, a small supermarket, a

newsagent, sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.

8.2.20 The retail capacity report sets out and an overall capacity for retail floorspace across all of the Borough's local centres of 81 sq.m.

8.2.21 The study, however states that lack of quantitative capacity should not be a barrier to new retail provision in local centres coming forward, if proposals will bring about improvement to the retail offer.

## **Policy 22                      Delivering Retail**

Retail development will be encouraged and permitted in the defined policy areas of the town centre and district centres, as well as the Borough's local centres.

The town and district centres of the Borough will be the focus for new additional retail floorspace, maintaining the Borough's current hierarchy and market share between centres.

The following identified additional overall retail capacities in net floorspace up to 2031 will be sought within each of the centres.

- Wigston – 1,169 square metres
- Oadby – 1,351 square metres
- South Wigston – 373 square metres
- Local Centres – 81 square metres

Retail development must be of a scale appropriate to the needs of the local area served by these centres. Development will be subject to local planning, traffic and environmental considerations and proposals seeking higher retail provision than those set out above would need to demonstrate that there would not be a significant adverse impact on the centre in which the proposal is situated.

In determining proposals for new retail development, the Borough Council will apply the sequential and impact test as specified in the National Planning Policy Framework and National Planning Practice Guidance. It will be essential that any new development does not have an adverse effect on existing centres within the Borough. New development must be integrated within existing infrastructure.

Where a proposal fails to satisfy the 'town and district centre first' approach and / or the sequential test or is likely to have significant adverse impact on the centre, it will not be permitted.

Proposals for retail development within the town and district centres would need to follow the principles as set out within the Town and District Centre Guidance document.

## **Retail Hierarchy**

- 8.3.1 The NPPF requires local planning authorities to define a network and hierarchy of centres that is resilient to anticipated future economic changes. It states that, local planning authorities should recognise town centres as the heart of their communities and to pursue policies to help support their viability and vitality.
- 8.3.2 In order to plan positively to promote the vitality and viability of the town centres, the Council has identified a local retail hierarchy for the Borough that sets out the role and function of centres. The presumption will be that any proposals for a main town use will have to follow the 'sequential test'.
- 8.3.3 For the purpose of this policy, the definition of town centre uses will be consistent with the definition set out in the NPPF. Main town centre uses include; retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities); and, residential.
- 8.3.4 This Plan identifies Wigston as a town centre and Oadby and South Wigston as district centres.
- 8.3.5 The following definitions have been used to produce the retail hierarchy for the Borough.
- 8.3.6 Town centres; will usually be the second level of centre, after city centres, and in many cases they will be the principal centre in a local authority area.
- 8.3.7 District centres; typically comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services such as banks, building societies and restaurants as well as local public facilities such as library.
- 8.3.8 Local centres; typically comprise a range of small shops of a local nature, serving a small catchment. This might include, amongst other shops, a small supermarket, a newsagent, sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette. In rural areas, large villages may perform the role of a local centre.
- 8.3.9 The Spatial Objectives and Spatial Strategy place a great deal of emphasis on the role of the Borough's town and district centres in delivering the Local Plan and therefore it is important that the retail hierarchy for the Borough compliments the retail hierarchy that exists within the Leicester Principal Urban Area and in South Leicestershire. This will ensure that the various centres can relate to one another spatially, maintain their vitality and viability whilst providing a different offer to the local community.

### **Policy 23 Retail Hierarchy**

The role of Wigston as the Borough's main town centre and Oadby and South Wigston as district centres as well as specified local centres (identified below) will be preserved and enhanced. In order to enhance the existing blend of facilities and promote competitive town and district centres, proposals for appropriate town centre uses, including, retail, employment, residential, community, leisure, culture and tourism uses will be supported.

Retail development must take place at a scale appropriate to the size and function of the centre within which it is to be located. To guide this approach, the following retail hierarchy is defined:

Main Town Centre

- Wigston

District Centres

- Oadby
- South Wigston

Local Centres

- Old Oadby, London Road, Oadby
- Glen Road / Highcroft Avenue, Oadby
- Rosemead Drive, Oadby
- Severn Road, Oadby
- Brabazon Road, Oadby
- Leicester Road, Wigston
- Little Hill, Wigston
- Kelmarsh Avenue, Wigston
- Queens Drive, Wigston
- Gloucester Crescent, South Wigston

The Borough Council will promote a mix of appropriate uses within these defined centres with active street frontages at ground floor level.

The Borough Council will also retain and identify new small scale local shopping opportunities to meet the everyday needs of the local people.

## **Local Impact Threshold**

8.4.1 The NPPF states that:

*'when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold'.*

8.4.2 In the 'Ensuring the vitality of town centres' section of the PPG it states that in setting a locally appropriate threshold, it is important to consider:

- the scale of proposals relative to the town centres;
- the existing viability and vitality of town centres;
- cumulative effects of recent developments;
- whether town centres are vulnerable;
- likely effects of development on any town centre strategy; and
- the impact on any other planned investment.

8.4.3 Where an application is likely to have significant adverse impact it should not be permitted.

8.4.4 The NPPF requires local planning authorities to apply a sequential test to planning applications for main centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan. It is appropriate to identify locally set thresholds for the scale of edge-of-centre and out of centre retail, office and leisure development which should be subject to the assessment of the impact criteria set out by the NPPF.

8.4.5 For the purpose of this policy, the definition of an 'edge of centre' location will be consistent with that defined within the NPPF. The definition is -

*'for retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances'.*

8.4.6 An 'out of centre' location means a site that is located outside of the centre boundary and is not located within edge of centre. It does not mean outside of the urban area.

8.4.7 Due to the compact nature of the centres within the Borough, the NPPF threshold of 2,500 sq m. gross is considered to be inappropriate. If the NPPF threshold were to be used, the scale of a single development proposal that would be not subject to an impact test, would be larger than the entire development plan capacity projections and could have a significant detrimental effect towards the vitality of the centre.

8.4.8 The retail capacity study undertaken for the Borough, illustrates locally set Impact Thresholds for each of the centres. For both Wigston town centre and Oadby district centre a locally set threshold of 1,500 sq.m was deemed appropriate. For South Wigston, the locally set threshold deemed appropriate was lowered to 500 sq.m due to its size.

## **Policy 24 Local Impact Threshold**

Applications for retail, leisure and office development outside of a defined centre, which is not in accordance with this Plan, will require an impact assessment if the development is over the following floorspace thresholds:

- Wigston Town Centre – 1,500 square metre gross floorspace
- Oadby District Centre – 1,500 square metre gross floorspace
- South Wigston District Centre – 500 square metre gross floorspace

Should the Council be satisfied that the submitted impact assessment accords with the nationally prescribed criteria set out in the National Planning Policy Framework; provided the application conforms to all other relevant policy, planning permission will be granted.

## **Delivering Economic Prosperity**

- 8.5.1 The Council sets ambitious plans for the future of the Borough to create a better quality of life for all its residents. It recognises how a successful and sustainable economy can have a positive impact upon the quality of life of residents and businesses across the Borough.
- 8.5.2 The NPPF acknowledges the concept and principles of sustainable development in Local Plan making. The NPPF requires that local planning authorities should positively seek opportunities to meet the development needs of their local communities.
- 8.5.3 The Borough Council, together with all of the other Leicester and Leicestershire local authorities has produced a Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) to inform all local planning policy within Leicester and Leicestershire.
- 8.5.4 According to the HEDNA, over the period 2011 to 2031, baseline employment forecasts show that the job increase will be a negative 200 jobs within the Borough, however, that the Functional Economic Market Area (FEMA) as a whole is forecast to increase by over 68,000 jobs during the same period.
- 8.5.5 The HEDNA identifies that the Borough of Oadby and Wigston has the smallest economy in the FEMA in terms of employment levels and GVA. This largely reflects the function of the area which is a largely residential location on the edge of Leicester. In terms of GVA growth per annum forecast, the percentage for the period 2011 to 2036 is 0.3 per cent lower than the growth seen for the period 1993 to 2010; figures are 1.6% and 1.9% respectively.
- 8.5.6 As of 2015, around 20,300 jobs were located within the Borough, which is less than the 1991 figure of 23,000. This reflects decreases in the manufacturing sector (and to a lesser extent financial services). Decreases have been partly offset by growth in public sector employment, (particularly education and healthcare) and growth in the arts and recreation sector.
- 8.5.7 Despite a reduction in employment numbers, the manufacturing sector still has a strong representation within the Borough, as does the education, arts and recreation and wholesale sectors. However, the area has a relatively small representation in the national growth sectors of professional, scientific and technical, and administrative and support. This could influence future economic growth potential.
- 8.5.8 Although there has been a decline in overall employment numbers since 1991, the HEDNA uses past development trends and current development demand data to identify employment land needs for the period 2011 to 2031. The need identified in the HEDNA also takes account of the Borough's role in the Leicester and Leicestershire Functional Economic Market Area.
- 8.5.9 For the period up to 2031, the HEDNA concludes that there is an employment land need within the Borough. Employment land requirements are as follows:
- B1a/b need is 1 hectare
  - B1c/B2 need is 0 (zero)
  - Small Scale B8 need is 4 hectares
- 8.5.10 Small scale B8 is defined as units of less than 9,000 sq.m in size.

8.5.11 It must be noted that when referring to 'employment land' or 'employment unit' this Plan is referring to land or units that are within the Use Classes (as defined within the Town and Country Planning Use Classes Order) B1a, B1b, B1c, B2 and B8. It is not referring to any use that employs people. The uses associated with each of the B Class uses mentioned above are as follows:

B1a) Office other than a use within Class A2 (Financial and Professional Services)

B1b) Research and development of products or processes

B1c) For any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area

B2) Industrial process other than that falling within Class B1

B8) Use for storage or as a distribution centre

8.5.12 Further to the HEDNA, the Council commissioned an Employment Land and Premises Study (ELPS), which sought to calculate employment land use needs for the Borough, using very local information and data. The HEDNA figures were used as the starting point for the ELPS work. The ELPS sets out the following employment land use needs.

#### Moderate Growth Model Need

- B1a/b need is 0.25 hectares
- B1c/B2 need is 2.45 hectares
- Small scale B8 need is 0.10 hectares

#### High Growth Model Need

- B1a/b need is 0.59 hectares
- B1c/B2 need is 5.79 hectares
- Small Scale B8 need is 0.22 hectares

8.5.13 The model outputs (need) illustrated above do not include a 5 year buffer. The ELPS advises that a 5 year buffer should be added to the model outputs. The below illustrates the model outputs including the 5 year buffer.

#### Moderate Growth Model Need

- B1a/b need is 0.31 hectares
- B1c/B2 need is 3.06 hectares
- Small scale B8 need is 0.13 hectares

#### High Growth Model Need

- B1a/b need is 0.74 hectares
- B1c/B2 need is 7.24 hectares
- Small Scale B8 need is 0.27 hectares

8.5.14 Over the years, the Identified Employment Areas within the Borough have seen some level of decline, with suggestions that some existing units are not necessarily fit for modern employment purposes. There have also been changes of use that are not within the B Use Class use on Identified Employment Areas. With the identified employment areas being of a

particular age, there are also units that are coming to the end of their limited economic life and are in need of redevelopment, refurbishment and / or improvement. The employment land allocated within this Plan takes account of the refurbishment and redevelopment need.

- 8.5.15 Provision of employment land within the Borough will help to reduce out-commuting and promote sustainable local communities.
- 8.5.16 Through allocation of land, the Council will ensure that the appropriate amount and types of employment land is provided and made available in locations that balance the demands of the market with the capacity of infrastructure. The sites will be provided in locations that not only seek to deliver sustainable communities but also conserve and enhance the environment and heritage assets. To ensure that the right amount and types of employment land is provided, in the most sustainable locations, the Council will:
- Safeguard existing and committed employment sites / land which are of the right quality and suitably located in relation to infrastructure.
  - Provide additional employment sites at the Wigston Direction for Growth Allocation to the south and east of Wigston. This will allow for the growth as well as relocation of businesses.
  - Provide additional employment land adjacent to the existing Identified Employment Area of Kenilworth Drive, Oadby. This will allow for the growth as well as relocation of businesses.
  - Provide additional employment land adjacent to the existing Identified Employment Area of Magna Road, South Wigston. This will allow for the growth as well as the relocation of businesses.
  - Provide additional employment land within the district centre of Oadby and the town centre of Wigston.
  - Support the enhancement of skills in the local workforce through improved opportunities for education and training to provide a more dynamic and flexible labour market.
- 8.5.17 All land allocations are set out within the Spatial Strategy and other relevant planning policy within this Plan. All land allocations are identified on the Council's Adopted Policies Map.

## **Protecting Identified Employment Areas**

- 8.6.1 The Identified Employment Areas situated within the Borough are illustrated on the Council's Adopted Policies Map.
- 8.6.2 Identified Employment Areas, once lost, can be difficult to replace. Any proposal that seeks a loss of Identified Employment Area land should be considered very carefully. Any proposal which involves the loss of any of the employment land uses defined in paragraph 8.5.11, would need to be strongly justified in the context of the high importance of retaining and expanding the local economy and the creation of jobs. It is imperative that the Council provides land on which businesses can locate, grow and evolve.
- 8.6.3 In order to maintain the required level of employment land to meet the needs of the local economy, the Council will, in addition to allocating new land for employment use development, protect its Identified Employment Areas from non B class land uses which are better located in other areas of the Borough.
- 8.6.4 The Council does not wish to inhibit, in anyway, the ability of existing firms to expand, therefore will look upon redevelopment or expansion of premises on identified employment areas (for appropriate uses only) positively. The Council will support redevelopment of sites which would lead to an improvement in the quality of employment floorspace that is suited to modern day or identified needs.
- 8.6.5 The Council is aware that national policy and guidance, suggests that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.
- 8.6.6 Bearing this in mind, the Council has a hierarchy of employment site categories. Each of the Identified Employment Areas within the Borough have been assessed and have been classified within a category. The site categories are 'Core', 'Base' and 'Release'. Each of the three categories are defined within the Council's Employment Sites Supplementary Planning Document and the Employment Land and Premises Study.
- 8.6.7 Identified Employment Areas that are classified as 'Core', are the most important employment areas within the Borough, perform well and are predominately within B Class Use. Any proposal for development of a non B Class Use on Identified Employment Areas classified as 'Core' will not be permitted. Identified Employment Areas that are classified as 'Base' are still important employment areas within the Borough, but allow for a level of flexibility of non B Class Use development, subject to a set out specific criteria.
- 8.6.8 None of the Identified Employment Areas within the Borough are classed within the 'Release' category.
- 8.6.9 Consistent with Policy 2 Spatial Strategy for Development within the Borough within this Plan, this policy allocates 0.55 hectares of employment land at Magna Road, South Wigston. The allocation is a continuation of an existing employment land proposal which has been identified in previous Council Plans.

## **Policy 25 Protecting Identified Employment Areas**

Identified Employment Areas (illustrated in the Council's Adopted Policies Map) will be protected from inappropriate development, redevelopment and change of use. The Council will also enhance the identified areas through appropriate development.

In accordance with guidance set out in the Council's Employment Sites Supplementary Planning Document and the Employment Land and Premises Study, the 'Core' Identified Employment Areas will be safeguarded for B1a, B1b, B1c, B2 and B8 uses only. Any change of use from a B class use will not be permitted.

Proposals to change the use of land or buildings within 'Base' Identified Employment Areas from B1a, B1b, B1c, B2, or B8 use will only be acceptable if they clearly demonstrate that the alternative use (s):

- will not have an adverse impact on any other employment use(s) in the identified employment area in which it is located;
- will not significantly reduce the overall supply and quality of employment land and premises within the locality;
- will deliver economic regeneration benefits to the site and / or area or there will be a significant community benefit which outweighs the impact;
- will involve a vacant building for which there is clear and robust evidence of proactive marketing (a minimum of twelve months), with registered commercial agents at a reasonable price, to demonstrate that there is no realistic prospect for continued employment use; and,
- The site / premises are no longer suitable or reasonably capable of being redeveloped for employment purposes.

This Plan allocates 0.55 hectares of employment use land (B1, B2 and / or B8 use) adjacent to Magna Road Identified Employment Area in South Wigston. The allocation is illustrated on the Council's Adopted Policies Map.

## **Sustainable Transport and Initiatives**

- 8.7.1 The Council is committed to encouraging sustainable travel patterns through all development proposals.
- 8.7.2 The principle of sustainable transport is well established through national planning guidance, policies and various sub regional policies and guidance. The Council is also committed to encouraging sustainable methods of transport. A key principle in achieving sustainable travel patterns and transport methods is the implementation of travel plans for developments that have a significant traffic impact. Accordingly, travel plans will be expected in support of all development proposals.
- 8.7.3 It is essential that all new development can be successfully integrated into existing transport and highways infrastructure and has minimal detriment to the local area. In line with the Borough's Spatial Strategy, new development is to be directed to the most sustainable locations, for example, the town and district centres, the Leicester PUA and the three Direction for Growth Allocations.
- 8.7.4 The Direction for Growth Allocations are deemed the most sustainable locations for development outside of the town and district centres and the Leicester Principal Urban Area, when set in the context of the overall Spatial Strategy for the Borough. The Direction for Growth Allocations are located directly adjacent to the existing Leicester PUA and have direct site access onto main existing highway routes.
- 8.7.5 The Department for Transport states that economic growth is one of the biggest challenges for transport. Transport's role in this is hugely important – getting people to work and to services such as education and healthcare providers, as well to leisure activities and shops, is crucial to quality of life and wellbeing.
- 8.7.6 Whilst accepting that good transport is vital to a successful thriving economy with greater mobility, evidence stresses the need to balance the increasing demand for travel against protecting the environment and heritage assets as well as improving people's quality of life. The Spatial Strategy for the Borough achieves this aim by ensuring access to the strategic road network outside of the Borough, such as the M1, M69 and A14, is as easy and efficient as possible. It also encourages development and use of public transport links which will increase capacity on the highway network.
- 8.7.7 Leicestershire County Council's guidance document, the Highways Design Guide aims to achieve the delivery of high quality development. It includes car parking standards that apply to any proposals for development in the Borough, including those arising through the Local Plan process. All new development proposals should take account of the Highways Design Guide document as well as other relevant policies in this Plan.
- 8.7.8 This Policy will contribute towards the spatial objectives relating to public transport in the Borough which include improving east west public transport links between South Wigston, Wigston and Oadby, and establishing fast and frequent public transport to key services, facilities and the retail centre of Leicester.
- 8.7.9 The Spatial Strategy focuses development within the town and district centres, the Leicester PUA and the Direction for Growth Allocations, and directly supports the achievement of transport related spatial objectives by ensuring that growth occurs in the locations most closely linked to public transport routes, services and facilities. To achieve

the spatial strategy and spatial objectives, the Council will work alongside Leicestershire County Council Highways Department on all new transport related topics, as well as Leicester City Council Highways Department as and when there is a need to do so, for example through transport development or development that has cross boundary impacts.

- 8.7.10 South Wigston Railway Station provides links to Nottingham, Derby and London via Leicester and direct links to Nuneaton and Birmingham. Increasing the number of rail services stopping at South Wigston could boost the use of rail as a method of public transport by those living and working in the Borough. The Council would support this principle.
- 8.7.11 Travel Plans aim to ensure the delivery of sustainable transport objectives including 'smarter choices', the reduction of car usage and the increased use of public transport, walking and cycling as part of new development. They should be submitted alongside any development application that is likely to have significant transport implications. A Transport Assessment and/or a Travel Plan will be required to accompany all applications for major development.
- 8.7.12 This policy enables the protection of routes that will allow the future expansion and enhancement of transport infrastructure in the Borough. The Potential Transport Route (former EDDR) in Oadby is one such link. The Potential Transport Route has been safeguarded within the Borough for a number of years but has yet to be built out. Current evidence base suggests that should the route be built out, there would be a positive benefit to the existing routes linking Gartree Road and the A6 in Oadby.
- 8.7.13 Leicestershire County Council, as the local highway authority, wishes to see the continued safeguarding of this route within the Borough. This is because the County and City highway authorities face significant challenges in continuing to develop local transport systems. At a strategic level this includes, amongst other things, supporting and delivering housing and economic growth, improving peoples' access to services whilst reducing impacts on the environment and seeking to minimise the effects of climate change.
- 8.7.14 Leicestershire County Council and Leicester City Council are considering future transport policy and strategy through their Local Transport Plans. The Highways Authority considers that the completion of a route along the potential transport route in Oadby could help to meet strategic challenges and address local issues.

#### **Policy 26 Sustainable Transport and Initiatives**

All new development must be located and designed to; reduce the need to travel by the private motor vehicle; enhance the safety of pedestrians and other road users; encourage the use of cycling as a sustainable mode of transport; and, improve accessibility for residents, particularly in locations where there is poor transport choice and availability.

In all new development, proposals must provide the highways and transport infrastructure requirements needed to support and service the proposed development. There will also be a need to demonstrate that adequate capacity currently exists or will be provided through appropriate mitigation that meets necessary infrastructure requirements.

Where new development is of a significant scale or type, a transport assessment and / or a travel plan, will be required.

The Potential Transport Route will be safeguarded by this Plan. The route is identified on the Council's Adopted Policies Map.

Support will be given for the following sustainable transport initiatives.

- High quality public transport links between the Wigston Direction for Growth Area, Wigston town centre and Leicester City Centre;
- High quality public transport links between the two Oadby Direction for Growth Allocations, Oadby district centre and Leicester City Centre;
- A new public transport interchange in Wigston town centre to facilitate changes between north-south and east-west journeys;
- Appropriate works to the highway to improve safety and ease of movement and to recognise the contribution the highway can make to the overall appearance of the public realm;
- Innovative schemes for public car parking in the centres of Wigston, Oadby and South Wigston which comply with Leicestershire County Council parking standards. Schemes must make efficient use of land as well as achieve high quality inclusive design;
- Innovative and high quality public realm schemes that improve pedestrian access and movement throughout the Borough;
- Protection of existing cycle routes and provision of new well designed cycle routes;
- Electric car charging points in all new car parking facilities;
- Cycle parking in all new development;
- Improved bus facilities in the Borough; and
- Appropriate levels of disabled car parking in all proposals involving car parking provision.

The Borough Council and Leicestershire County Council Highways Department (as well as Leicester City Council's Highway Department where relevant) will use developer contributions as necessary to fund off-site works where new or improved infrastructure is required to address the impacts of development proposals.

## **Chapter Nine – Town and District Centre Development**

- 9.1.1 The NPPF suggests that Local authorities should recognise town and district centres as the heart of their communities and pursue policies that support their vitality and viability. They should also (amongst other things), promote competitive centres that provide customer choice and a diverse retail offer that reflect the individuality of each centre.
- 9.1.2 The Council will seek to retain and enhance the existing town centre of Wigston, the existing district centres of Oadby and South Wigston and the existing local centres. Through this Plan the Council sets out policies that seek to plan positively for the future of each centre and encourage economic activity and inward investment.
- 9.1.3 In 2013, the Council adopted its Town Centre Area Action Plans (DPD) for the town centre of Wigston and district centre of Oadby. The Area Action Plan set out a number of development management policies as well as policies relating to town and district centre growth and regeneration. Since its adoption, the area action plan has been fundamental in; bringing forward large scale public realm regeneration works; encouraging large scale retail refurbishment; and the obtaining of government funding towards, and the production of Local Development Orders. The Area Action Plan has also been instrumental in encouraging town centre living and the provision of new homes within the key centres in the Borough.
- 9.1.4 This Plan will supersede the policies set out within the Town Centres Area Action Plan, however due to the positive impact the Area Action Plan document has had, the Council wish to retain its supporting information, its objectives and its relevant masterplans as guidance. The Area Action Plan document illustrates one (viable) way in which the town and district centre redevelopment can be delivered. The scale of development and the mix of development set out within this Plans Spatial Strategy for the town centre of Wigston and the district centre of Oadby has been subject to viability testing, so have the Area Action Plan masterplans. All have been found to be deliverable and viable. Upon adoption of this Plan, the Town Centres Area Action Plan will be titled the 'Town and District Centre Guidance' document.
- 9.1.5 With the help of European Regional Development Fund contributions, the Council, recently, has been able to undertake extensive public realm improvement works in the town centre of Wigston and the district centre of Oadby. The works have been successful in not only improving the aesthetics of each centre, but has also contributed towards increasing shopper dwell time as well as economic spend. Throughout this Plan period and beyond, the Council will continue to seek ongoing improvements to the public realm in each of the three key centres, as well as each of the local centres.
- 9.1.6 The NPPF suggests that in producing development plans, local planning authorities should, in addition to defining the extent of the town centres and the primary shopping area, define primary and secondary frontages within designated centres, and set policies that make clear which uses will be permitted in such locations. The NPPF glossary indicates that primary frontages are likely to include a high proportion of retail uses which may include food and drink, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.
- 9.1.7 The NPPF also sets out the following definition:

## Primary Shopping Area

*'Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage).'*

- 9.1.8 The NPPF requires planning policies for town centres to be positive, promote competitive town centre environments and set out policies for the management and growth of the centres over the plan period.
- 9.1.9 With regard to the location for new retail, leisure and other town centre uses (as defined in the NPPF), the Council will adopt the 'sequential approach' as set out in the NPPF. For retail, leisure and other town centre use development the first preference is town, district or local centre sites, (where suitable sites are available), followed by edge-of-centre sites, and only then out-of-centre sites will be considered. The edge-of-centre and out-of-centre sites should be highly accessible by all means of transport, particularly walking and cycling and be well connected to the town, district or local centre, as a preference location.
- 9.1.10 The NPPF states that planning authorities should define the extent of the primary shopping areas based on a clear definition of primary and secondary frontages in designated centres. The primary shopping areas for Wigston, Oadby and South Wigston centres, as well as the primary and secondary shopping frontages are illustrated on the Council's Adopted Policies Map.

## **Primary Shopping Frontages**

9.2.1 The prime function of the town centres of Wigston, Oadby and South Wigston is as shopping locations. To maintain a vibrant and successful core to the centres, it is important to maintain a high proportion of retail units. Too many non-A1 retail uses within the town and district centres, especially in the primary shopping areas will compromise the retail function of the town by diluting the overall supply of retail floor space. Thus, the Council has specified retail percentages in planning policy for each of the key centres within the Borough, and will always seek to adhere to this policy approach. However, it is acknowledged that there may be circumstances where more of a mix of uses within such locations could have positive impacts; but any proposal would need to contribute towards and enhance the vitality and viability of the centre. For example A2, A3, A4, D1 and D2 uses including cafes, restaurants, bars, community centres, libraries, and council offices could demonstrate significant regeneration benefits. In these cases, a robust and evidenced argument will need to be put forward that will justify the proposal in regeneration terms and prove the contribution that it will make to the vitality and viability of the centre. Simply filling a vacant A1 unit 'because it is empty' would not be a robust enough reason to diverge from planning policy.

9.2.2 Whilst the principle of the policy remains the same for each town, the percentages are different to reflect the baseline position as surveyed in 2016. This is shown in detail in the table below.

The Oadby and Wigston Retail Capacity Study (2016) identified that 69% of primary frontages within Wigston were in A1 retail use and 60% in Oadby.

Type of Uses	Wigston Primary Frontage		Oadby Primary Frontage		National Average
	No. of units	Percentage	No. of units	Percentage	Percentage
A1 Use	67	69 %	52	60 %	57 %
A2 Use	12	13 %	15	17 %	12 %
A3, A4, A5	6	6 %	12	14 %	20 %
Other Uses	2	2 %	3	4 %	-
Vacant	10	10 %	4	5 %	9 %
Total	97	100 %	86	100 %	

\* Data extracted from Experian Goad Plans and site surveys detailed in the Council's Retail Capacity study

9.2.3 With future redevelopment it may be necessary to review the primary frontages to ensure that they reflect appropriately new development and maintain the right levels of retail and non-retailer occupancy within these areas.

9.2.4 Through the annual monitoring process the Council will track the A1 percentages to ensure that the primary frontage policy is performing and is appropriate. Primary frontages are defined on the Council's Adopted Policies Map.

### **Policy 27 Primary Shopping Frontages**

At ground floor level the primary shopping frontages in the Borough's town and district centres are identified on the Council's Adopted Policies Map. To ensure that retail (A1) remains the primary use within the primary shopping frontages, development will only be permitted for non-A1 uses in the following circumstances:

- Where at least 70 per cent of all units within the primary frontages in Wigston town centre are in A1 use;
- Where at least 90 per cent of all units within the primary frontage in Bell Street (Wigston) are in A1 use;
- Where at least 65 per cent of all units within the primary frontages in Oadby district centre are in A1 use; and
- Where no more than three consecutive units are in non A1 use within any primary frontage.

For the district centre of South Wigston, development will only be permitted for non A1 uses where no more than three consecutive units are in non A1 use within the district centre boundary.

For clarity, in defining three consecutive units, interruptions such as roads are not taken into account. All of the units situated within a primary frontage (or centre boundary in case of South Wigston) are seen as continuous.

Proposals that do not conform to these requirements will not be permitted unless significant regeneration benefits can be robustly demonstrated and evidenced.

## **Secondary Shopping Frontages**

- 9.3.1 Secondary shopping frontages provide opportunities for a higher proportion of non-retail uses which support and complement the predominately retail function of the primary frontages. Through this policy the Council, promotes a mix of uses within secondary shopping frontages, especially those non-retail uses that provide services which complement retail. Whilst seeking to promote a mix of uses, the Council will still ensure that the retail character and function of its main centres is preserved by still having a good proportion of A1 units present within its secondary shopping frontages and within its local shopping areas.
- 9.3.2 Secondary frontages need to accommodate a range of commercial uses, for example banks and buildings societies and other services that contribute to a successful town centre. They, together with primary frontages, need to accommodate other uses such as cafes and bars which will help diversify the town, making it a more welcoming shopping destination as well as increasing dwell times.
- 9.3.3 The over concentration of similar facilities within the retail areas can have a detrimental impact on the town, for example a row of bars or takeaways that may have noise, anti-social behaviour and traffic implications. The Council will managed such by taking a pragmatic approach to the location of similar uses.
- 9.3.4 Most secondary frontages mark the outer edges of a town or district centre and can sit alongside residential property. The protection of existing residential amenity (or amenity of proposed new residential development) should be taken into consideration when making any new planning application.
- 9.3.5 With future redevelopment it may be necessary to review the secondary frontages to ensure that they reflect new development opportunities and they maintain the right balance of retail and non-retail occupancy within the Borough's key centres.
- 9.3.6 Through annual monitoring the Council will audit the uses located within secondary frontages.

### **Policy 28 Secondary Shopping Frontages**

At the ground floor level of secondary frontages, as identified on the Council's Adopted Policies Map, planning permission will be granted for class A1, A2, B1, D1 and D2 uses. Use classes A3, A4 and A5 will also be permitted provided that they do not adversely impact upon the vitality and viability of the town as a whole. Where proposals would result in an over-concentration of similar uses that would harm vitality, viability, local amenity, including residential amenity, or safety, planning permission will not be granted.

The Council will not permit any of the uses mentioned above if a proposal meant that there were three or more of the same uses in a consecutive row.

For clarity, in defining a consecutive row, interruptions such as roads are not taken into account. All of the units situated within a secondary frontage are seen as continuous.

## **Town Centre Boundaries**

- 9.4.1 National policy and guidance, as well as this Plan seek to encourage 'town centre use' development within the town centre boundary of Wigston and the district centre boundaries of Oadby and South Wigston. Focusing opportunities within the core of the town and district centres, with a balance of development types including retail, commercial, leisure, residential, civic and public realm, will ensure the centres function for longer during the day. This will be achieved through town centre living, increased footfall and more attractive centres. Increasing the number of people that live and visit the centres, will not only positively affect the local economy, but will also improve security; through natural surveillance.
- 9.4.2 The concentration of development within the town and district centre boundaries will promote the vitality and viability of the town and district centres and sustainable communities.
- 9.4.3 Through the retail capacity work that Nathaniel Lichfield undertook, the existing town and district centre boundaries were reviewed. The review illustrated that no change was required to the existing town and district centre boundaries.
- 9.4.4 The town and district centre boundaries will therefore continue to be drawn tightly. This will deliver a well defined focussed core that contains the majority of existing and proposed town centre use floor space. This also ensures that any retail development on the edge of the centres that could undermine the vitality and viability of the centres - and therefore achievement of the spatial objectives and the vision - is resisted.

### **Policy 29 Town and District Centre Boundaries**

This Plan sets tight boundaries for the centres of Wigston, Oadby and South Wigston to ensure that 'town centre uses' are focussed and are within close proximity to one another. Retail, leisure, commercial and other town centre use proposals will be directed as appropriate towards primary and secondary frontages and allocated sites for development.

The town and district centre boundaries are illustrated on the Council's Adopted Policies Map.

## **Other Areas within the Town and District Centre Boundaries but beyond the Primary and Secondary Frontages**

- 9.5.1 These areas are in predominantly residential use and therefore change of use to residential is likely to be acceptable in principle subject to other policies in this Plan and national policy and guidance. Significant change from this residential character is likely to harm residential amenity and should therefore be discouraged. Whether a development is considered significant in its impact will depend on its context. The focus for all commercial development should be the core of the town or district centre, i.e. primary and secondary frontages, and the allocated sites.
- 9.5.2 The masterplans for the town and district centres clearly define key areas for development and how these will contribute towards meeting approximate levels of development. Allowing significant development (i.e. major applications) outside of these areas may compromise the ability of implementing the masterplans and should therefore be resisted unless the applicant can fully justify their position to a standard which is acceptable to the Council and can demonstrate why it cannot be located within the areas for redevelopment.
- 9.5.3 If 'town centre use' development does occur within areas currently defined as 'other areas within the town centre boundary' or within land areas allocated for town and district centre redevelopment / development, their development will result in their ground floor uses becoming part of the primary and secondary frontages, the frontages illustrated on the Adopted Policies Map will be amended to reflect this.
- 9.5.4 Development proposed anywhere within the town or district centre boundary that compromises the fulfilment of masterplans and/or Local Development Orders will not be permitted.
- 9.5.5 Where appropriate, the ecological value of proposed sites for development and opportunities for habitat enhancement should be sought.

### **Policy 30 Other Areas within the Town and District Centre Boundary but beyond the Primary and Secondary Frontages**

Within the town and district centre boundaries but beyond the primary and secondary frontages, proposals for change of use to residential will in principle be supported. Proposals for other appropriate town centre uses such as offices or community facilities will in principle be supported.

Proposals for change of use of buildings to uses that would be better located within the core of the town centre (particularly A1 retail uses) must demonstrate why they cannot be located within a primary or secondary frontage, and will only be granted planning permission if it can be demonstrated to a standard which is acceptable to the Council that they will not result in any harm to the vitality and viability of the town, as well as local amenity considerations.

Significant development proposals within these areas that could contribute to the delivery of the masterplans and Local Development Orders that are not situated on allocated land will have to justify to a standard which is acceptable to the Council why they are not located in allocated areas. Any development proposals that compromise the fulfilment of the masterplans and / or Local Development Orders will not be permitted.

## **Use of Upper Floors within the centres of Wigston, Oadby and South Wigston**

- 9.6.1 The active use of upper floors of town and district centre properties, which are often left vacant or used inefficiently to support ground floor uses, can contribute towards the vitality and viability of the town centre. Suitable uses can include office space and residential use. Applications for taxi offices at upper floor will be subject to the relevant taxi policy.
- 9.6.2 Proposals for change of use will be subject to other Local Plan policy requirements, and key considerations will include achieving safe and appropriate access and servicing to the upper floors whilst not compromising design and safety at ground floor levels. Any entrances at ground floor within the primary or secondary frontage will need to be of a high standard of the design and not be a blank frontage.

### **Policy 31 Use of Upper Floors within the Centres of Wigston, Oadby and South Wigston**

Proposals for the change of use of floorspace above ground floor level to residential, office and other appropriate services or community uses, which contribute to the centre's vitality and viability, will be considered favourably.

## **Shop Fronts**

- 9.7.1 For the purpose of this policy 'shop fronts' refer to any unit falling within Use Class A1, A2, A3, A4, A5, D1 (located in a designated centre), D2 (located in a designated centre) and Sui generis (located within a designated centre). New shop fronts should improve the appearance of the street scene and should be designed and use materials appropriate to the building and the local vicinity. This is relevant to all shop fronts whether it is a building within a Conservation Area or a town or district centre or in neither.
- 9.7.2 Corporate branding and signage will not always be appropriate and in sensitive locations (for example within and adjoining Conservation Areas) applicants will be encouraged to use alternative designs and approaches that are in keeping with the local area. The colours used for shop fronts should be consistent with the local area in which it is located and should not be stark in contrast.
- 9.7.3 In order to ensure a high standard of shop front design, all proposals will require detailed elevation drawings of the proposed shop front (to include shutter detail if required in accordance with the policy sets out in this Plan) in relation to the building within which it is to be located, as well as showing adjacent shop fronts and buildings for contextual purposes.
- 9.7.4 Retention of facades above shop fronts or shop fronts as a whole that are considered to be of high quality, or have special, architectural or historic interest will be encouraged, especially within Conservation Areas. Further guidance is set out in the Borough Council's Conservation Areas Supplementary Planning Document.
- 9.7.5 Whilst the attractiveness of a building should not be compromised, consideration should be given to natural surveillance and safety and security when designing new shop fronts. This also applies to the size and height of any canopies which should not compromise pedestrian or vehicular safety or visibility.
- 9.7.6 Many premises such as banks and betting shops, and some A1 units, may have blank frontages which can be unattractive in the street scene, and such proposals will not be permitted. All commercial premises within the centre will need to present well designed, attractive, open, active and welcoming frontages to help contribute to the vitality and viability of the centre.
- 9.7.7 Cafes, restaurants and bars may seek space on the pavement for tables and chairs. Such use requires planning permission and a licence from the Council and / or Highways Authority. In many parts of the town and district centres this will be wholly appropriate and encouraged, for example on wide pavements (such as in Oadby) and in pedestrianised areas such as Bell street in Wigston, as these will add to the centres vitality. The role of the public highway is to allow the public to pass and re-pass and this principle along with safety considerations will be key in determining applications accordingly.

### **Policy 32 Shop Fronts**

Proposals for the installation or replacement of shop fronts will be assessed against the following criteria:

- All proposals must improve the appearance, and be designed within the scale and architectural character, of the building within which they are located and the local vernacular.
- All shop fronts must remain within their existing structural openings and be framed with fascia signs.
- Adjacent shop fronts must be separated by a pilaster, matching the building. Original pilasters must be retained where they exist and where practicable. All original features, such as iron columns, timber, ornamental brackets or carved stonework, will be preserved or restored where practicable.
- All canopies must be retractable and sited below the fascia.
- All shop fronts must present an open and active frontage to the street.

## **Security Shutters**

- 9.8.1 Security shutters can be an integral feature to building security. However, if poorly designed, they can also have a detrimental impact on the street scene by the creation of blank and 'dead' frontages. Shutters that are partially transparent can help maintain an element of openness to the street scene.
- 9.8.2 External shutters and shutter housing in Conservation Areas unless designed appropriately can have a significant detrimental effect. The effect can be on the appearance, the integrity of the buildings themselves (there may be cases where locating shutters externally may be more appropriate to ensure that the integrity of listed buildings or buildings within conservation areas is retained) and also the character of the area and as such should be carefully and sensitively designed to ensure that any such negative impact is avoided. Reference should be made to the Borough Council's Conservation Areas Supplementary Planning Document accordingly.
- 9.8.3 Shutters that sit behind the main glazed frontage and behind the fascia will be actively encouraged as these are less intrusive and can help to maintain a higher quality appearance.

### **Policy 33 Security Shutters**

In order to avoid the potential negative impacts of the appearance of security shutters (including roller shutters), all proposals that require their installation will be assessed against the following criteria:

- The applicant must satisfy the Council that the type of security shutter they are proposing is the most appropriate for the locale in which it is situated.
- Shutters must not obscure any architectural detail or historic interest.
- Shutter boxes must, wherever possible, be hidden within the structure of the building or behind shop fascias, so as not to affect the character and architecture of the building.
- Shutters must be perforated with no more than 60% of the shutter being solid.
- Shutters must be colour powder coated or painted, or stainless steel.

Special consideration will be given to the installation of shutters in Conservation Areas.

## **Car Parking**

- 9.9.1 The Leicestershire County Council Highways Design Guide sets out variety of design guidance relating to travel including car parking standards to promote sustainable communities.
- 9.9.2 The PPG states that local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles and bicycles. The guidance also suggests that appropriate parking charges should be set that do not undermine the vitality of town centres.
- 9.9.3 The PPG recommends that if setting local parking standards for residential and non-residential development, local planning authorities should take into account:
- the accessibility of the development;
  - the type, mix and use of development;
  - the availability of and opportunities for public transport;
  - local car ownership levels; and
  - an overall need to reduce the use of high-emission vehicles.
- 9.9.4 The availability of car parking in key areas and centres has a major influence on the choice of means of transport.
- 9.9.5 For all new car parking development, (in addition to requirements of high quality design and security and appropriate proportions of disabled and motorcycle parking spaces), electric charging points should be introduced for an agreed number of spaces to encourage electrical vehicle use. The Council will also encourage provision of electric charging points at existing parking facilities. The technology should also be future proofed to ensure that further parking spaces can be converted in the future.
- 9.9.6 All new car parks should include secure motorcycle and bicycle parking provision close to their main entrances.
- 9.9.7 The quality of car parking is imperative to the success of the Borough's centres. Car parking should therefore be provided in accordance with adopted standard sets out by the Leicestershire Highways Design Guide.
- 9.9.8 It is important to maintain the right balance between providing sufficient parking spaces and encouraging access by alternative modes of transport to the private car, especially considering the town and district centre locations and the relative ease of access to a choice of travel mode and ranges of facilities and services within walking distance.
- 9.9.9 All proposals will be expected to be supported by evidence that justifies the associated parking provision accordingly.
- 9.9.10 New car parks will also be expected to be supported by a management and security regime to a standard which is acceptable to the Borough Council and the Local Highway Authority with evidence either at application stage or required through a condition(s).

### **Policy 34 Car Parking**

The Council will ensure that there is adequate provision of car parking spaces and facilities across the Borough. All new development proposals will be required to provide car parking and servicing

space in accordance with the parking standards set out in the Leicestershire Highways Design Guide (or equivalent).

The parking standards must be seen as a guide for developers and any variation from these standards must be supported by robust evidence in the form of a transport statement. Where there is an evidenced need to do so, flexibility could be factored into the standards in relation to the specific local circumstances.

## **Taxis**

9.10.1 Taxis offer a valuable contribution to a choice of travel mode and for many are vital modes of travel. However, their control offices could be operational 24 hours a day and waiting vehicles and customers can have significant noise, pollution and traffic generation impacts which can be to the detriment of neighbouring uses, especially when located in a residential area. These impacts will be carefully considered as part of the evaluation of any taxi rank or taxi office proposals.

9.10.2 Proposals for a private hire waiting area in the centre of Wigston and or the centres of Oadby and / or South Wigston would be supported where a need is demonstrated.

### **Policy 35 Taxis**

Proposals for the use of premises for the control and administration of hackney carriages or private hire vehicles will be determined against the following criteria:

- The proximity of the site to the core of the town or district centre.
- The impact on any premises within the vicinity of the site, in particular those in residential use.
- The ability of the local highway network to accommodate the additional traffic generated.
- The availability of off-street parking provision within close proximity to the site for all vehicles to be operated from the base.

## **Hot Food Takeaways**

9.11.1 Hot food takeaways can contribute to both daytime and evening economies of town centres, district centres and local centres, but could also generate a range of detrimental impacts including anti-social behaviour, litter, highway safety concerns and impacts upon upper floor uses. This policy seeks to minimise such impacts, whilst acknowledging the contribution that hot food takeaways can make. For the purposes of this policy hot food takeaways refer specifically to Use Class A5 as define within the Town and Country Planning Use Classes Order.

9.11.2 All proposals will be expected to include details of extraction including its design, because in many cases, external extraction such as vents and chimneys can have significant detrimental impacts on the overall design as well as local character. Design, including extraction will be considered as part of the planning application itself and not be a requirement of a planning condition(s).

### **Policy 36**                      **Hot Food Takeaways**

To avoid the potential significant adverse impact of hot food takeaways, all such proposals will be assessed against the following criteria:

- Any proposal for a hot food takeaway, particularly a change of use from an existing A1 use, will be assessed for its impact on the vitality and viability of the frontage or block of units of which it forms part of. Any proposal which is likely to damage the primary retail function of a block or frontage will not be permitted.
- Where hot food takeaways are already present within the vicinity, the cumulative effect / impact of any proposal will be taken into account. Where a number of takeaways occur that are already causing problems in terms of unacceptable traffic generation and deterioration in the amenity of the area, planning permission will not be permitted if the proposal will increase the nuisance.
- In all cases, account will be taken of the effects of the proposal on the amenity of the area, with particular regard to the proposed opening hours, the impact of noise, public health, disturbance, design (including ventilation), smell and litter, traffic generation, parking problems and highway safety.

Where significant adverse effects are likely to occur, the proposal will not be permitted.

In some cases there may be circumstances where any adverse impacts or effects of a proposal could be reduced by the introduction of conditions personal to that permission. Where this is not possible, permission will not be permitted.

Any proposal for a hot food takeaway will be subject to other local planning policies within this Plan.

## **Chapter Ten – Protected Places**

### **Biodiversity and Geodiversity**

- 10.1.1 The Borough of Oadby and Wigston has a number of nationally and locally designated sites including Regionally Important Geological Sites (RIGS), Sites of Special Scientific Interest (SSSI) and other valuable wildlife sites. These areas are invaluable to the Borough and will be protected from development. Any development proposals that have a significant negative impact on important areas or result in significant habitat loss within the Borough will not be permitted for development. If a development proposal has a less significant impact that can be mitigated through appropriate mitigation measures, for example habitat re-creation, the proposal will not be refused from the outset and discussion will take place between the applicant, the Council the County Council, the Woodland Trust, the Environment Agency and Natural England.
- 10.1.2 Local Wildlife Sites (LWS), Candidate Local Wildlife Sites (cLWS) and Potential Local Wildlife Sites (pLWS) are non-statutory designated sites that occur within the Borough which have been designated due to the significance of the species and habitats present.
- 10.1.3 Much of the biodiversity in the Borough exists on undesigned sites or non-priority habitats. However, the biodiversity value of these sites will be appropriately considered in all planning proposals and decisions, commensurate with their relative ecological status.
- 10.1.4 A number of legally protected species and their habitats occur throughout the Borough. Where there is a reasonable likelihood that protected species, or the habitats upon which they depend, may be affected by a development proposal, planning applications will not be validated until survey information has been submitted that shows the presence (or otherwise) and extent of the species or habitat that may be impacted. In all cases, any negative impacts to protected and priority habitats and species should be avoided.
- 10.1.5 With trees not only providing habitats for local wildlife, but also improving the health and well being of its residents and visitors, they will be protected where appropriate to do so. The Council will not allow any development proposal that has a detrimental impact on veteran trees or ancient woodland, without proper discussion with the Woodland Trust. Any development proposals that require mitigation will be required to submit the mitigation proposals to the Council and get them approved by the Council in collaboration with the Woodland Trust.
- 10.1.6 All proposals for new development will need to comply with the recommendations as set out in the Council's Extended Phase One Habitat Survey, as well as the relevant national policies and those set out in this Plan. Policy guidance set out within the Landscape Character Assessment will also need to be taken account of within any development proposal, as there will be important landscape features noted within the document that will need conserving and enhancing.

#### **Policy 37 Biodiversity and Geodiversity**

The Council will look to support development proposals that proactively seek a net gain and:

- Conserve, protect and enhance biodiversity and geodiversity through minimising loss of valued features in the landscape, such as, hedgerows, woodland, trees, ponds and wetland.

- Conserve and protect irreplaceable woodland, such as ancient woodland or veteran trees.
- Mitigate for any loss of valuable assets through applying measures for reinstatement, replacement or on / off site compensatory work that will enhance or recreate those habitats in circumstances when loss of the original habitat is unavoidable through development; and,
- Explore opportunities to restore, enhance, create or connect with established natural habitats as an integral feature of the proposed scheme.

Where development will have known detrimental impacts or cause lasting harm to the natural habitats in that location, the Council will compensate for that loss through effective conditions in the planning decision or by seeking developer contributions to contribute towards off-site mitigation measures.

Working in collaboration with developers, as well as local and national agencies with ecological and geological expertise, the Council will identify, conserve, protect and enhance natural assets, so that habitats and species can thrive and help to create rich biodiversity within the Borough for future generations to enjoy.

The Council will also protect trees with Tree Preservation Orders associated to them. All proposals must also take account of the guidance set out in the Council's Tree Strategy.

## **Climate Change, Flood Risk and Renewable Low Carbon Energy**

10.2.1 In accordance with the Borough's Spatial Strategy, new developments should be seeking innovative ideas to be more sustainable and also, wherever possible, they should be located within sustainable locations where there is greater access to services and adequate public transport.

10.2.2 Climate change is a global problem requiring local action. This Plan will provide the platform for Oadby and Wigston Borough Council to address the issue through strategic planning over the Plan period. The Council will strive to deliver meaningful development and land uses that contribute towards the Government's targets to reduce greenhouse gas emissions and increase electricity production from renewable resources.

10.2.3 The NPPF states that:

*'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development'*

10.2.4 The Council, together with all public and private sector agencies, has a responsibility to plan for and implement a strategic approach that will:

- Ensure new developments adapt to, and mitigate for, the potential impact of climate change upon the natural and built environment;
- Increase the energy efficiency of all new developments and major refurbishment, by respecting nationally prescribed sustainable standards, thus reducing carbon emissions; and,
- Proactively seek to utilise more renewable and low carbon energy solutions within the Borough.

10.2.5 The proactive management of flood risk is one of the most important ways of managing the predicted more intensive rainfall and other extreme weather events as a result of climate change. Some potential impacts of climate change that would have an effect of the Borough's water environment include:

- Increased flood risk due to wetter winters and more frequent destructive storms;
- Strain on water availability due to drier, longer summers; and
- Expectation that rain storms will be heavier and more prolonged. Where heavy rain cannot be absorbed fast enough by land this leads to localised flooding and potential flash floods.

10.2.6 The Council's Strategic Flood Risk Assessment (2014) was prepared in liaison with the Environment Agency and in accordance with the requirements of the NPPF. The aim of the Strategic Flood Risk Assessment is to provide sufficient information for the application of the Sequential Test and to identify whether application of the Exception Test is likely to be necessary. The Strategic Flood Risk Assessment involves a broad scale assessment of areas at risk of flooding within the Borough, be it fluvial or other forms of flooding and includes advice on sustainable drainage techniques and other flood risk solutions. The study also predicts likely increased flooding risk in these areas due to climate change.

10.2.7 Within the Borough there are two main occurrences of Flood Zone 2 and 3; one along the River Sence corridor (which is a tributary of the River Soar), adjacent to the Grand Union

Canal to the south of the Borough; and, one along The Wash Brook corridor which flows west to east between north Wigston and Oadby. There is one further occurrence along the Evington Brook corridor north of Oadby and Stoughton Grange. The Strategic Flood Risk Assessment has helped inform the spatial development strategy for the Borough and is the basis on which the Sequential and Exception Tests will be applied.

10.2.8 A site-specific flood risk assessment is required for; proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and, where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.

10.2.9 Appropriate management of the natural environment and major watercourses in the Borough such as the Grand Union Canal and River Sence corridor is essential to help reduce flood risk. The creation of new habitats, the planting of appropriate trees, and the creation of new woodland in appropriate places will be sought as they can help reduce the danger of both fluvial and surface water flooding.

10.2.10 The Strategic Flood Risk Assessment offers guidance on how to manage the floodplains in the Borough.

### **Policy 38 Climate Change, Flood Risk and Renewable Low Carbon Energy**

New development proposals in the Borough shall take into account the potential risks and impacts of climate change; and, ensure that the prospect of flood risk is minimised through appropriate mitigation measures.

#### **Climate Change**

The Council will require all development proposals to make use of sustainable resources and reduce their impact upon climate change by meeting high standards of sustainable design and construction.

The Council will also expect all major-scale planning applications, including refurbishments (11 or more residential units or 1,000+ square metres of floor area) to be accompanied by a Sustainability / Energy Statement demonstrating how (potential) harmful emissions have been addressed and minimised by taking account of:

- Energy efficiency;
- Water conservation;
- Sourcing of construction materials;
- Giving consideration to site orientation aspects of a scheme;
- Promoting sustainable means of transport;
- Sustainable waste management solutions (during and post-construction); and,
- The feasibility of integrating renewable energy solutions into the development.

## **Flood Risk**

New development proposals in the Borough must take into account the potential impact of climate change on water resources, water quality and on the level of flood risk posed, as detailed in the Council's latest Strategic Flood Risk Assessment (SFRA) and by the Environment Agency.

Development in areas that would be at risk from flooding must be avoided unless it can be demonstrated that:

- Appropriate land at lower risk is not available (and this has been evidenced through the application of the National Planning Policy Framework Sequential Test);
- There are national policies or other material considerations permitting development of that nature on land with a high risk of flooding;
- There are exceptional reasons for development to take place in that location; and,
- The localised and cumulative risk of flooding can be fully mitigated through careful design and engineering methods.

A detailed Flood Risk Assessment will be required for all development proposals greater than 1 hectare in size situated within a Flood Zone 1 and all development proposals regardless of size situated in Flood Zone 2 or 3, or in an area within Flood Zone 1 which has critical drainage problems. The assessment must identify the necessary mitigation and adaptation measures which must:

- Aim to avoid or reduce the risk of flooding and harm from it by ensuring the sequential approach has been taken and the development is safe for the lifetime of the development and will not increase flood risk to others;
- Include suitable habitat creation and not cause detriment to existing habitats and species; and
- Demonstrate how such measures form an intrinsic part of the overall development.

Development must proactively manage surface water run-off through the promotion of sustainable drainage techniques and positive land management, including the use of permeable surfacing.

Development of previously developed sites must be accompanied by a desktop study to identify any potential contamination. If there is potential for contamination to be present on site, further more detailed investigation will be required to ensure that contaminants are not mobilised through development and enter groundwater supplies or watercourses.

## **Renewable / Low Carbon Energy**

Unless it can be demonstrated by an applicant not to be feasible or viable, all developments greater than 1 hectare in size will be required to incorporate on-site renewable energy generation and / or on-site provision of buildings that reduce the need for non renewable energy use.

The Council will support renewable or low-carbon energy schemes, subject to the following considerations:

- The degree to which the scale and nature of a proposal impacts on the landscape, particularly having regard to the Council's Landscape Character Assessment;

- The degree to which the proposal has demonstrated any environmental, economic and social benefits of a scheme as well as how any environmental or social impacts have been minimised (e.g. visual, noise or smell);
- The impact on designated sites on European, national and local biodiversity and geological; and,
- The impact on the amenity of residents and other interests of acknowledged importance, including the historic environment.

## **Sustainable Drainage and Surface Water**

10.3.1 Traditional drainage is designed to move surface water run-off as rapidly as possible to a discharge point; either a watercourse or soak away. This approach has a number of harmful effects because run-off from impermeable surfaces can increase the risk of flooding downstream, as well as causing sudden rises in water levels and flow rates in watercourses. In addition, by diverting rainfall to piped systems, water does not soak into the ground, depleting ground water and reducing flows in watercourses in dry weather.

10.3.2 Surface water run-off can contain contaminants such as oil, organic matter and toxic metals. Although often at low levels, cumulatively they can result in poor water quality in rivers and groundwater, affecting biodiversity, amenity value and potential water abstraction. After heavy rain, the initial run-off is often highly polluting.

10.3.3 The theory that sits behind Sustainable Drainage Systems (SuDS) is that they seek to replicate the natural movement of water from a development by reducing flood risk, improving water quality and often create desirable features that can make towns and cities more attractive places to live in by enhancing the quality of life. In addition, the European Water Framework Directive requires careful management of water resources through sustainable protection of water quality. Development proposals that are likely to impact surface or groundwater should consider the requirements of the Water Framework Directive. SuDS offer an interesting and cost effective solution in delivering the Directive's requirements.

10.3.4 According to the PPG:

*'Sustainable drainage systems are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. They provide opportunities to:*

- *Reduce the causes and impacts of flooding;*
- *Remove pollutants from urban run-off at source; and,*
- *Combine water management with green space with benefits for amenity, recreation and wildlife'.*

10.3.5 As well as the provision of SuDS, the creation of new habitats, the planting of appropriate trees, and the creation of new woodland will be sought as they can also help reduce the danger of both fluvial and surface water flooding.

### **Policy 39 Sustainable Drainage and Surface Water**

The Council will require all proposals, including refurbishments (11 or more residential units or 1,000+ square metres of floor area) to incorporate appropriate Sustainable Drainage Systems in accordance with the latest National Standards for Sustainable Drainage Systems and in agreement with the Lead Local Flood Authority (LLFA) for Leicestershire.

All schemes must be informed by specific catchment and ground characteristics, and they will be required to establish the wider ranging issues relating to long-term management, adoption and maintenance of SuDS.

Where development proposals are received in areas known to be susceptible to surface water flooding issues, appropriate management and mitigation schemes will be required.

Developers will be encouraged to submit proposals that incorporate solutions to reduce the risk of flooding from the outset.

## **Culture and Historic Environment Assets**

- 10.4.1 The NPPF requires local authorities to “*set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment*”. As well as conservation, the Council recognises that there will be opportunities to enhance the historic character of the Borough through well managed and well-designed developments.
- 10.4.2 The conservation and the sensitive re-use of significant assets in regeneration and development proposals can act as an important catalyst, adding significant social, economic and environmental value, as well as contributing positively to the quality and character of new development in the Borough.
- 10.4.3 Listed buildings are of national importance, representing the best of our historic and architectural built heritage. The Borough of Oadby and Wigston contains 37 listed buildings or structures and it is vital that any works affecting them or other buildings of local importance is guided by appreciation for their importance. In addition to nationally listed buildings, the Borough also has a number of locally significant buildings. The buildings of local significance are held within a locally derived list (see Appendix 3). The buildings contained on this list are also subject to the below policy as well as national planning policy and guidance.
- 10.4.4 There is a presumption in favour of retaining and preserving both nationally listed and locally listed buildings and features of architectural or historic interest. In order to do this, the best approach is often viewed as securing their future and then keeping them in active use.
- 10.4.5 This Local Plan policy is strategic in nature and should there ever be a relevant Neighbourhood Plan produced, any policies contained within the Neighbourhood Plan will be required to be in conformity with this Local Plan.
- 10.4.6 Both, the Leicestershire, Leicester and Rutland Historic Landscape Characterisation, as well as the Leicestershire and Rutland Historic Environment Record will be taken into account when development proposals are being determined. The Council’s Conservation Area Supplementary Planning Document and specific Conservation Area Appraisals will also be taken account of when development proposals are being determined. Development must respect and respond proportionately to non-designated heritage assets and their settings, where possible, avoiding their loss or damage. The degree of protection afforded to a heritage asset will reflect its level of historic value or significance.

### **Policy 40 Culture and Historic Environment Assets**

The Council will conserve and enhance the Borough's unique cultural identity, as well as its significant heritage and historic character through the identification and protection of designated and non-designated heritage assets.

The Borough’s heritage assets include:

- Conservation Areas;
- Nationally and locally listed buildings and significant monuments;
- Non-designated heritage assets;

- The character of the historic cores in the Borough;
- Landscape features, including ancient woodlands and veteran trees;
- Field patterns;
- Watercourses;
- Drainage ditches and hedgerows of visual, historic or nature conservation value;
- Archaeological sites and remains; and,
- Historic parks and gardens.

All development proposals must safeguard, conserve or enhance both designated and non-designated heritage assets and their settings, as well as the character and setting of areas of acknowledged significance.

Where development is likely to have a significant adverse impact on designated heritage assets and their settings and / or non-designated heritage assets and their settings, and / or other historic / heritage character areas and cannot be avoided or they cannot be preserved in situ, the development will not be permitted, unless there are substantial public benefits, which outweigh that harm or loss.

## **Development in Conservation Areas**

- 10.5.1 The Council's Conservation Areas Supplementary Planning Document identifies the boundaries for the Borough's nine Conservation Areas. In addition to this, there is also the Grand Union Canal Conservation Area which runs along the route of the Canal from east to west in the south of the Borough. This Conservation Area, however is County Council designated, therefore any development proposals affecting the area would need to take account of the relevant policies and guidance that the County Council produce.
- 10.5.2 The ten designated Conservation Areas in the Borough are listed below and are shown on the Council's Adopted Policies Map:
- All Saints Conservation Area, Wigston
  - London Road and Saint Peters Church Conservation Area, Oadby
  - Midland Cottages Conservation Area, South Wigston
  - North Memorial Homes and Framework Knitters Conservation Area, Oadby
  - Oadby Court Conservation Area, Oadby
  - Oadby Hill Top and Meadowcourt Conservation Area, Oadby
  - South Wigston Conservation Area, South Wigston
  - Spa Lane Conservation Area, Wigston
  - The Lanes Conservation Area, Wigston
  - The Grand Union Canal Conservation Area, (runs through the south of the Borough, east to west)
- 10.5.3 Conservation Areas exist to assist the conservation and enhancement of areas of particular architectural or historic interest. Legislation requires that special attention is paid to this objective in exercising planning control and, therefore, the Borough Council has prepared Conservation Area Appraisals and management plans for all of its designated Conservation Areas. The character of Conservation Areas is often the product of various elements such as the mixture and style of buildings, the extent and form of open spaces and other natural elements such as trees and hedges.
- 10.5.4 The demolition of buildings within Conservation Areas can have a damaging effect by removing structures that contribute to their character or leaving unsightly gaps in the built-up area. Hence, as with listed buildings, it is appropriate to employ a presumption in favour of retention. Development will not be permitted if it adversely impacts buildings, open spaces or uses which contribute towards the character of a Conservation Area.
- 10.5.5 Where a building or space makes little or no contribution to the street scene within a Conservation Area and adversely affects the setting of the Conservation Area, demolition or redevelopment may be considered appropriate where detailed plans for the site's regeneration are able to demonstrate that the proposed scheme will conserve, protect and enhance the character of the area.
- 10.5.6 This Local Plan policy is strategic in nature and should there ever be a relevant Neighbourhood Plan produced, any policies contained within the Neighbourhood Plan will be required to be in conformity with this Local Plan.

## **Policy 41 Development in Conservation Areas**

The Council will only permit new development in Conservation Areas provided it will conserve and enhance the character and prevailing quality of the area.

Development will not be permitted where:

- Development would prejudice the essential features of the Conservation Area, including historic settlement patterns, relationships between buildings, the arrangement of open areas and their enclosure, or significant natural or heritage features;
- The detailed design of proposed buildings, including height, density, mass, layout, proportions, or materials would not respect the character of an area;
- The development would prejudice the setting and surroundings of a Conservation Area or spoil the inward or outward views; and,
- Development would prejudice the local distinctiveness, appearance or the ambience of a Conservation Area.

In order to determine the effect of proposed building and engineering works in Conservation Areas, the Council will require the submission of detailed plans and will not grant outline planning permission, unless they contain sufficient supporting information by which the impact of the proposed development on the character and appearance of the Conservation Area can be judged.

At the Council's discretion, on all major proposals for developments of 11+ dwellings or 1,000+ square metres floor space, the developer may be required to submit additional detailed design codes or statements, in accordance with the respective Conservation Area Appraisals, to fully demonstrate the impacts that the proposed scheme will have.

### **Demolition in a Conservation Area**

Within Conservation Areas, permission for development involving demolition or substantial demolition will not be granted unless it can be demonstrated that:

- The structure to be demolished makes no material contribution to the special character or appearance of the Conservation Area;
- The structure is wholly beyond repair or incapable of beneficial use; or
- The removal of the structure and its subsequent replacement with a new building and / or open space would lead to the enhancement of the Conservation Area.

### **New Shop Fronts and Advertisements in Conservation Areas**

The Council will not permit new shop fronts or advertisement displays in a Conservation Area unless it can be demonstrated that:

- The proposed design is sympathetic to the character and appearance of the Conservation Area;
- The proposed design respects the scale, proportions, character and materials of construction of the upper part of the relevant building and adjoining buildings within the street scene in general; or,

- The proposed approach incorporates traditional materials where the age and character of the building makes this appropriate.

Internally illuminated advertisement fascias or projecting signs will not be permitted, except in exceptional circumstances.

The Council will not support applications for additional signs that would result in a proliferation of advertisement material on any individual building or group of buildings.

## **Green Wedges**

- 10.6.1 The purpose of the Green Wedges situated within the Borough is to protect important areas of open land which influence development form and have a positive effect on people's health and well being. The Green Wedge policy seeks to retain and where possible enhance important areas of open land that meet the criteria, as set out.
- 10.6.2 There are currently two Green Wedges situated within the Borough, both of which cross administrative boundaries into neighbouring Local Authority areas.
- 10.6.3 The Oadby and Wigston Green Wedge spans the administrative boundary with Leicester City to the north west. The green wedge in its entirety is just shy of 210 hectares, with the Borough's designation being circa 168 hectares in size and separating the urban settlement areas of Oadby and Wigston entirely. The green wedge runs north west to south east from Leicester City out towards the open countryside to the south of Oadby and east of Wigston. As well as farm land and open countryside the green wedge comprises of many appropriate leisure activity uses including sports grounds and training facilities, a racecourse, a golf course and a country park.
- 10.6.4 The Oadby, Thurnby and Stoughton Green Wedge is situated to the north east of Oadby and crosses administrative boundaries with Leicester City and Harborough District. The overall area of the green wedge is circa 467 hectares. The Borough's designation makes up approximately 93 hectares of the total designation size. The area of green wedge that lies within the Borough runs from a north west to south easterly direction and begins at the Borough boundary close to the B582 Gartree Road and extends out towards the countryside to the north of Manor High School in Oadby. Land uses currently situated within the Borough's green wedge area include sports pitches, open fields and a private hospital.
- 10.6.5 With the Borough being relatively compact and urban in nature, Green Wedges are extremely important; they play major roles in shaping the character of the environment and help stimulate leisure and tourism whilst improving residents and visitors quality of life.
- 10.6.6 As well as guiding development form and effecting residents positively, Green Wedges are key green areas within the Borough's Green Infrastructure network and support the Borough's biodiversity. The Green Wedges within the Borough act as important strategic green infrastructure corridors linking green areas within the urban area to the countryside as well as other key strategic green infrastructure corridors such as the Grand Union Canal and railway corridors.
- 10.6.7 For the purposes of this Plan the Council has released areas of green wedge to provide land for future development. To ensure that the most appropriate areas were released, the Council undertook a Green Wedge Review, that assessed both of the Borough's green wedges in their entirety against a Leicester and Leicestershire wide agreed methodology.
- 10.6.8 Any development proposed that may have an effect on the Green Wedges within the Borough will also need to ensure that it conforms to the policy recommendations as set out in the Council's latest Landscape Character Assessment. All development needs to respect the character of its surroundings and should be sympathetic to the local landscape.
- 10.6.9 For avoidance of doubt, the green wedge designation boundaries within the Borough are identified on the Council's Adopted Policies Map.

## **Policy 42 Green Wedges**

Green Wedges protect important areas of green land within the Borough and the Council will retain these areas as open and undeveloped.

The objectives of all Green Wedges situated within the Borough are to:

- Prevent the merging of settlements;
- Guide development form;
- Provide a 'green lung' between the urban area and the countryside; and
- Act as a recreational resource.

Due to the open and undeveloped nature of the Green Wedges, the Council will allow uses that are consistent with the following.

- Agriculture, horticulture and allotments and associated development necessary to facilitate and support these uses;
- Outdoor leisure, recreation and sporting facilities and associated development necessary to facilitate and support these uses;
- Forestry and bodies of water and associated development necessary to facilitate and support these uses;
- Footpaths, bridleways and cycle ways; and,
- Burial grounds and associated development necessary to facilitate and support these uses.

The Council will support proposals that retain and enhance public access into the Borough's Green Wedges, as well as proposals that retain and enhance the role that the Green Wedges play in the Borough's Green Infrastructure Network and its biodiversity.

Road proposals or dedicated public transport routes within the Borough that are evidenced as being required will only be acceptable where it has been proven that there are no alternative routes outside of the Green Wedge. Any proposal that has an adverse impact on the Green Wedge will only be permitted where there is a justifiable need which outweighs these impacts and where a Landscape Character Assessment has been undertaken to ensure that all detrimental impacts that a development may cause have been addressed and can be mitigated.

## **Countryside**

- 10.7.1 In line with the Spatial Strategy for the Borough, where possible, development shall primarily be focussed within the town and district centres, the Leicester PUA and Direction for Growth Allocations to minimise development in the countryside. As set out in Chapter 7 of this Plan, land previously designated as countryside adjoining the Leicester PUA will be released to accommodate future growth.
- 10.7.2 This policy provides protection against inappropriate development in the countryside and establishes the criteria for the types of development that may be appropriate. New development in the countryside will only be permitted where a justifiable need can be demonstrated consistent with the principles set out in the NPPF. Where development does take place in the countryside, it must be sympathetically designed and located so as to provide as little disturbance as possible to the open nature of the countryside and to protect the various Green Infrastructure asset that it supports.
- 10.7.3 Although the Borough of Oadby and Wigston is predominantly urban, land to the south and east within the local authority boundary plays an important role in providing the residents of the Borough and the wider Leicester PUA access to open countryside. The majority of the Borough's population live within the built up areas around the centres of Wigston, Oadby and South Wigston. However, it is also imperative that where appropriate, necessary forms of development to meet the needs of residents in the more rural areas are supported.
- 10.7.4 As a small and predominately urban Borough, the landscape plays a major role in shaping the character of our environment, both through stimulating leisure and tourism and supporting the overall 'quality of life'. The Oadby and Wigston Landscape Character Assessment identifies a number of landscape character areas across the Borough and it is important that both the quality and distinctive characteristics of these areas are conserved and enhanced when new development occurs. Therefore, in order to ensure that any new development respects this character and enhances it, new development affecting the countryside should relate well to the existing landscape and be sympathetic to its surroundings.
- 10.7.5 The extent of the Countryside within the Borough will be identified on the Council's Adopted Policies Map.

### **Policy 43 Countryside**

Land outside of the Leicester PUA, defined limits to development, direction for growth allocations and Green Wedges will be defined as Countryside.

The openness and intrinsic qualities of the Countryside will be protected. The Borough Council will promote good management of the Countryside whilst allowing it to adapt to the identified needs of the community.

Some forms of development may be required in the Countryside. Development justified as necessary in the Countryside must be appropriate in terms of layout, scale, height, materials, form, impact and siting.

Development must not adversely affect landscape, wildlife, the ecological, geological, environmental, archaeological or historic resources of the specific site and the surrounding areas.

Any development proposal causing adverse impacts in the Countryside will only be permitted where there is a justifiable need which outweighs these impacts and where a Landscape Character Assessment has been undertaken to ensure that all detrimental impacts that a development may cause have been assessed and can be mitigated.

## **Landscape and Character**

- 10.8.1 Together with the Council's Conservation Area Appraisals, the Borough Council's Landscape Character Assessment helps to assist the Council in ensuring that development proposals in the most distinctive urban and rural character areas in the Borough are not only informed by and sympathetic to townscape and landscape character, but also, they contribute towards the regeneration, restoration, maintenance and conservation of the areas affected.
- 10.8.2 It is important for the Council to recognise and to protect the Borough's most distinctive and attractive landscapes through careful and consistent planning policies. The Borough contains ten Conservation Areas, as well as a number of nationally and locally listed buildings and important urban and rural character areas.
- 10.8.3 Landscape Character Assessments, Conservation Area Appraisals, Management Plans, Development Briefs and Supplementary Planning Documents support the Council in preserving and enhancing all areas with distinctive landscape character in the Borough.
- 10.8.4 These tools are particularly useful when the Council receives a development proposal in an area where landscape and character is pertinent and applicants are able to prepare relevant supporting evidence setting out how the impacts of the proposed development will be managed and mitigated.
- 10.8.5 The Borough's Landscape Character Assessment identifies that the Borough is made up of a series of urban and rural character areas. Each area is significant for its own unique blend of character and the Council will seek to ensure that wherever possible, development proposals retain and / or enhance the surrounding quality. For example, Oadby Arboretum Urban Landscape Character Area is locally significant and valued due to its distinctive character of having large plot sizes and attractive, leafy, suburbs.

### **Policy 44 Landscape and Character**

All development proposals within the Borough will be determined against the need to conserve and enhance the distinctive landscapes in the Borough. The Council will ensure that all development proposals reflect the prevailing quality, character and features such as settlement patterns, important views, open spaces and significant natural habitats.

Development proposals will only be permitted where it is in keeping with the area in which it is situated. Development proposals that are contrary to the policy guidance as set out within the Council's Landscape Character Assessment, the Conservation Areas Supplementary Planning Document and / or the Conservation Area Appraisals will not be approved.

Development proposals that have a potential adverse impact on nationally designated areas or features of landscape and cultural significance will not be permitted.

## **Local Green Space**

10.9.1 The NPPF introduced a Local Green Space (LGS) designation. The LGS designation is a way to provide special protection against development for green open areas of particular importance to local communities.

10.9.2 The NPPF suggests that local communities should be given the opportunity to identify green areas of particular importance to them through local and neighbourhood plans. It also suggests that the designation would have a high degree of protection from new development due to its local importance. Importantly national planning policy makes it clear that this designation should be consistent with wider planning policy for the area and should complement investment in the provision of new homes, employment opportunities and other essential services.

10.9.3 The NPPF specifies that LGS designation will not be appropriate for most green areas or open space. Further, the designation should only be used in the following circumstances:

- Where the green space area is in reasonably close proximity to the community it serves;
- Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- Where the green area concerned is local in character and is not an extensive tract of land.

10.9.4 Whilst the NPPF establishes the concept of LGS designation and provides some guiding principles, it leaves it to local authorities, in partnership with local communities to determine how to implement this at the local level. The Council will ensure that its approach is consistent with NPPF policy relating to Green Belt, when considering planning applications in or adjoining LGS.

10.9.5 All areas designated as Local Green Space are identified on the Adopted Policies Map.

### **Policy 45 Local Green Space**

In areas designated as Local Green Space, new development that would cause harm to the local significance of the Local Green Space will not be permitted except in very special circumstances. Very special circumstances will not exist unless it can be demonstrated that the harm to the local significance of the Local Green Space is clearly outweighed by other considerations. Proposals put forward to the Council for Local Green Space designation will be assessed against the criteria set out within national planning policy.

# **Chapter Eleven – Delivery Plan**

## **Infrastructure and Developer Contributions**

- 11.1.1 Developer contributions (sometimes also referred to as planning obligations) are used to address specific planning issues arising from a development scheme that cannot be mitigated through planning conditions. Developer contributions are set out in legal agreements under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended). They may be agreed between the Council, the County Council, landowners and developers, or, they may also be unilaterally proposed by a landowner and agreed by the Council.
- 11.1.2 Depending upon the size and density of new development, very often, it puts pressure on existing local infrastructure because of the inevitable population increase, which in turn creates additional demand on services and facilities. Therefore, development proposals will need to identify what impact they are likely to have upon the surrounding area and where necessary, the funding towards or provision of the necessary infrastructure to mitigate that impact. This will need to be agreed to ensure the delivery of sustainable growth now and in the future.
- 11.1.3 Examples of infrastructure items, services or facilities that may be delivered to mitigate the impact of new development could include, but is not limited to, the following:
- affordable or specialist housing needs;
  - open space and play facilities;
  - sporting, recreation and leisure facilities;
  - local education provision;
  - allotment provision;
  - highways and public transport improvements / provision;
  - healthcare provision and social services;
  - utility services;
  - telecommunications, particularly superfast broadband;
  - local waste management and recycling;
  - environmental works, including protection and enhancement of local biodiversity, the cultural and historic environment and other local green spaces, tree planting and green infrastructure enhancement projects;
  - new provision of and/or improvements to community buildings;
  - public art or public realm (including street lighting) enhancements in key locations;
  - cemetery provision;
  - crime prevention and community safety initiatives;
  - water and drainage facilities; and,
  - flood protection schemes.
- 11.1.4 The Council has developed an Infrastructure Delivery Plan (IDP) that will contain a 'live' infrastructure project list. The document seeks to identify all local and strategic infrastructure deemed necessary to support sustainable delivery of growth in the Borough over the plan period to 2031. Joint working with neighbouring local authorities and other agencies such as utility companies or service delivery partners will be a key element to identify and to successfully deliver necessary infrastructure.

11.1.5 Historically, the Council has relied upon the negotiation of Section 106 Agreements in order to secure developer contributions or their equivalent to help to fund the delivery of local infrastructure. However, since the Community Infrastructure Levy Regulations came into force, as well as further restrictions imposed upon local authorities by the National Planning Policy Framework and the ongoing changes to the National Planning Practice Guidance, the collection and use of developer contributions is becoming more and more restricted.

11.1.6 Therefore, in the meantime, all developer contributions to be sought by the Council will be carefully assessed and monitored to ensure that they meet the statutory tests included within the National Planning Policy Framework and in accordance with the limitations placed upon pooling, as set out in the Community Infrastructure Levy Regulations, as well as guidance set out in the National Planning Practice Guidance. Any contributions sought by the Council will be done so through the guidance set out in the Council's Developer Contributions Supplementary Planning Document.

### **Viability**

11.1.7 Should the developer consider that the level of contributions required would render the scheme financially unviable, sufficient information must be provided on an 'open book' basis to enable the viability of the scheme to be comprehensively assessed. The assessment must be provided to the Council with the submission of the relevant planning application. If material changes to the scheme are made after the submission of the viability appraisal, a revised version of the appraisal should be submitted, together with an explanation of the changes to the proposal.

11.1.8 The Council's Planning Control Case Officer will procure an independent review by a viability expert to scrutinise any submitted viability evidence, if it is felt that there is a need to do so. The applicant will be required to pay for this assessment and for any other associated costs that arise.

### **Community Infrastructure Levy**

11.1.9 The Council has assessed the option of developing a Community Infrastructure Levy charging schedule. The assessment deemed that negotiating planning obligations through the Section 106 process would still be the most appropriate and viable method for the Council. The Council will continue to assess the viability of adopting a Community Infrastructure Levy charging schedule and will update the Developer Contributions Supplementary Planning Document accordingly, should circumstances change.

### **Cross Boundary Contributions**

11.1.10 Due to the location of the Borough, directly adjacent to the local authority areas of Leicester City, Harborough District and Blaby District, development that occurs within the Borough could have negative impacts on the infrastructure in these other local authority areas. The same can be said for development that occurs within any of the mentioned local authorities; it could have negative impacts within the Borough.

11.1.11 As an example, the two main arterial highway routes (the A6 and A5199) that link Harborough District to Leicester City from the south, run continuously through the Borough, therefore any development that increases traffic volumes on these two routes could have a negative impact upon the infrastructure within the Borough.

11.1.12 Through collaborative working, including liaison with Leicestershire County Council, any development that has an impact within the Borough will be required to contribute towards the provision of and / or financial contribution towards necessary mitigation infrastructure measures.

#### **Policy 46 Infrastructure and Developer Contributions**

Developer contributions will be used by the Council to deliver the infrastructure required to facilitate sustainable growth. This may include (but is not limited to) measures to mitigate the impacts of development and to meet the costs of providing required on and off-site infrastructure, as identified in the Council's Infrastructure Delivery Plan, and other measures to make new growth acceptable in planning terms.

All contributions sought through Section 106 agreements will be in accordance with the Community Infrastructure Levy Regulations and will therefore be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

For all new development proposals, it will be necessary to establish both the isolated and cumulative impact that they may have upon the surrounding infrastructure network and / or any cross boundary detrimental impact they have also.

Any development that has an impact within the Borough (or neighbouring authority areas) will be required to contribute towards the provision of and / or financial contribution towards necessary mitigation infrastructure measures.

## **Chapter 12 Monitoring Framework**

- 12.1.1 The purpose of this Chapter is to identify the key indicators that will be used to monitor the delivery of the Local Plan and its Objectives, through measuring the performance of the related key policies.
- 12.1.2 The key indicators identified will be monitored by the Council on, at least, an annual basis through the production of the various monitoring documents, including the Annual Monitoring Report (AMR). Monitoring the performance of policies within the Local Plan is critical, due to the planning and building profession being fluid and ever changing. Policies need to be appropriate and relevant in order to deliver the objectives of the Local Plan. Each of the Objectives and their relevant policies and targets are set out in the schedules below.
- 12.1.3 It must be noted that although monitoring will be undertaken on at least an annual basis, not all indicators are annually set targets. However, regular monitoring will give a clear picture of one off events or ongoing problems / issues.
- 12.1.4 If monitoring indicates that further action is needed in order to accomplish an Objective, the policies contained within this Plan will be assessed and updated where necessary.

### **Monitoring Review Triggers**

- 12.1.5 The Council is aware that although this Plan covers the period up to 2031, there may be instances when a partial or full review of the Plan may be required. In addition, the National Planning Practice Guidance recommends that Local Plans are updated in whole or in part at least every 5 years. Therefore the Council will commence a partial or full review of the Local Plan no later than five years from the adoption of this Plan, or earlier, in conformity with the policy below.

### **Policy 47 Review Triggers**

Oadby and Wigston Borough Council is committed to meeting its own requirements for housing, employment, other development, and infrastructure. The Council will regularly monitor delivery of new development in the context of policies and targets within this Plan.

The Council will commence a full or partial review no later than 5 years from adoption of the Plan, or where monitoring of targets set out in Chapter 12 of the Plan, identify significant and persistent shortfalls in the delivery of housing, employment, other development, and / or infrastructure that deviates significantly from the Plan strategy.

The Council will commence a full or partial review if a local authority within the Leicester and Leicestershire Housing Market Area has an evidenced unmet need, which cannot be met by that local authority and which it is considered through the Duty to Cooperate by the Leicester and Leicestershire Members Advisory Group could be best met, in whole or in part, within the Borough of Oadby and Wigston.

The Council will also commence a full or partial review should the post 2031 development strategy set out within the Leicester and Leicestershire Strategic Growth Plan be capable of coming forward earlier than is currently anticipated, for example because the A46 Expressway is to be delivered.

Should a full or partial review be triggered by any of the above, the Council will commence the review (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) within 6 months. Once the review has commenced the Council will submit the Plan Review to the Planning Inspectorate for Examination within a further 24 months of the date of commencement of the review. In the event that the Council does not submit the Plan Review to the Planning Inspectorate within 24 months of the date of commencement of the review, the parts of the Plan that are under review will be deemed out of date, if not already deemed out of date by virtue of national policy.

Spatial Objective	Key relevant policies	Other related policies	Target(s)/ Threshold(s)	Potential risk(s) to delivery	Possible action if target is not met
Spatial Objective 1: Regeneration of town and district centres	Policy 2 Spatial Strategy for the Borough; Policy 22 Delivering Retail	Policy 3; Policy 8.2; Policy 23; Policy 24; Policy 26; Policy 27; Policy 28; Policy 29; Policy 30; Policy 31; Policy 32; Policy 33; Policy 34; Policy 35; Policy 36; and, Policy 46	Provision of new homes, retail use space and B1 employment use space within the Borough's three main centres.  Ensure levels of vacant units remain low and areas of public realm are regenerated.	Economic downturn or continued growth in 'online' retail shopping.  Unforeseen physical constraints.  Growth of out of Borough retail centres.  Unplanned growth.  Tightening of finance availability.  Reduction in public transport services, within or close to the Borough's main centres.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Investigate potential funding streams for redevelopment and / or regeneration.  If appropriate to do so, bring forward other sites allocated within the Plan sooner than envisaged.  Stimulate demand for new housing, employment and retail opportunities through active promotion of sites.
Spatial Objective 2: Wigston town centre	Policy 2 Spatial Strategy for the Borough; Policy 22 Delivering Retail	Policy 3; Policy 6; Policy 10; Policy 12; Policy 23; Policy 24; Policy 26; Policy 27; Policy 28; Policy 29; Policy 30; Policy 31; Policy 32; Policy 33;	8,250 sqm of new office floorspace (2011 – 2031)  1,169 sqm of additional retail floorspace (2011 – 2031)  129 new residential units	Economic downturn or continued growth in 'online' retail shopping.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising

		Policy 34; Policy 35; Policy 3; Policy 40; Policy 41; and, Policy 46	<p>(2011 – 2031)</p> <p>At least the number of existing car parking spaces (2011 – 2031)</p> <p>70 per cent of all units within the primary frontages in Wigston town centre are in A1 use (2011 – 2031)</p> <p>90 per cent of all units within the primary frontage in Bell Street (Wigston) are in A1 use (2011 – 2031)</p> <p>Proposed development sites that have a gross site size of 0.3 hectares and larger and are located within the town centre boundary of Wigston will be required to achieve an average density of at least 50 dwellings per hectare</p>	<p>Unforeseen physical constraints.</p> <p>Growth of out of Borough retail centres.</p> <p>Tightening of finance availability.</p> <p>Reduction in public transport services, within or close to the Borough's main centres.</p>	<p>with landowners and developers.</p> <p>Investigate potential funding streams for redevelopment and / or regeneration.</p> <p>If appropriate to do so, bring forward other sites allocated within the Plan sooner than envisaged.</p> <p>If appropriate to do so, lower retail unit percentages within the relevant locations.</p> <p>Stimulate demand for new retail opportunities through active promotion of sites.</p>
Spatial Objective 3: Oadby district centre	Policy 2 Spatial Strategy for the Borough; Policy 22 Delivering Retail	Policy 3; Policy 6; Policy 10; Policy 12; Policy 23; Policy 24; Policy 26; Policy 27; Policy 28; Policy 29; Policy 30; Policy 31; Policy 32; Policy 33; Policy 34; Policy 35; Policy 3; Policy 40; and, Policy 46	<p>800 sqm of new commercial floorspace (2011 – 2031)</p> <p>1,050 sqm of additional retail floorspace (2011 – 2031)</p> <p>76 new residential units (2011 – 2031)</p> <p>At least the number of existing car parking spaces (2011 – 2031)</p>	<p>Economic downturn or continued growth in 'online' retail shopping.</p> <p>Unforeseen physical constraints.</p> <p>Growth of out of Borough retail</p>	<p>Identify the problem and / or cause of poor performance.</p> <p>Consider a review of the planning policy itself.</p> <p>Be more proactive in liaising with landowners and developers.</p> <p>Investigate potential funding streams for redevelopment and / or regeneration.</p>

			<p>65 per cent of all units within the primary frontages in Oadby district centre are in A1 use (2011 – 2031)</p> <p>Proposed development sites that have a gross site size of 0.3 hectares and larger and are located within the district centre boundary of Oadby will be required to achieve an average density of at least 50 dwellings per hectare</p>	<p>centres.</p> <p>Tightening of finance availability.</p> <p>Reduction in public transport services, within or close to the Borough's main centres.</p>	<p>If appropriate to do so, bring forward other sites allocated within the Plan sooner than envisaged.</p> <p>If appropriate to do so, lower retail unit percentages within the relevant locations.</p> <p>Stimulate demand for new retail opportunities through active promotion of sites.</p>
Spatial Objective 4: South Wigston centre	Policy 2 Spatial Strategy for the Borough; Policy 22 Delivering Retail	Policy 3; Policy 6; Policy 10; Policy 12; Policy 23; Policy 24; Policy 26; Policy 27; Policy 28; Policy 29; Policy 30; Policy 31; Policy 32; Policy 33; Policy 34; Policy 35; Policy 3; Policy 40; Policy 41; and, Policy 46	<p>373 sqm of additional retail floorspace (2011 – 2031)</p> <p>Proposed development sites that have a gross site size of 0.3 hectares and larger and are located within the district centre boundary of South Wigston will be required to achieve an average density of at least 50 dwellings per hectare</p>	<p>Economic downturn or continued growth in 'online' retail shopping.</p> <p>Unforeseen physical constraints.</p> <p>Growth of out of Borough retail centres.</p> <p>Tightening of finance availability.</p> <p>Reduction in public transport services, within or close to the Borough's main</p>	<p>Identify the problem and / or cause of poor performance.</p> <p>Consider a review of the planning policy itself.</p> <p>Be more proactive in liaising with landowners and developers.</p> <p>Investigate potential funding streams for redevelopment and / or regeneration.</p> <p>Stimulate demand for new retail opportunities through active promotion of sites.</p>

				centres.	
Spatial Objective 5: Improved employment opportunities	Policy 19 – Oadby Sewage Treatment Works; Policy 20 – Wigston Direction for Growth Allocation; Policy 25 – Protecting Identified Employment Areas.	Policy 2; Policy 3; Policy 6; Policy 10; Policy 26; Policy 46.	At least 8 hectares of new employment use land provided during the Plan period.	<p>Economic downturn</p> <p>Unforeseen physical constraints.</p> <p>Unplanned growth of out of Borough industrial centres.</p> <p>Tightening of finance availability.</p> <p>Severn Trent decides to keep the site in use, rather than cease its current use.</p> <p>Site becomes unattractive to the market for employment development.</p> <p>Site releasing infrastructure delays.</p>	<p>Identify the problem and / or cause of poor performance.</p> <p>Consider a review of the planning policy itself.</p> <p>Be more proactive in liaising with landowners and developers.</p> <p>Investigate potential funding streams for redevelopment and / or regeneration.</p> <p>If appropriate to do so, bring forward other sites that are not allocated within the Plan but become available for employment development.</p> <p>Stimulate demand for new employment opportunities through active promotion of the site.</p>
Spatial Objective 6: Accessible	Policy 26 – Sustainable Transport and	Policy 2; Policy 5; Policy 6; Policy 10; Policy 17; Policy 18;	No specific targets are contained within this Plan.	Unforeseen physical constraints.	Identify the problem and / or cause of poor performance.

transport links	Initiatives	Policy 19; Policy 20; Policy 21; Policy 46.		Tightening of finance availability.  Reduction in public transport services.	Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers, and public transport stakeholders.  Investigate potential funding streams for redevelopment and / or regeneration.
Spatial Objective 7: Growth of the Leicester PUA	Policy 2 Spatial Strategy for the Borough; Policy 12 – Housing Density	Policy 3; Policy 6; Policy 13; Policy 14; Policy 15; Policy 18; Policy 19; Policy 20; Policy 21; Policy 25; Policy 26; Policy 38; Policy 40; Policy 46.	250 + 768 new residential units (2011 – 2031)  Proposed development sites that have a gross site size of 0.3 hectares and larger and are located outside of the town centre boundary of Wigston or district centre boundaries of Oadby and South Wigston, but within the Leicester PUA will be required to achieve an average density of at least 40 dwellings per hectare.	Economic downturn  Unforeseen physical constraints.  Unplanned growth of out of Borough residential development.  Tightening of finance availability.  Site becomes unattractive to the market for residential development.  Site releasing infrastructure delays.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  If appropriate to do so, bring forward other sites allocated within the Plan sooner than envisaged.  Stimulate demand for new development opportunities through active promotion.

				Land values drop considerably meaning developers begin to build at lower densities.	
Spatial Objective 8: A balanced housing market	Policy 2 – Spatial Strategy for Development within the Borough; Policy 11 – Housing Choices; Policy 13 – Affordable Housing; Policy 16 – Gypsies, Travellers and Travelling Showpeople	Policy 5; Policy 12; Policy 15; Policy 17; Policy 18; Policy 20; Policy 21; policy 46	<p>The Council will maintain a rolling 5 year supply of housing land in conformity with national planning policy and guidance. In doing so the Council will also take account of the housing trajectory set out within Policy 2 of this Plan.</p> <p>Proposed development sites that have a gross site size of 0.3 hectares and larger and are not situated within any of the above locations will be required to achieve an average density of at least 30 dwellings per hectare.</p>	<p>Economic downturn</p> <p>Unforeseen physical constraints.</p> <p>Unplanned growth of out of Borough residential development.</p> <p>Tightening of finance availability.</p> <p>Site becomes unattractive to the market for residential development.</p> <p>Site releasing infrastructure delays.</p> <p>Land values drop</p>	<p>Identify the problem and / or cause of poor performance.</p> <p>Consider a review of the planning policy itself.</p> <p>Be more proactive in liaising with landowners and developers.</p> <p>If appropriate to do so, bring forward other sites allocated within the Plan sooner than envisaged.</p> <p>Stimulate demand for new development opportunities through active promotion and call for sites processes.</p>

				considerably meaning developers begin to build at lower densities.	
Spatial Objective 9: Healthy lifestyles	Policy 5 – Improving Health and Wellbeing; Policy 7 – Community Facilities; Policy 8 – Green Infrastructure; Policy 9 – Open Space, Sport and Recreation Facilities; Policy 37 – Biodiversity and Geodiversity	Policy 1; Policy 2; Policy 4; Policy 6; Policy 10; Policy 17; Policy 26; Policy 36; Policy 42; Policy 44; Policy 45; Policy 46	No net loss of biodiversity and / or Geodiversity during the Plan period.  No net loss of Green Infrastructure during the Plan period.  No net loss of open space, sport and / or recreation spaces during the Plan period.	National policy changes to be less protective of green infrastructure assets.  Housing needs significantly increases. More undeveloped land required.  Unplanned development growth.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Stimulate demand for new green infrastructure opportunities through active promotion.  Work closely with local groups as well as more national groups, such as Natural England.
Spatial Objective 10: High quality and sustainable design	Policy 6 – High Quality Design and Materials; Policy 40 – Culture and Historic Assets; Policy 44 – Landscape and Character	Policy 3; Policy 10; Policy 11; Policy 15; Policy 32; Policy 33; Policy 46	No specific targets are contained within this Plan.	National policy changes to be less wanting of high quality design and sustainable development.  Unplanned growth.  National policy relating to	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Work closely with local groups as well as more national groups, such as Historic

				heritage assets is diluted.	England.
Spatial Objective 11: Conserving and enhancing green (including water assets) infrastructure	Policy 8 – Green Infrastructure; Policy 37 – Biodiversity and Geodiversity; Policy 42 – Green Wedges; Policy 43 – Countryside; Policy 44 – Landscape and Character; Policy 45 – Local Green Space	Policy 1; Policy 9; Policy 17; Policy 38; Policy 39; Policy 46	No net loss of Green Infrastructure during the Plan period.	National policy changes to be less protective of green infrastructure assets.  Housing needs significantly increases. More undeveloped land required.  Unplanned development growth.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Stimulate demand for new green infrastructure opportunities through active promotion.  Work closely with local groups as well as more national groups, such as Natural England.
Spatial Objective 12: Enhancing Local Heritage	Policy 40 – Culture and Historic Environment Assets; Policy 41 – Development in Conservation Areas	Policy 2; Policy 6; Policy 32; Policy 46	No specific targets are contained within this Plan.	National policy changes to be less wanting of high quality design and sustainable development.  Unplanned growth.  National policy relating to heritage assets is diluted.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Work closely with local groups as well as more national groups, such as Historic England.
Spatial	Policy 42 – Green	Policy 2; Policy 8;	No unplanned loss of Green	National policy	Identify the problem and / or

Objective 13: Green Wedges and the Countryside	Wedges; Policy 43 – Countryside	Policy 44; Policy 45; Policy 46	Wedge.  No unplanned loss of Countryside.	changes to be less protective of green infrastructure assets.  Housing needs significantly increases. More undeveloped land required.  Unplanned development growth.	cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Stimulate demand for new green infrastructure opportunities through active promotion.  Work closely with local groups as well as more national groups, such as Natural England.
Spatial Objective 14: Kilby Bridge Regeneration	Policy 17 – Kilby Bridge Settlement Envelope	Policy 2; Policy 5; Policy 6; Policy 10; Policy 11; Policy 37; Policy 38; Policy 39; Policy 40; Policy 44; Policy 46	Up to 40 new residential units (2011 – 2031)  All development built at approximately 30 dwellings per hectare (2011 – 2031)	Economic downturn.  Unforeseen physical constraints.  Unplanned growth.  Tightening of finance availability.  Reduction in public transport services.	Identify the problem and / or cause of poor performance.  Consider a review of the planning policy itself.  Be more proactive in liaising with landowners and developers.  Investigate potential funding streams for redevelopment and / or regeneration.  Stimulate demand for new small scale housing, employment and retail opportunities through active promotion of sites.

## Appendix One – Glossary

**Affordable housing:** Affordable housing includes social rented, Starter Homes and intermediate housing, provided to specified eligible households whose needs are not met by the market.

**Affordable Housing Viability Assessment:** study to inform existing and future planning policy with regard to the delivery of affordable housing. Specifically, the Affordable Housing Viability Assessment examines the impacts on development viability of applying existing and potential affordable housing percentages, unit thresholds and tenures on residential development sites.

**Annual Monitoring Report:** The annual monitoring report will assess the implementation of the local development scheme and the extent to which policies in the Local Plan are being successfully implemented.

**Town and District Centre Guidance document:** The document setting out the principles and objectives for the town centre of Wigston and the District centres of Oadby and South Wigston. The document illustrates one viable way of implementing the levels of development set out within this Plan.

**Biodiversity:** The whole variety of life encompassing all genetics, species and ecosystem variations.

**Building Regulations:** Statutory Instruments governing the standards required for buildings and their construction.

**BREEAM:** Buildings Research Establishment Environmental Assessment Method – is the most widely used environmental assessment method for commercial buildings.

**Brownfield land:** land that was developed but is now vacant or derelict, and land currently in use with known potential for redevelopment.

**Building for Life Standard:** A national standard for well designed homes and communities.

**Comparison goods floor space:** retail floor space that is used for the sale of non-food items.

**Community:** a specific group of people who all hold something in common. Community has tended to be associated with two key aspects: firstly people who share locality or geographical place; secondly people who are communities of interest.

**Community engagement:** the process of working collaboratively with and through groups of people affiliated by geographic proximity, special interest, or similar situations to address issues affecting the well being of those people.

**Community Infrastructure:** The infrastructure needed to make a development 'fit for purpose'. In the context of the Local Plan, the provision of new roads, new schools or new flood protection would all be examples.

**Community Infrastructure Levy:** The Community Infrastructure Levy is a charge on most types of new development in an area. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area.

**Conservation Area:** an area of special architectural or historic interest identified by the Local Planning Authority under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character or appearance of such areas.

Convenience goods floor space: retail floor space that is used for the sale of food and drink.

Core Strategy: A development plan document that set out the long term vision for a local planning authority area, the strategic objectives, and the strategic planning policies needed to deliver that vision.

Cultural facilities: Facilities of a cultural nature such as libraries, theatres and museums.

Developer Contributions: Developer Contributions assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Developer Contributions can be provided by on-site or off-site physical contributions, or via off-site financial contributions.

Development Plan Documents: spatial planning documents that are subject to independent examination, and together with Supplementary Planning Documents, will form the development plan for a local authority area for the purposes of the Act. Each authority must set out the programme for preparing its development plan documents in the Local Development Scheme.

Duty to Cooperate: The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

Employment Land and Premises Study: A local study that assesses the employment land needs for the Borough up to 2031.

Environmental Impact Assessment: An Environmental Impact Assessment is an assessment of the possible impact - positive or negative - that a proposed project may have on the environment; considering natural, social and economic aspects.

Evidence base: information gathered by the planning authority to support preparation of local development documents. It includes quantitative and qualitative data.

Greenfield land: land that has never been built on or where the remains of any structure or activity have blended into the landscape over time. Greenfield land should not be confused with green belt land.

Green Wedge: Green Wedges are strategic open land which can help shape urban growth. They can assist in preserving and enhancing links between urban areas and the countryside and can facilitate the positive management of land.

Green Infrastructure: Green Infrastructure is the physical environment within and between cities, towns and villages. It is a network of multi-functional open spaces, including formal parks, gardens, woodlands, green corridors, waterways, street trees and open countryside.

Housing and Economic Development Needs Assessment (HEDNA): An evidence base study that identifies the Objectively Assessed Housing and Employment Needs for the Leicester and Leicestershire Housing Market Area.

Identified Employment Areas: Are areas that provide key employment land within the Borough. They consist of business and industrial premises.

**Leicester Principal Urban Area:** The Leicester Principal Urban Area encompasses all the administrative area of Leicester City and parts of Blaby, Charnwood, Harborough, Hinckley and Bosworth and Oadby and Wigston districts.

**Leicester and Leicestershire Housing Market Area:** The Leicester and Leicestershire Housing Market Area covers the City of Leicester and the County of Leicestershire, which includes the District of Blaby, Charnwood Borough, Harborough District, Hinckley and Bosworth Borough, Melton Borough, North West Leicestershire District, and Oadby and Wigston Borough.

**Local Development Documents:** comprise of Development Plan Documents and Supplementary Planning Documents.

**Local Development Framework:** A Local Development Framework is a folder of Local Development Documents outlining how planning will be managed in the area.

**Local Development Scheme:** sets out the programme for the preparation of local development documents.

**Monitoring:** regular and systematic collection and analysis of information to measure policy implementation.

**National Planning Policy Framework (NPPF):** Sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

**National Planning Practice Guidance (PPG):** is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

**Public Realm:** the space between and within buildings that is publicly accessible.

**Residential Land Availability Report:** The Residential Land Availability and Five Year Housing Supply are part of an annual monitoring exercise that assesses housing provision and supply in the Borough.

**6C's** The 6Cs sub-region as defined in the East Midlands Regional Plan has an existing population of 1.9m people. It includes the 3 cities of Leicester, Derby and Nottingham and the 3 Counties of Leicestershire, Derbyshire and Nottinghamshire.

**Smarter Choices:** This is general description for 'soft' transport policy initiatives aimed at changing the way that individuals travel. These seek to give better information and opportunities to help people to choose to reduce car use while enhancing the attractiveness of alternatives. They can include work place and school travel plans; car clubs and car sharing; tele-working, teleconferencing and home shopping.

**Spatial Planning:** refers to the methods used by the public sector to influence the distribution of people and activities in spaces of various scales. Spatial planning includes all levels of land use planning including urban planning, regional planning, environmental planning and national spatial plans. It goes beyond traditional land-use planning to bring together and integrate policies for the

development and use of land with other policies and programmes which influence the nature of places and how they function.

**Statement of Community Involvement:** sets out the standards which the planning authority intends to achieve in relation to involving the community in the preparation, alteration and continuing review of all local development documents and in significant development management decisions. It also sets out how the planning authority intends to achieve those standards. The statement of community involvement is not a development plan document but is subject to independent examination.

**Strategic Flood Risk Assessment:** provides further information on flood risk, and raises and informs a crucial debate that involves all those involved in the development process. The Strategic Flood Risk Assessment will identify constraints which will assist in the formulation of planning policies, it will aid the identification of the development potential of proposed sites and will aid in assessing future development proposals.

**Strategic Housing Land Availability Assessment:** a key component of the evidence base to support the delivery of sufficient land for housing to meet the community's need for more homes. These assessments are required by national planning policy, set out in Planning Policy Statement 3: Housing (June 2010). This document gives practical guidance on how to carry out an assessment to identify land for housing and assess the deliverability and developability of sites.

**Supplementary Planning Documents:** cover a wide range of issues on which the planning authority wishes to provide policy guidance to supplement the policies and proposals in development plan documents. They are not subject to independent examination.

**Sustainability Appraisal:** Sustainable development is central to the reformed planning system. Sustainability Appraisal is used to promote sustainable development through the integration of social, environmental and economic considerations. The European 'Strategic Environmental Assessment Directive' (2001/42/EC) requires a formal 'environmental assessment' of certain plans and programmes, including those in the field of planning and land use. This process feeds into and informs the content of the Local Development Framework.

**Sustainable communities:** places where people want to live and work, now and in the future. They meet the needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

**Sustainable development:** is a pattern of resource use that aims to meet human needs while preserving the environment so that these needs can be met not only in the present, but also for future generations. Sustainable development has become the core principle underpinning the planning process.

**Sustainable urban design:** Good design ensures economically viable places and spaces that are resource efficient, adaptable, durable, inclusive and fit for purpose. Quality improvements in the built environment create the right conditions to attract businesses, jobs and investment, and provide well-designed sustainable environments for local people.

**Targets:** a desired goal which identifies the scale of change resulting from policy actions over a specific time period; for example, the number of new homes to be built by a set date.

Windfalls: proposals for housing development that has not been planned for, for example allocated in a Development Plan Document or identified in evidence documents, such as the Strategic Housing Land Availability Assessment.

## Appendix Two – Technical Housing Standards



Department for  
Communities and  
Local Government

Technical housing standards – nationally  
described space standard

March 2015  
Department for Communities and Local Government



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# Technical housing standards – nationally described space standard

## Introduction

1. This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
2. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

## Using the space standard

3. The standard Gross Internal Areas set out in Table 1 are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two and three storey dwellings (typically houses).
4. Individual dwelling types are expressed with reference to the number of bedrooms (denoted as 'b') and the number of bedspaces (or people) that can be accommodated within these bedrooms (denoted as 'p'). A three bedroom (3b) home with one double bedroom (providing two bed spaces) and two single bedrooms (each providing one bed space) is therefore described as 3b4p.
5. This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy.
6. Relating internal space to the number of bedspaces is a means of classification for assessment purposes only when designing new homes and seeking planning approval (if a local authority has adopted the space standard in its Local Plan). It does not imply actual occupancy, or define the minimum for any room in a dwelling to be used for a specific purpose other than in complying with this standard.
7. Minimum floor areas and room widths for bedrooms and minimum floor areas for storage are also an integral part of the space standard. They cannot be used in isolation from other parts of the design standard or removed from it.

8. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls<sup>1</sup> that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Area should be measured and denoted in square metres (m<sup>2</sup>).
9. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

## Technical requirements

10. The standard requires that:
  - a. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below
  - b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
  - c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide
  - d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>
  - e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
  - f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area)
  - g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
  - h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom counts towards the built-in storage requirement
  - i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

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<sup>1</sup> The internal face of a perimeter wall is the finished surface of the wall. For a detached house, the perimeter walls are the external walls that enclose the dwelling, and for other houses or apartments they are the external walls and party walls.

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

**\* Notes (added 19 May 2016):**

1. Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m<sup>2</sup> for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.

2. GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bedspaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.

3. Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>, as shown bracketed.

4. Furnished layouts are not required to demonstrate compliance.

## Appendix Three – Schedule of Locally Listed Buildings

### Oadby

1. 1, 3, 5 and 7 Bankart Avenue.
2. 2 Bankart Avenue.
3. 4 Bankart Avenue.
4. 6, 8, 10, 12, 14, 16, 22, 24, 36 and 38 Bankart Avenue.
5. 9, 11, 25 (Markeaton) and 27 (Hillbrow) Bankart Avenue.
6. 13 and 15 Bankart Avenue.
7. 17 and 19 Bankart Avenue.
8. 18 and 20 Bankart Avenue.
9. 21 and 23 Bankart Avenue.
10. 26 and 28 Bankart Avenue.
11. 29 Bankart Avenue.
12. 30 and 32 Bankart Avenue.
13. 31 and 33 Bankart Avenue.
14. 34 Bankart Avenue.
15. 35 and 37 Bankart Avenue.
16. 40 Bankart Avenue.
17. 42 Bankart Avenue.
18. Brocks Hill House, Briar Walk.
19. 6 The Broadway (west side).
20. 73 The Broadway.
21. The Elms, Brockshill Drive.
22. Chapel House, 25 Chapel Street.
23. Hilltop Farmhouse, NO. 23 Church Street.
24. Sheldon House, 25 Church Street.
25. 2 – 34 Church Street.
26. 18 The Fairway.
27. 32 The Fairway (south side).

28. 34 The Fairway (south side).
29. 43 and 45 The Fairway (north side).
30. The Pantiles (vinehouse and garden), Gartree Road.
31. 3 Glebe Road (west side).
32. 11 Glebe Road (west side).
33. The Oadby Owl, Public House, 7 Glen Road.
34. Launde House, Harborough Road.
35. 18-26, Harborough Road.
36. 12 Knighton Grange Road.
37. 13 Knighton Grange Road.
38. 14 Knighton Grange Road.
39. 15 Knighton Grange Road.
40. 16 Knighton Grange Road.
41. 17 Knighton Grange Road.
42. 18 Knighton Grange Road.
43. 19 Knighton Grange Road.
44. 20 Knighton Grange Road.
45. 21 Knighton Grange Road.
46. 23 Knighton Grange Road.
47. 24 Knighton Grange Road.
48. 25 Knighton Grange Road.
49. 26 Knighton Grange Road.
50. 27 Knighton Grange Road.
51. 28 Knighton Grange Road.
52. 29 Knighton Grange Road.
53. 30 Knighton Grange Road.
54. 32 Knighton Grange Road.
55. 33 Knighton Grange Road.
56. 34 Knighton Grange Road.

57. 37 Knighton Grange Road.
58. 38 Knighton Grange Road.
59. Beaumont Leys 39 Knighton Grange Road.
60. 40 Knighton Grange Road.
61. 1 Knighton Rise.
62. 2 Knighton Rise.
63. 3 Knighton Rise.
64. Frankline House, 4 Knighton Rise.
65. 5 Knighton Rise.
66. 7 Knighton Rise.
67. The Gables, 8 Knighton Rise.
68. 9 Knighton Rise.
69. 10 Knighton Rise.
70. 11 Knighton Rise.
71. Meadowhurst, 12 Knighton Rise.
72. Elmcroft, 13 Knighton Rise.
73. 14 Knighton Rise.
74. St Helier, 15, Knighton Rise.
75. 16 Knighton Rise.
76. 18 Knighton Rise.
77. 19 Knighton Rise.
78. 20 Knighton Rise.
79. 21, Knighton Rise.
80. 22 Knighton Rise.
81. 23, Knighton Rise.
82. 25 Knighton Rise.
83. 27 Knighton Rise.
84. 30 Knighton Rise.
85. Leicester Racecourse, Stands and Stabling, Leicester Road.

86. Oadby Baptist Church, Leicester Road.
87. Brooks House, 81 Leicester Road.
88. 1– 5 Oadby Court, Leicester Road.
89. Memorial, North Side of Ellis Park, Leicester Road.
90. 1-3 London Road.
91. 17-19 London Road.
92. The Black Dog Public House, 23 London Road.
93. 24-34 London Road.
94. Gateway, London Road.
95. 38 London Road.
96. 65A London Road.
97. 66 London Road.
98. 68-80 London Road.
99. The Fox Public House, London Road.
100. Gable House, Manor Road.
101. The Coppice, Manor Road.
102. Spinneys House, 5 Manor Road.
103. Howard House, Manor Road.
104. Shirley House and Lodge, 8 Manor Road, (south side).
105. Clivedon, 10 Manor Road.
106. Ashcroft, Manor Road.
107. Aigburth, 21 Manor Road.
108. Villers House/Stamford Hall Court, Manor Road.
109. Treroose, 23 Manor Road.
110. Wighton House, 25 Manor Road.
111. The Beeches, 29 Manor Road.
112. Fields House, 40 Manor Road.
113. Brendon, 42 Manor Road.
114. Stoughton Leys, 44 Manor Road.

115. 49 Manor Road.
116. 51 Manor Road.
117. Melbury House, 55 Manor Road.
118. 66 Manor Road.
119. 67 Manor Road.
120. 69 Manor Road.
121. 70 Manor Road.
122. 73 Manor Road.
123. 77 Manor Road.
124. 1 Meadowcourt Road.
125. Southcroft, 2 Meadowcourt Road.
126. 2B Meadowcourt Road.
127. 3 and Swallowcroft, 5 Meadowcourt Road.
128. 4 Meadowcourt Road.
129. 6 Meadowcourt Road.
130. 7 Meadowcourt Road.
131. 8 Meadowcourt Road.
132. 9 Meadowcourt Road.
133. 10 Meadowcourt Road.
134. Portland Cottage, 11 Meadowcourt Road.
135. 12 Meadowcourt Road.
136. 13 and 15 Meadowcourt Road.
137. Woodgarth, 14 Meadowcourt Road.
138. 16 Meadowcourt Road.
139. 17 Meadowcourt Road.
140. 18 Meadowcourt Road.
141. 19 Meadowcourt Road.
142. 20 Meadowcourt Road.
143. 21 Meadowcourt Road.

144. 22 Meadowcourt Road.
145. 23 and 25 Meadowcourt Road.
146. 24 Meadowcourt Road.
147. 26 Meadowcourt Road.
148. 27 and 29 Meadowcourt Road.
149. 28 Meadowcourt Road.
150. 30 Meadowcourt Road.
151. 31 and 33 Meadowcourt Road.
152. 36 Meadowcourt Road.
153. 12-16 'The Old Manor Inn', The Parade.
154. 91 The Parade.
155. 22 Powys Avenue.
156. 1-31 Sandhurst Street (odd numbers)
157. Redroofs, Southmeads Road.
158. Elmsthorpe, 26 Southmeads Road.
159. Barrington, Southmeads Road.
160. Powerscourt, Southmeads Road.
161. Whitewings, Southmeads Road.
162. North Memorial Homes, Stoughton Road.
163. Framework Knitters Cottages, Stoughton Road.
164. Digby Hall, Stoughton Drive South (east side.)
165. Stamford House, Stoughton Drive South (east side).
166. Southmeades, Stoughton Drive South (west side).
167. Highgrove, Stoughton Drive South (east side).
168. 17 Stoughton Drive South.
169. 19 Stoughton Drive South.
170. 23 Stoughton Drive South.
171. Ashfield, 29 Stoughton Drive South (west side).
172. Greenleys, 30 Stoughton Drive South (west side).

173. Kent House, Stoughton Drive South.
174. Gate House, Stoughton Drive South.
175. Rosenfels, Stoughton Drive South.
176. Ash Lodge, Stoughton Drive South.
177. Inglewood, Stoughton Drive South.
178. St Peters Church Hall, Wigston Road.
179. The Royal British Legion, Wigston Road.
180. The Hermitage, Wigston Road.

### Wigston

1. 52 and 54 Aylestone Lane.
2. 246 Aylestone Lane.
3. Former Electric Station and Wall, 49 Bell Street.
4. 20 and 22 Bullhead Street.
5. The Limes, 80 Bullhead Street.
6. 106 – 110 Bullhead Street (evens only).
7. Horse and Trumpet, Bullhead Street.
8. Kings Centre, 56 Bullhead Street.
9. Spoutewell Cottage, Bullhead Street.
10. St Wolstans House and Barn, Bullhead Street.
11. 2 – 14 Bushloe End (evens only).
12. Apple House, 18 Bushloe End.
13. Coach House, 48 Bushloe End.
14. Kingswood Lodge, 50 Bushloe End.
15. All Saints Church Rooms, Bushloe End.
16. All Saints Vicarage, Bushloe End.
17. Elms House, British Legion, Bushloe End.
18. Co-op Garages, 1 Central Avenue.
19. Ivy Cottage, Cooks Lane.

20. Methodist Church and School Rooms, Cross Street.
21. Former Methodist church and School Rooms, Frederick Street.
22. The Bungalow, Gas Lane.
23. Weavers Cottage, 26 Gladstone Street.
24. Tyndale, 19 Granville Road.
25. Ivy Cottage, 20 Granville Road.
26. 29 and 31 Granville Road.
27. 36 Granville Road.
28. The Poplars, 37 Granville Road.
29. Pear Tree Lodge, Granville Road.
30. 56 Granville Road.
31. 57 Granville Road.
32. 58 Granville Road.
33. 71 Granville Road.
34. 73 Granville Road.
35. 75 Granville Road.
36. Holly Villa, 76 Granville Road.
37. 79 Granville Road.
38. Claremont, 80 Granville Road.
39. 81 Granville Road.
40. 82 Granville Road.
41. 83 and 85 Granville Road.
42. 2 and 4 Leicester Road.
43. 158 and 160 Leicester Road.
44. 162 Leicester Road.
45. 164 – 170 Leicester Road.
46. 289 and 291 Leicester Road.
47. Salisbury House, 304 Leicester Road.
48. 306 and 308 Leicester Road.

49. The Bell Inn, Leicester Road.
50. Star and Garter Inn, Leicester Road.
51. The Royal Oak Inn, Leicester Road.
52. 22 and 22A Long Street.
53. Devil House, 41 Long Street.
54. 43 and 45 Long Street.
55. 61 and 65 Long Street.
56. Conservative Club, Long Street.
57. Co-op Hall and Snooker Hall, Long Street.
58. Former Working Mens Club, Long Street.
59. Hubert Hall Shop, Long Street.
60. Records Office of Leicestershire, Leicester and Rutland, Long Street.
61. The Manse, Long Street.
62. The Pavilion, Peace Memorial Park, Long Street.
63. Cedar Court Care Home, Long Street.
64. 1A Moat Street.
65. 5 and 7 Moat Street.
66. Creasy's Cottage, 11 Moat Street.
67. Cromwell Cottage, 32 Moat Street.
68. 64, 64A and 64B Moat Street.
69. Peacock Row, 106 – 134 Moat Street (evens only).
70. Store to the rear of 116 Moat Street.
71. Album View, 144 Moat Street.
72. The Old Crown Inn, Moat Street.
73. Europa Sports Factory, Newton Lane.
74. Belvoir Sportswear Factory, Paddock Street.
75. 6 Spa Lane.
76. 6A Spa Lane.
77. Kimberley Cottage, 19 Spa Lane.

78. 20 Spa Lane (house and privy).
79. Guthspa Works and Spa Mews, Spa Lane.
80. 2, 4, 6 Spring Lane.
81. Midland Cottages, 1 – 20 Station Road.
82. Abingdon House, Station Road.
83. 1852 Brewery Company, Station Road.
84. 7 Welford Road.
85. The Chapel, Wigston Cemetery, Welford Road.
86. The Mortuary, Wigston Cemetery, Welford Road.

#### Kilby Bridge

1. Berry House, Welford Road.
2. Navigation Inn, Welford Road.
3. The White House, Welford Road.
4. Weighbridge House, Welford Road.
5. Wharf and Associated Buildings, Welford Road.

#### South Wigston

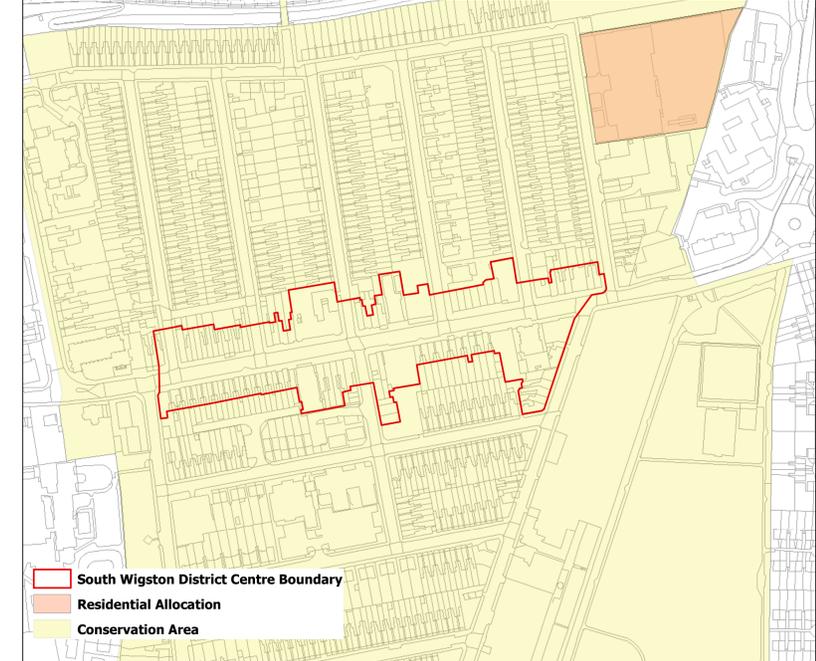
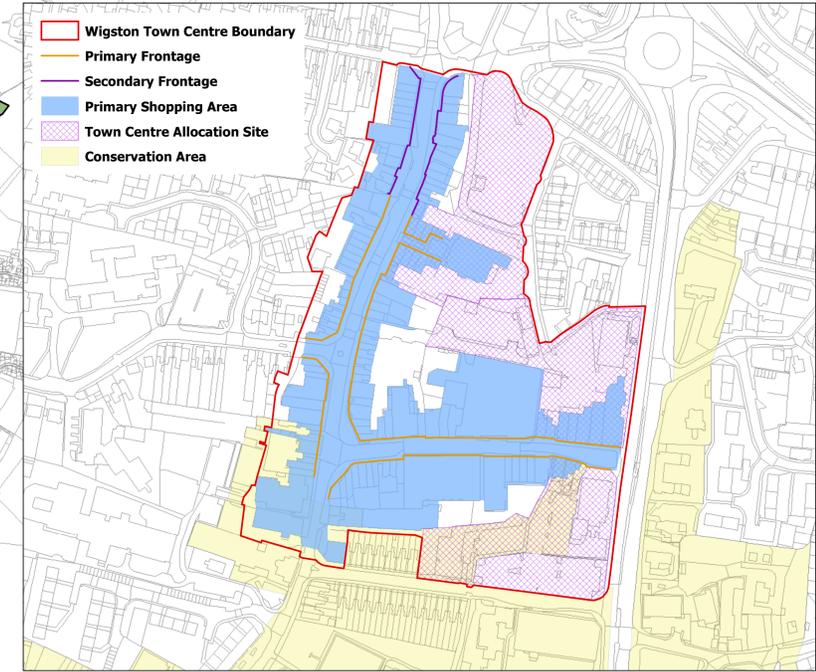
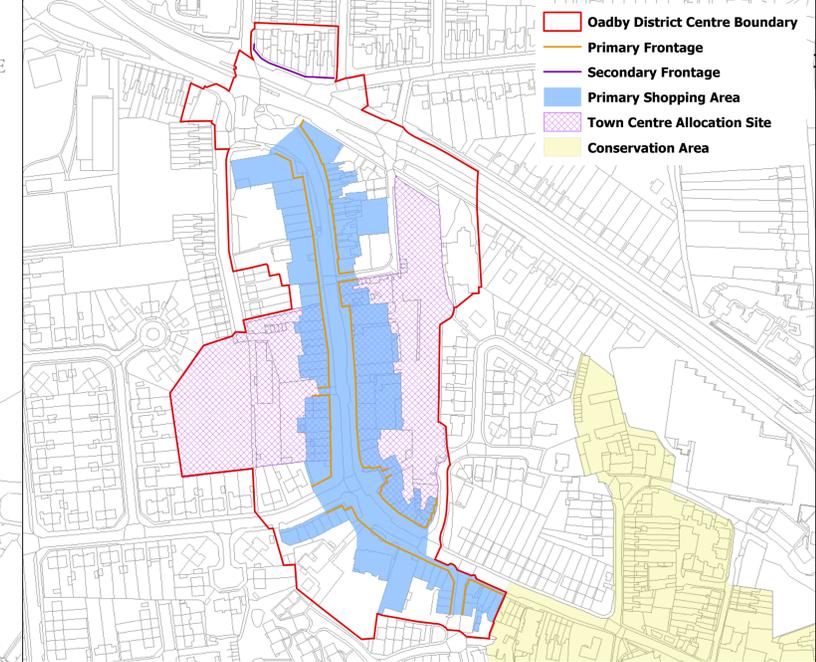
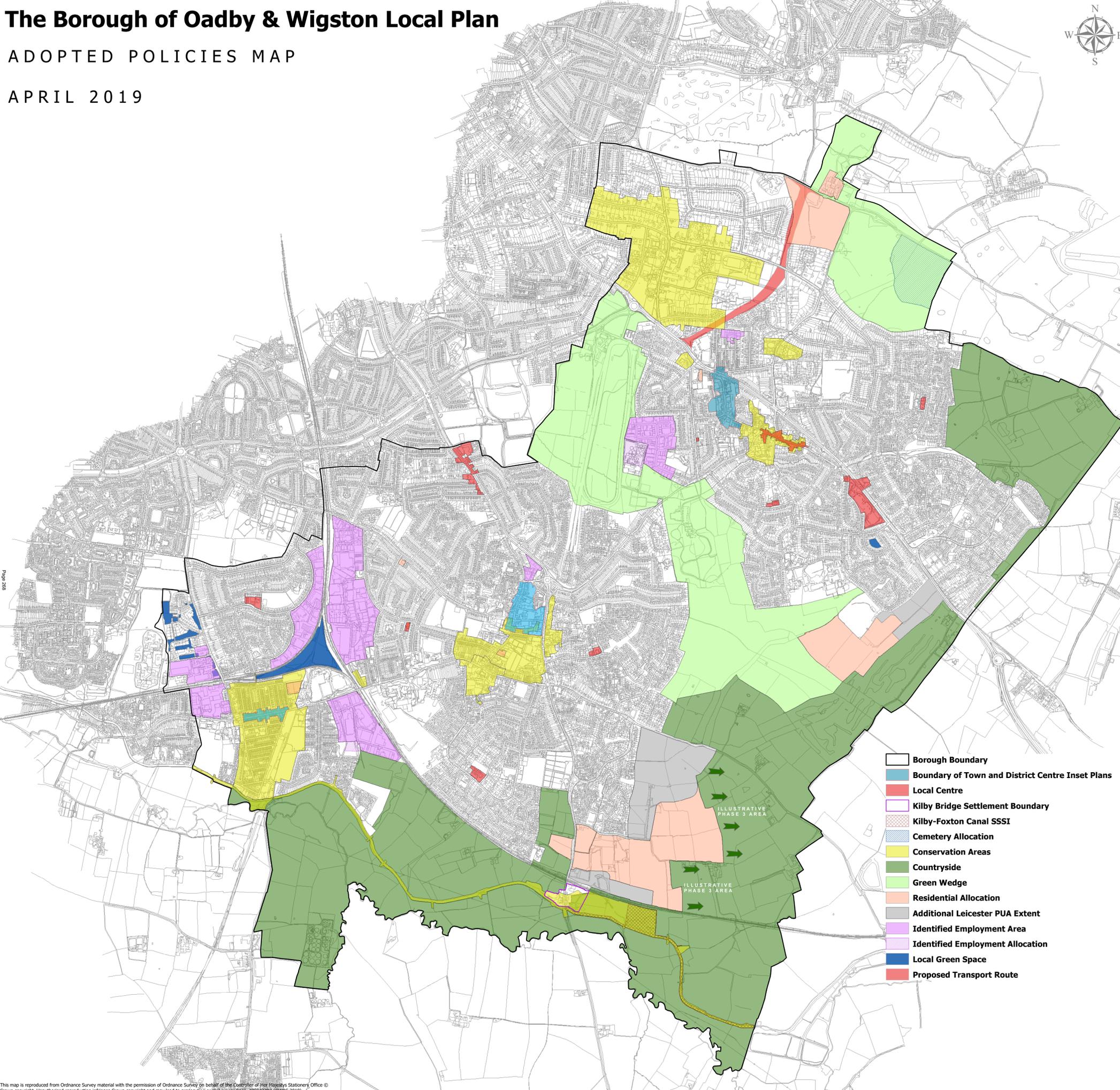
1. The Bassett Centre, Bassett Street.
2. 50 – 64 Blaby Road (between Glengate and Station Street).
3. 65 – 67 Blaby Road.
4. 69 – 99 Blaby Road.
5. 115 – 117 Blaby Road.
6. Congregational Church, Blaby Road.
7. Former Ritz Cinema, Blaby Road.
8. Methodist Church, Blaby Road.
9. St Thomas' Church Rooms, Blaby Road.
10. The Marquis of Queensbury, Blaby Road.
11. 41 – 43 Canal Street.

12. De Vas Routeledge Works, Canal Street.
13. Grand Hotel, Canal Street.
14. Stamford Shoe Works, Canal Street.
15. Crow Mill, Countesthorpe Road.
16. 2 Orange Street.
17. North Lodge, Saffron Road.
18. The Cottage, Saffron Road.
19. WH Bates Hosiery Factory, Station Street.
20. Former Quarter Masters Quarters, Tigers Road.
21. Former Regimental Hospital, Tigers Road.
22. Tavra Training Hall, Tigers Road.

# The Borough of Oadby & Wigston Local Plan

ADOPTED POLICIES MAP

APRIL 2019



- Borough Boundary
- Boundary of Town and District Centre Inset Plans
- Local Centre
- Kilby Bridge Settlement Boundary
- Kilby-Foxton Canal SSSI
- Cemetery Allocation
- Conservation Areas
- Countryside
- Green Wedge
- Residential Allocation
- Additional Leicester PUA Extent
- Identified Employment Area
- Identified Employment Allocation
- Local Green Space
- Proposed Transport Route

ILLUSTRATIVE PHASE 3 AREA  
 ILLUSTRATIVE PHASE 3 AREA



**Oadby & Wigston**  
BOROUGH COUNCIL

## EQUALITY ASSESSMENT

### PART 1 - INITIAL SCREENING

<b>Name of Policy/Function:</b>	<input checked="" type="checkbox"/>	This is <b>new</b>
	<input checked="" type="checkbox"/>	This is a <b>change</b> to an existing policy
	<input type="checkbox"/>	This is an <b>existing</b> policy, Function, not previously assessed
	<input type="checkbox"/>	This is an existing policy/function for <b>review</b>

<b>Date of screening</b>	22 / 03 / 2019
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#### 1. Briefly describe its aims & objectives

The Council's new Local Plan is the key strategic planning policy document for all future growth and development within the Borough area up to the year 2031.

Upon adoption of the new Local Plan all planning decisions for development would need to be in conformity with the planning policies set out in the Plan.

In addition, upon adoption, the Local Plan will supersede the Council's Core Strategy Development Plan Document and the Town Centres Area Action Plan Development Plan Document, as well as the Saved Local Plan.

#### 2. Are there external considerations?

National Planning Policy Framework (NPPF);  
National Planning Practice Guidance;  
Localism Act 2011;  
Town and Country Planning (Local Planning) (England) Regulations.

#### 3. Who are the stakeholders and what are their interests?

- Oadby and Wigston Borough Council as the local planning authority;
- Private landowners and developers who may wish to promote the development of their site; and,
- The public who are interested in the future plans for improving the Borough and new development taking place over the Plan period.

#### 4. What outcomes do we want to achieve and for whom?

A vibrant Borough with a strong and diverse economy that brings opportunities for all and provides an environment where people want to live, work and play. The development of new market and affordable housing on a number of sites in varying locations will provide housing choices suitable for all within the Borough. Through new development, provision of new key services and amenities will be provided in the Borough. Important areas of green space and heritage will also be protected.

**5. Has any consultation/research been carried out?**

The public, key stakeholders and businesses have been consulted as part of the Local Plan process at the;

- Key Issues and Options stage from 12<sup>th</sup> October 2015 to 23<sup>rd</sup> November 2015;
- Preferred Options from 4<sup>th</sup> November 2016 to 16<sup>th</sup> December 2016;
- Pre-Submission from 6<sup>th</sup> November 2017 to 18<sup>th</sup> December 2017; and,
- Throughout the Examination in Public held throughout 2018.

**6. Are there any concerns at this stage which indicate the possibility of Inequalities/negative impacts?**

No.

**7. Could a particular group be affected differently in either a negative or positive way?**

**Positive** – *It could benefit*

**Negative** – *It could disadvantage*

**Neutral** – *Neither positive nor negative impact or not sure.*

	<b>Type of impact, reason &amp; any evidence</b>
Disability	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Race (including Gypsy & Traveller)	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Age	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Gender Reassignment	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Sex	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Sexual Orientation	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Religion/Belief	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Marriage and Civil Partnership	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.
Pregnancy and Maternity	Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.

**8. Could other socio-economic groups be affected?**

*e.g. carers, ex-offenders, low incomes, homeless?*

Positive – The Local Plan does not favour one particular group. It seeks that all development is accessible equally by everyone within the community.

**9. Are there any human rights implications?**

No.



# Agenda Item 14



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Adoption of Supplementary Planning Document (SPD) and Statement of Community Involvement (SCI) (April 2019)**

**Report Author(s):** **Jamie Carr (Planning Policy Team Leader)**

<b>Purpose of Report:</b>	The purpose of this report is to highlight to Members the comments that were received during the Supplementary Planning Document (SPD) public consultations and the Statement of Community Involvement (SCI) public consultation that took place between 8 October 2018 and 19 November 2018. The report highlights how the comments have been taken into account in the production of the final SPD's and SCI which are now recommended for Adoption.
<b>Report Summary:</b>	<p>The consultation comprised of four documents; the revised SCI; the Developer Contributions SPD; the Conservation Areas SPD; and the Residential Development SPD. The SPD's and the SCI are updates and revisions of existing adopted documents. The revisions take account of current national planning policy, legislation and regulations.</p> <p>In general the comments received for all of the documents during the consultation periods were positive, however some respondents did suggest some more significant changes to the Developer Contributions SPD and the Conservation Areas SPD which are explained in this report. All documents have been amended accordingly and are being submitted to Full Council with the recommendation for adoption.</p>
<b>Recommendation(s):</b>	<p><b>A. That the changes made to the three Supplementary Planning Documents as a result of the public consultation (as set out at Appendices 5 – 8) are approved and adopted;</b></p> <p><b>B. That the Statement of Community Involvement (as set out at Appendix 1) is approved and adopted;</b></p> <p><b>C. That the Developer Contributions Supplementary Planning Document (as set out at Appendix 2) is approved and adopted;</b></p> <p><b>D. That the Conservation Areas Supplementary Planning Document (as set out at Appendix 3) is approved and adopted; and</b></p> <p><b>E. That the Residential Development Supplementary Planning Document (as set out at Appendix 4) is approved and adopted;</b></p>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Stephen Hinds (Director of Finance &amp; Transformation) (0116) 257 2681 <a href="mailto:stephen.hinds@oadby-wigston.gov.uk">stephen.hinds@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Planning, Development and Regeneration) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Jamie Carr (Planning Policy Team Leader)</p>

	(0116) 257 2652 <a href="mailto:jamie.carr@oadby-wigston.gov.uk">jamie.carr@oadby-wigston.gov.uk</a>
<b>Corporate Objectives:</b>	Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2)
<b>Vision and Values:</b>	"A Strong Borough Together" (Vision) Innovation (V4) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	The consultation process followed for each of the documents conformed to statutory legislation and requirements, as well as local requirements as set out within the Council's SCI.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	The full Consultation Statements in relation to each of the SPD's and the SCI is set out at paragraph 2.2 and in appendices 5 to 8.
<b>Background Papers:</b>	None.
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Revised Statement of Community Involvement (April 2019)</li> <li>2. Revised Developer Contributions SPD (April 2019)</li> <li>3. Revised Conservation Areas SPD (April 2019)</li> <li>4. Revised Residential Development SPD (April 2019)</li> <li>5. Statement of Community Involvement Consultation Statement (2018)</li> <li>6. Developer Contributions SPD Public Consultation Statement (2018)</li> <li>7. Conservation Areas SPD Public Consultation Statement (2018)</li> <li>8. Residential Development SPD Public Consultation Statement (2018)</li> </ol> <p><b>As appendices 1 to 8 are substantially large documents to reproduce, they have <u>not</u> been physically annexed as a hard-copy to this report. Alternatively, a copy of all appendices will be (have been) made available by Planning Policy for inspection:</b></p> <ul style="list-style-type: none"> <li>• <b>at the Council Offices during ordinary business hours (9:00 am - 5:00 pm) 5-clear working days before the Full Council</b></li> </ul>

	<p><b>meeting on 16 April 2019 (by 8 April 2019);</b></p> <ul style="list-style-type: none"> <li>• <b>on the <a href="#">Council's website</a> and via the <a href="#">modern.gov app</a> (as part of the electronic agenda reports pack) 5-clear working days before the Full Council meeting on 16 April 2019;</b></li> <li>• <b>at the Full Council meeting itself on 16 April 2019; and</b></li> <li>• <b>by reference to the copies deposited in the Members' Room (Room 104) at the Council Offices (Members only).</b></li> </ul>
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## **1. Background**

- 1.1 Between 8 October 2018 and 19 November 2018 the Council undertook a 6 week public consultation on three revised Supplementary Planning Document's (SPD) and the revised Statement of Community Involvement (SCI). Each of the documents consulted upon were updates to previously adopted documents.
- 1.2 The SCI document sets out the Council's approach to involving and consulting local people and stakeholders in the planning process, more specifically the preparation of the various components of the Local Plan and in making development management decisions on planning applications. The SCI allows all local people, businesses and stakeholders to become fully engaged in the planning process in order for the local planning system to be a positive tool in shaping the future growth and improvement of the Borough.
- 1.3 SPD's are documents which add further detail to the policies set out within the Council's new Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPD's do not form part of the Council's development plan, however they are a material consideration in the planning decision making process.
- 1.4 The three SPD's consulted on were; the Developer Contributions SPD; the Conservation Areas SPD; and, the Residential Development SPD. These SPD's are the first 'tranche' of revision documents. Upon adoption, work on the next set of SPD revision documents will begin.

## **2. Consultation Responses**

- 2.1 To ensure that there was an opportunity for the whole community to get involved in commenting on the documents, the consultation was advertised widely.
- 2.2 In addition to a notification letter being sent out to every contact on the Local Plan Database, the Council made all elected Council Members aware of the consultation; advertised the consultation on each of the digital display screens throughout the Borough; advertised the consultation on social media; advertised the consultation on it's website; made available for inspection hard copies of all relevant information and documentation at it's Customer Service Centre in Wigston and the public library in Oadby; and, made available for inspection electronic copies of all relevant information and documentation on its website.
- 2.3 During the consultation for the revised SCI comments were received from three statutory consultees; Natural England, the Environment Agency and Severn Trent Water.
- 2.4 There were no issues raised and/or any suggested amendments to the document. The principle of early and meaningful engagement was supported. Further information relating to the consultation process and the comments received for these documents is contained within the Council's 'Statement of Community Involvement Public Consultation Statement 2018' document appended to this report.
- 2.5 During the consultation for the revised SPD's, representations were received from Natural

England, the Environment Agency, Severn Trent Water, Sport England, East Leicestershire and Rutland Clinical Commissioning Group, Leicestershire County Council Conservation Department, Wigston Civic Society, Montagu Evans on behalf of the University of Leicester and Barton Wilmore on behalf of the Co-op.

- 2.6 The majority of the comments received were positive, however there were some comments that proposed amendments to the wording of the SPD documents. The main comments raised are listed below.

#### Developer Contributions SPD

- The absence of a specific Viability Assessment underpinning the figures contained within the SPD.
- The justification for the Council seeking a Monitoring Fee to cover the administrative costs to monitor the collection and expenditure of planning obligations from qualifying new developments.
- The justification for the Council in seeking a contribution towards the capital cost of providing 'household' and 'recycling bins' for every new additional home in the Borough.
- The strengthening of the references to Sport England's 'Active Design' principles throughout the document.

#### Conservation Areas SPD

- Consistency in references to Locally Listed Buildings and Significant Local Buildings...the latter being out of date.
- Amend the wording relating to demolition of buildings within a Conservation Area. The previous assessment criteria relating to demolition was suggested to be overly prescriptive and not in line with current national policy and guidance.
- Whether a general presumption against the change of use and/or the demolition of buildings within a Conservation Area is justified

#### Residential Development SPD

- Sport England sought the reference of their 'Active Design' Guide within the SPD to ensure that the 10 key principles are taken into account during masterplanning and planning decision making processes.
- The provision of further guidance relating to the use of technical housing space standards and when these should apply, as well as what information is required from an applicant.

- 2.7 Further information relating to the consultation process and the comments received for all of the SPD's is contained within the 'Developer Contributions SPD Public Consultation Statement 2018'; 'Conservation Areas SPD Public Consultation Statement 2018'; and, 'Residential Development SPD Public Consultation Statement 2018', all of which are appended to this report.

### **3. Post Consultation**

- 3.1 Taking account of the comments received during the public consultation, some

amendments have been made to each of the revised SPD documents, however no changes were made to the revised SCI.

#### Developer Contributions SPD

- The Monitoring and Enforcement section of the SPD has been amended to implement fixed Monitoring Fees. The fees fairly reflect the scale and kind of development, as well as the anticipated cost to the Council to monitor the obligations over the lifetime of the development.
- Paragraph 4.50 within the Open Space, Sport and Recreation Facilities (incorporating Green Infrastructure) section has been amended to make reference to Sport England's 'Active Design' initiative, which seeks to encourage more active lifestyles through good design of new developments.
- The 'Waste: Household and Recycling Receptacles' section, together with 'Appendix 2: Household Waste and Recycling Receptacles Unilateral Undertaking' has been deleted. This decision reflects representations submitted by Barton Wilmore, together with a review of legislation contained within the Environmental Protection Act (1990) which indicates that this is not an appropriate use of S106 contributions.
- To provide applicants / developers with greater levels of clarity about the levels of off-site financial contributions expected of them from new developments, an additional Appendix has been created to illustrate the likely level of contribution per dwelling size, in each ward within the Borough. Reference to this additional Appendix has been added to paragraph 4.72 within the SPD.

#### Conservation Areas SPD

- All references to Conservation Area Consent have been removed from the document because demolition of any building now requires planning permission.
- The criteria relating to demolition, set out within Chapter 3 of the SPD has been removed. Having considered the comments received it was considered that the criteria was not in line with policy set out within the Council's Local Plan. Reference is now made within the SPD to the relevant Local Plan policy.
- Reference has been made within the SPD to the Technical Housing Standards that are set out within the Council's Local Plan in relation to conversion, sub-divisions and/or changes of use from a building other than residential, to residential.
- Paragraph 3.1 of the SPD has been amended to be more consistent with national policy and guidance, as well as local policy and guidance. Rather than having a 'general presumption against demolition', the wording states that there will be a 'general presumption in favour of retention and preservation'.
- Paragraph 13.12 has been amended to suggest that new buildings will not be permitted in close proximity to important trees unless it can be robustly demonstrated that the new building will not have a detrimental impact on the important tree in question.

#### Residential Development SPD

- In response to the comments received by Sport England, further text has been added to the SPD document (paragraph 3.2) to reference the Sport England Active guidance, specifically its ten key principles.

- Further text has been added, relating to the use of technical housing space standards and when these should apply, as well as what information is required from an applicant. The additional text comprises two new paragraphs, 3.108 and 3.109. It is considered that the additional text adds clarity for both the applicant and the decision maker.

# Agenda Item 15



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Housing Tenancy Agreement (April 2019)**

**Report Author(s):** **Steve Nash (Housing Services Manager)**

<b>Purpose of Report:</b>	This report gives Council the opportunity to consider a proposed replacement Housing Tenancy Agreement ("the new Agreement") for all of the Council's current and future tenants.
<b>Report Summary:</b>	The new Agreement has been produced by Officers and consulted upon.
<b>Recommendation(s):</b>	<b>That the deployment of the new proposed Housing Tenancy Agreement (as set out at Appendix 1 to this report) in accordance with the Housing Act 1985 be approved.</b>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Stephen Hinds (Director of Finance &amp; Transformation) (0116) 257 2681 <a href="mailto:stephen.hinds@oadby-wigston.gov.uk">stephen.hinds@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Planning, Development and Regeneration) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Steve Nash (Housing Services Manager) (0116) 257 2662 <a href="mailto:steve.nash@oadby-wigston.gov.uk">steve.nash@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Building, Protecting and Empowering Communities (CO1) Providing Excellent Services (CO3)
<b>Vision and Values:</b>	"A Strong Borough Together" (Vision) Accountability (V1) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications arising from the report.
Financial:	There are no implications directly arising from the report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from the report. Initial EA Screening (See Appendices)
Human Rights:	There are no implications arising from the report.
Health and Safety:	There are no implications arising from the report.
<b>Statutory Officers' Comments:-</b>	

Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	All Introductory and Secure Tenants were invited to comment.
<b>Background Papers:</b>	<a href="#">Housing Act 1985</a>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Housing Tenancy Agreement Proposed Full Text (April 2019)</li> <li>2. Housing Tenancy Agreement Comparison Table (April 2019)</li> <li>3. Housing Tenancy Agreement Initial EA Screening (March 2019)</li> </ol>

## 1. New Housing Tenancy Agreement

1.1 The Service Delivery Committee approved a draft Tenancy Agreement for consultation in March 2018. The main changes contained within the new Agreement were:

- Introductory Tenancy; consequences of breaching the tenancy and discussion regarding extending tenancy/ending the tenancy;
- Rent; to pay rent monthly in advance if paying by standing order or Direct Debit;
- Use and occupation of property; the permission required and details needed for any potential lodger/s;
- Fire safety concerns; to support work being carried to keep tenants safe in flats and communal areas including issues around blocking and not restricting access and not removing doors i.e. kitchen doors;
- Environment; not to dump rubbish in communal areas. This supports our efforts to keep areas clear of rubbish;
- Environment; more details on ensuring gardens are maintained and dealing with any health and safety concerns;
- Pets; permission for pets required in flats and bungalows and the limit on how many pets allowed generally;
- Clarifying obligations in relation to repairs; permission to alter or improve the property; the principle of recharging for tenant damage, gaining access etc.; becoming responsible for non-standard items such as previous tenants improvements; and
- Anti-Social Behaviour; the extension of definitions to address new and emerging themes.

## 2. Consultation

2.1 Consultation was undertaken with all Introductory and Secure Tenants in December 2018.

2.2 All tenants received a hand delivered consultation pack which included a covering letter along with copies of the existing and proposed Agreements and a table of changes as attached at **Appendix 2**.

2.3 A webpage on the Council's website was set up covering Frequently Asked Questions and tenants were invited to contact the Housing Services Manager with comments.

2.4 No comments were received by the Housing Services Manager from tenants.

2.5 The only consultation response internally of note was from the Head of Law and Governance who requested the inclusion of wording around anti-social behaviour. The proposed new Agreement at **Appendix 1** has been amended to include the anti-social 'use' of illegal drugs and the specific mention of communal areas in addition to the actual home

and the general locality.

### **3. Next Stage**

- 3.1 Upon receipt of Council approval, the next stage in the process is to serve a notice of variation alongside a copy of the new Agreement on all Introductory and Secure Tenants.
- 3.2 After a 4 week period, the new tenancy will become effective without the need for tenants to sign or return any documentation.
- 3.3 Any tenant objecting to the new Agreement is able to give 4-weeks contractual notice to end their tenancy.

# Tenancy Agreement

Oadby & Wigston Borough Council  
(Landlord)

NEW Proposed tenancy

## Contents

### Definitions

1. Introduction
2. False Statement
3. Payment of Rent and Charges
4. Use and Occupation of the Property
5. Access to the Property
6. Repairs and Maintenance
7. Insurance
8. Anti Social Behaviour
9. Unlawful Behaviour
10. Gardens
11. Boundaries, Paths and Driveways
12. Vehicles and Parking
13. Communal Areas
14. Keeping of Animals
15. Written Permission
16. Recharges
17. Ending Your Tenancy
18. Consultation and Information
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## NEW Proposed Tenancy

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### Definitions

In this Agreement, the following words have the meanings given below:

**Animal/Pet:** Includes bird, insect, reptile, spider, fish, livestock, cat, dog.

**ASB:** Anti Social Behaviour.

**Assign/Assignment:** Giving up the rights of a tenancy in favour of a qualifying family member or by way of mutual exchange.

**Assignee:** Person who is assigned a tenancy following Assignment

**Communal Areas:** Areas which tenants share with other tenants such as stairs, entrance halls including door entry systems, lifts, landings, balconies, access ways, paths, grassed open spaces, shared gardens or yards, parking areas, parking bays or hard standings.

**Communal Aerial System:** An aerial system provided and maintained by us for blocks containing more than four flats and sheltered schemes.

**Demotion:** A tool to combat Anti Social Behaviour which results in reduced rights and less security from eviction.

**Employees:** Includes any contractor, agent or anyone employed by us.

**Fixtures:** Includes, but is not limited to, kitchen units, bathrooms and sanitary ware.

**Fittings:** Includes, but is not limited to, plumbing systems, electrical circuits, sockets, switches, lamp holders, doors, locks and glazing.

**Garden(s):** Includes any plantings, hedges and/or trees or other land let to you as part of the Property.

**Independent:** Someone not affiliated with the Council or Tenant who can provide the necessary advice, such as the Citizens' Advice Bureau and Shelter Housing Advice Centres.

**Improvement:** Any alteration or addition to the Property.

**Introductory Tenant:** A Tenant who has an Introductory Tenancy under The Housing Act 1985.

**Introductory Tenancy:** A Tenancy which lasts for a trial period of up to 18 months. The Tenancy may then become a Secure Tenancy unless the Tenant has breached the Tenancy conditions.

**Injunction:** A Court Order requiring a Tenant or person to do, or refrain from, doing specific acts.

## NEW Proposed Tenancy

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**Joint Tenant/Joint Tenancy/Joint Tenancies:** Joint Tenants are responsible, jointly and individually, for the rent, service charges and obligations of the Tenancy

**Lodger(s):** A person who a Tenant allows to live in the Property, with or without payment.

**Neighbours:** Everyone living or working in the locality of a Tenant's Property.

**Notice Seeking Possession:** A legal document that is served prior to taking possession action (for Secure Tenants).

**Notice of Possession Proceedings for Introductory Tenants (NOPPIT):** A legal document that is served prior to taking possession action (for Introductory Tenants).

**Notice Period:** The period of notice required by either party to bring the Tenancy to an end. This is normally four weeks notice unless stated otherwise within the Agreement.

**Notice to Terminate:** A legal document that the Tenant must complete in order to bring the Tenancy to an end.

**Order for Possession:** A court order allowing the Landlord to legally evict the Tenant and regain possession of the Property.

**Partners:** Members of a couple in a relationship (including same gender relationships), who are living together.

**The Property:** The housing accommodation at the address specified on page 25 let to the Tenant under the Tenancy Agreement, including any garden, yard, outbuilding, garage, fence or wall also let with the housing accommodation owned by Oadby & Wigston Borough Council.

**Relatives:** Parents, children, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, step relatives and adopted children.

**Rent:** The weekly or monthly charge payable by a Tenant to live in the Property.

**Secure Tenant(s):** A Tenant who has a Secure Tenancy under The Housing Act 1985.

**Secure Tenancy:** A Tenancy providing the Tenant some security of tenure which means that the Tenancy cannot be terminated without a court order.

**Service Charge(s):** Means charges for services provided to the Tenant by or on behalf of us as Your Landlord.

**Sheltered Properties:** Situated in a group setting and usually within the same accommodation building with communal facilities.

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Successor: Person who receives the tenancy following a succession.

Supported Properties: Properties designated as requiring an individual to have a support need, whether by age, physical or mental impairment.

Sublet: Giving another person(s) the exclusive right to live in part of the Property.

Tenant(s): The person(s) who signs the Tenancy Agreement and named at page 25.

Tenancy Agreement: This document contains the terms, conditions and obligations of the Tenancy.

Tenancy: Possession of land or property as a tenant of Oadby & Wigston Borough Council

Vacant Possession: The Property is unoccupied and empty of possessions.

Visitors: People not living with the Tenant but who come to the Tenant's Property.

Vehicle(s): A car, bus, lorry, motorbike, boat, caravan, motor home, trailer, scooter, motorised transport or similar.

Void: An empty Property.

We, Us or Our: Means the Landlord Oadby & Wigston Borough Council, who can be contacted at the Council Offices, Station Road, Wigston, LE18 2DR

Written Permission/Consent: A letter from us giving the Tenant permission in response to a request they have made. Any consent that is required will not be unreasonably withheld. If you are required to obtain consent under this Agreement, you may also need to obtain statutory consent from other organisations. Any consent given by us under this Agreement does not replace, constitute or take effect as that consent.

You: means the Tenant(s) and includes any successor or assignee,

# Terms of Tenancy

## 1. Introduction to the Tenancy Agreement

1.1 This Agreement contains the terms, conditions and obligations of the Tenancy for you as the Tenant and us as your Landlord. You should read this Agreement carefully to ensure that you understand and accept its contents. If you do not understand any part of this Agreement we strongly recommend you ask for it to be explained to you before you sign it. You might consider consulting a solicitor, Citizens Advice or Housing Advice Centre before you proceed. By signing the Tenancy Agreement you are agreeing to become a Tenant of Oadby & Wigston Borough Council.

1.2 There are two kinds of tenancy contained in this Agreement:

- Introductory Tenancy
- Secure Tenancy

By signing this Agreement, you are entering into a legal contract with us and will become either an Introductory or Secure tenant. On your Tenancy Agreement we tell you whether your Tenancy is an Introductory or a Secure Tenancy. If you have an Introductory Tenancy, we also tell you within the Tenancy Agreement, the date it will become a Secure Tenancy.

Table A in Section 1.6 shows in brief the rights of Introductory and Secure Tenancies.

1.3 If you had a Secure Tenancy immediately before entering into this Tenancy Agreement you will remain a Secure Tenant. As a Secure Tenant you have the right to live in the Property (right to possession) so long as you comply with this Tenancy Agreement. We will not normally interfere with your right to possession unless the court grants us permission. A Notice of Seeking Possession/Demotion must be served on you before any legal action to end your Secure Tenancy can begin.

1.4 If you did not have a Secure Tenancy immediately before entering into this Tenancy Agreement you will be an Introductory Tenant. An Introductory Tenancy is a trial period of one year from the date of the Tenancy Agreement and you have fewer legal rights than a Secure Tenant. You must demonstrate to us that you are able to comply with your Tenancy Agreement. This includes, but is not limited to:

- Not behaving, or allowing any persons living in or visiting the Property to behave in an anti-social manner, including causing a nuisance or harassing others
- Paying your Rent on time
- Looking after the Property

## NEW Proposed Tenancy

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Unless we take action to end or extend your Introductory Tenancy, you will automatically become a Secure Tenant upon the expiry of your Introductory Tenancy shown on your Tenancy Agreement.

- 1.5 If you breach your Tenancy Agreement we may either extend your Introductory Tenancy by up to six months or take legal action to evict you. Legal action to evict you may mean you incur legal costs which you will be liable for. You can ask us to review our decision to end or extend your Introductory Tenancy. If we apply to the court to end your Introductory Tenancy, the court will grant the Order for Possession providing we have followed the proper procedure.
- 1.6 If you have signed this Tenancy Agreement with someone else you are a Joint Tenant. In Joint Tenancies each Tenant is jointly and individually responsible for the Tenancy. If one Tenant leaves the Property both Tenants are still responsible for abiding by this Tenancy. Your rights and responsibilities cannot be split or shared between you. If one of you ends this Tenancy it has the effect of ending the Tenancy for each of the Joint Tenants.

Table A

Legal rights of Tenants	Secure Tenants	Introductory Tenants
Right to succession of spouse/civil partner	Yes	Yes
Right to succession of family members	No	No
Right to Repair (Regulations)	Yes	Yes
Right to be consulted on housing management issues	Yes	Yes
Right to Assign to those with succession rights	Yes	Yes
Right to Buy	Yes in most cases	No
Right to take in lodgers	Yes	No
Right to sub-let	Yes with written permission	No
Right to improve	Yes with written permission	No
Right to Mutual Exchange	Yes	No

- 1.7 Your Tenancy starts on the date set out in this Agreement. It continues until you or we end it.
- 1.8 As long as you pay your rent and you comply with the Tenancy Agreement, we will not normally ask the court for an Order for Possession. However, there may be occasions where possession of the Property is required by us, for example, when we need to move you to a new home if the Property is to be demolished. In these situations you will be given assistance by us to help you

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relocate and we will be subject to relevant notice periods regarding obtaining possession.

- 1.9 If you have difficulty keeping to your Tenancy Agreement, you must contact us as soon as possible. We can then provide you with support, advice or help to sort out any problems you may be experiencing. This may avoid us having to take legal action against you.
- 1.10 You must occupy the Property as your only or principal home. If you acquire another property you must continue to live in the Property subject to this Tenancy Agreement otherwise we may ask the court for an Order for Possession.
- 1.11 We are committed to the prevention and detection of fraud and participate in data monitoring exercises for this purpose. We advise you that the data held by us in respect of your Tenancy will be used for cross-system and cross-authority comparison purposes for the prevention and detection of fraud. We may also share your data with others as permitted in law, including utility providers.

## 2. False Statement

- 2.1 If you or someone acting on your behalf has made a statement in an application for housing accommodation which you:
  - Knew was false; or
  - Thought could be false; or
  - Contained information which deceived us in allocating you this Tenancy

We may take legal action to regain possession of the Property.

## 3. Payment of Rent and Charges

- 3.1 You must pay your rent, together with any service charges due, in advance on Monday of each week. If you pay your rent by Direct Debit or Standing Order these payments must also be paid in advance.
- 3.2 You must pay the Rent, including service charges for any period of less than a week at the start or end of this Agreement, at a daily rate equivalent to the Rent payable for one week, divided by 7.
- 3.3 You must not withhold rent or any service charges for any reason.
- 3.4 You must pay any debt outstanding from any tenancy in full e.g. unpaid rent, tenancy charges, and charges for damage to the Property.
- 3.5 If you are Joint Tenants, you are each responsible for the rent and service charges, both jointly and separately. This means that we can recover arrears

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from you jointly, or each of you individually until the full amount outstanding is cleared.

- 3.6 If you have any difficulty paying your rent or service charges, you, or someone acting on your behalf, must contact us immediately.
- 3.7 If you do not pay your rent, rent arrears or service charges we may take court proceedings to evict you from the Property. These proceedings may incur additional charges such as legal fees and court costs which will then be added to your rent account.
- 3.8 We may vary the amount of rent or service charges you have to pay. You will be notified in writing of any such variation four weeks before any change takes effect.
- 3.9 If you wish to pay your rent fortnightly or monthly, you should agree this with us and permission will only be granted if you pay in advance to avoid recovery action being taken against you.
- 3.10 We may incur costs associated with pursuing you for any debt accrued by you. Unless the court orders otherwise, you must pay our reasonable legal costs and expenses properly incurred in enforcing this debt.
- 3.11 You remain liable for rent and service charges during your notice period. Your liability for rent remains until your Tenancy legally ends.
- 3.12 Your rent is subject to an annual review which may result in a change to the amount that we charge you for living at the Property.

### 4. Use and Occupation of the Property

- 4.1 You must use and occupy the Property as your only or main home. Where the Tenancy is a Joint Tenancy, at least one of you must occupy the Property as your only or principal home.
- 4.2 You must tell us if you are going to be away from the Property for more than a month and ensure that we are advised of a contact address and a nominated key holder/caretaker in case of an emergency.
- 4.3 You may take in lodgers as long as you are a secure tenant and the Property does not become overcrowded as a result. However, you must get our prior written permission before you take in lodgers. You must also provide details of their name, date of birth, gender, National Insurance Number, former address and details of the rooms that they will occupy.
- 4.4 You must not, without our prior written permission, sublet part of your Property. You cannot sublet the whole of the Property as you will no longer be a secure tenant.

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- 4.5 You may have the right to assign the tenancy to a qualifying successor. However, there are statutory criteria which apply to any assignment and our consent is required. Permission may be refused if, but not limited to:
- You have rent arrears
  - We are considering or have started possession proceedings based on rent arrears, unacceptable behaviour or condition of the Property
  - The person you wish to assign the tenancy to is not financially secure as determined by us
  - The Property has been adapted and the person being assigned the tenancy does not require the adaptations
- 4.6 You must not run a business from the Property which may affect nearby residents or your neighbours without obtaining our prior written permission. Prior to granting any such permission we will consider various factors including but not limited to, planning issues, the amount of noise generated, nuisance likely to be caused to your neighbours and whether damage to the Property may occur. An inspection of the Property may also take place before full permission is granted.
- 4.7 You must not place or exhibit any notice board or notice visible from outside the Property advertising any profession, trade or business or any goods or services without our prior written permission.
- 4.8 You or anyone living with you must not keep or use bottled gas, paraffin, petrol or any other dangerous material in any part of the Property which includes, but is not limited to, any of the Communal Areas, outbuildings and Gardens. It also includes any other area owned by us, except where necessary for normal domestic purposes, for medical purposes or where the equipment has been prescribed by a registered medical practitioner. You must not keep large amounts of these substances on the Property and the substances must be stored appropriately and safely at all times.
- 4.9 You must not use paraffin or petrol heaters, or liquid or bottled gas heaters, in the Property without our prior written consent.
- 4.10 You or anyone living with you must not use as bedroom accommodation, any room where an open flued gas appliance is installed.
- 4.11 You must notify us of any permanent changes in occupation to the tenancy including, but not limited to:
- A new baby arriving
  - A new partner arriving
  - Persons previously occupying the Property and leaving the Property for whatever reason including the death of an individual
- 4.12 You must not intentionally overcrowd the Property.

### 5. Access to the Property

- 5.1 You or anyone living with you must allow us, our employees and any other authorised person's safe access to the Property. We will provide you with at least 24 hours notice in writing, (except in an emergency - see condition 5.4) setting out the reason we require access and the date and time of our visit.
- 5.2 We may require access to the Property for various reasons, including but not limited to:
- Inspecting the condition of the Property including pre-termination tenancy inspection
  - Carrying out repairs
  - Undertaking improvements
  - Servicing checking and/or maintaining equipment within the Property in line with regulations and legislation
  - Facilitating any of the above to any adjoining premises e.g. party walls, flats, roofs etc
- 5.3 We will give you at least 24 hours written notice if we intend to enter the Property, unless we believe that there is an immediate risk to the health or wellbeing of any person, or a substantial risk of serious damage to any property.
- 5.4 In an emergency we may require immediate access to the Property without prior notice. In the event that such access is necessary and the property is unoccupied or access is denied, we may use reasonable force to gain entry to the Property. We will take reasonable steps to contact your nominated key holder in your absence, will leave the Property secure and advise where the keys are held.
- 5.5 Examples of emergencies include, but are not limited to:
- Fire
  - Flood
  - Gas leaks
  - Threat or risk of personal injury
  - Threat or risk to the structure of our property
  - Unsafe heating appliances or electrics
  - Suspicion of any of the above
- 5.6 Where access is denied to the Property and we deem it necessary to gain access, we may apply for a court order to allow us legal rights to access. We may then recover the costs of securing access from you. Further to this we will not be responsible for reinstating any alterations or additions removed, altered or damaged as a result of Our access to the Property.

### 6. Repairs and Maintenance

- 6.1 On the day that you move into your Property you must check the entire Property and note any repairs that require our attention. If there are any repairs that are our responsibility to put right, please notify Oadby & Wigston Borough Council, Council Offices, Station Road, Wigston, LE18 2DR within seven days of moving in.
- 6.2 During your Tenancy you must inform us promptly if any repairs (or other matters that we are responsible for carrying out) come to your notice. This will enable us to arrange an inspection and/or for the repair to be carried out.
- 6.3 You must keep the inside of the Property in a clean and tidy condition, free from excessive accumulation of belongings or rubbish that could cause a health and safety or fire risk to you or anyone else and must not allow the condition of the Property to deteriorate.
- 6.4 The Property must be kept in at least as good a condition as it was at the start of this Agreement, or after any improvements, but subject to reasonable wear and tear.
- 6.5 All rooms must have clear access and exit routes at all times.
- 6.6 You or anyone living at or visiting the Property must ensure that you are able to evacuate the Property in the event of a fire or other emergency situation.
- 6.7 You must ensure that any fire or smoke detection equipment installed in the Property is working correctly. This means that you must test the fire or smoke alarms regularly and replace the batteries where necessary. If a fire or smoke alarm fitted by us is not working correctly, you must notify us promptly.
- 6.8 You must not do anything that might reduce the fire safety at the Property or in any Communal Areas or common parts. This includes (but is not limited to):
- Removing or damaging any fire detection devices
  - Removing, altering or damaging any structures that provide fire separation (such as doors and walls)
  - Interfering with or damaging any installations for the supply of electricity, gas or any other service
  - Removing or damaging any instructions relating to fire safety procedures
  - Blocking, restricting or otherwise reducing any escape routes.
- 6.9 You must inform us immediately of any damage, however it has occurred, to the Property, fixtures and/or fittings for which we are responsible.
- 6.10 Damage includes any damage whether caused intentionally or accidentally or as a result of negligence, recklessness or neglect.

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- 6.11 You and anyone living in or visiting the Property (including animals) must not damage or destroy the following (including but not exhaustive):
- The internal and external structure of the Property - including any glazing, internal walls, floors or ceilings
  - The fittings for the supply of gas, water and electricity
  - Bathroom and toilet fittings
  - Room heating systems
  - Water heating systems
  - Kitchen units and fittings
  - Internal fixtures and fittings for example doors, internal glazing and smoke alarms
  - Sheds, garages, fencing, patios, paths, any part of the garden area, open plan space or communal walkways
  - Any other installed element which the Property benefits from
- 6.12 You are responsible for carrying out certain small repairs and replacing certain items of fixtures and fittings. These are listed in your Tenants Handbook.
- 6.13 You are responsible for the repair, maintenance and replacement of any TV aerial serving the Property, except where it is provided via a Communal Aerial System.
- 6.14 You are responsible for repairing any damage to any part of the Property caused by the deliberate or careless actions or omissions of yourself, or of anyone living with you or visiting you (including animals).
- 6.15 If damage has occurred to the Property we may serve a notice on you requiring you to put it right. If you do not comply with the notice we may enter the Property and undertake any necessary work to make good the damage. You will be recharged for these works in accordance with our Rechargeable Works Policy.
- 6.16 You are responsible for repairing and maintaining any alterations or improvements which you have carried out to the Property.
- 6.17 Where such alterations and improvements have come to the end of economical useful life we may put these back to our standard specification.
- 6.18 If you make any improvements, alterations or additions to the Property without our prior written consent we may tell you to return the Property back to the condition preceding the works being undertaken. If you fail to do so we may carry out the work and charge the costs we have incurred in doing so (including any administrative costs) to you.

## 7. Insurance

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- 7.1 You should consider obtaining insurance for accidental damage, contents and your belongings. We will only insure the structure and fabric of the Property.

Please refer to the Tenants Handbook in reference to what we are insured for

- 7.2 In situations where we carry out repairs which are not our responsibility we may recharge you the cost of doing so. For example, if you accidentally nail through a pipe, we can carry out the necessary repairs and recharge the cost to you which. This may include but is not limited to costs related to consequential damage and administrative charges.
- 7.3 It is your responsibility to ensure that repairs which you are responsible for are carried out. If you have your own private buildings insurance that covers accidental damage you may be able to reclaim the cost of this work.
- 7.4 A separate recharges section is included in this Tenancy Agreement. See section 16.

### 8. Anti-Social Behaviour

- 8.1 You are responsible for your own behaviour and for that of anyone living with you, whether permanently or temporarily, or visiting you, including but not limited to relatives, animals and visitors.

- 8.2 You, relatives or anyone living with you, your animals and your visitors must not cause, or act in a way which is likely to cause, nuisance, annoyance or disturbance to people living, visiting or working in the locality of the Property. Examples of nuisance, annoyance or disturbance include but are not limited to:

- Foul and abusive language
- Loud music
- Shouting, arguing, door slamming
- Dog barking and fouling
- Offensive drunkenness
- Urinating in public
- Playing ball games close to somebody else's home
- Causing damage or neglecting the Property
- Lighting excessive fires or burning of toxic materials at the Property
- Fly tipping

“People working in the locality of the Property” includes:

- Our employees, contractors and other people engaged in lawful activity in the area e.g. postal workers.

## NEW Proposed Tenancy

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8.3 You, relatives or anybody living with you, your animals and your visitors must not cause or act in a way which is likely to cause people living, visiting or working in the locality of the Property to feel harassed, abused or threatened.

“Harassment” includes but is not limited to:

- Violence or threats of violence towards any person including our employees, agents or contractors
- abuse or threats towards our employees, agents or contractors including but not limited to:

Abusive or insulting words or behaviour including that sent via email, social networking sites and mobile phones

Damaging or threatening to damage another person’s property or home

Writing threatening remarks or insulting graffiti

- Interference with the peace or comfort of any other person because of a person’s sexuality, gender, gender reassignment, colour, race, age, nationality, ethnic or racial origins, disability, religion, marital status or because they have HIV/AIDS
- Must not inflict domestic violence or threaten violence against any other person including the use of mental, emotional or sexual abuse to anyone

8.4 You, relatives or anyone living with you, and your visitors must not make false or malicious complaints about the behaviour of another person.

8.5 You, your relatives or anyone living with you, animals, and your visitors, must not cause or act in a way which is likely to cause damage to the Property, dump rubbish on or misuse Communal Areas, corridors, stairwells, shared entrances, play areas or anywhere else including any other property, or land owned by Us.

8.6 Any items found may be removed without further notice, particularly if deemed to be a health and safety risk such as flammable items, trip hazards or if they are blocking exits.

8.7 You, your relatives or anyone living with you, and your visitors must comply with the law on smoke free premises. By smoking in smoke free premises you are deemed to be breaking the law.

8.8 You must make sure that you do not allow, incite or encourage other people living with you, relatives or visitors to the Property to engage in behaviour as described in the conditions 8.2 - 8.7 above.

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- 8.9 The housing department's Anti Social Behaviour Policy includes details of what the Housing Department considers Anti Social Behaviour. We will rely on the conditions above and/or the Anti Social Behaviour Policy when looking to enforce the conditions of this Tenancy Agreement should we believe you have engaged in Anti Social Behaviour.

### 9. Unlawful behaviour

- 9.1 You, your relatives and visitors must not do, threaten to do, incite or encourage others to do anything illegal or unlawful in the Property, Communal Area or in the locality. Examples of such unlawful behaviour include (but are not limited to):
- Selling or conspiring to sell, possessing, using, storing, manufacturing or cultivating illegal drugs or other illegal substances
  - Storing, handling or selling stolen goods
  - Selling or supplying alcohol without the appropriate licence or permission or in breach of that licence or permission
  - Selling or supplying illicit tobacco or cigarettes
  - Keeping illegal or unlicensed firearms or weapons
- 9.2 You must not steal anything from the Property, Gardens, Communal Areas, common parts or from any land or property owned or previously owned by us or from any land or building in the locality.

### 10. Gardens

- 10.1 You must keep your Garden area (if any) well maintained at all times. You are responsible for the upkeep of all parts of your Garden. This includes, but is not restricted to grass, trees, plants, bushes and hedges.
- The grass must be cut regularly and must not become overgrown
  - The Garden must be weeded regularly
  - No waste or rubbish should be stored in the Garden or outbuildings
  - Hedges/bushes/trees/plants must be cut and maintained to a reasonable height in keeping with local planning regulations
  - Occasional bonfires to dispose of Garden waste are permitted but complaints will be investigated. The bonfire must be situated at a safe distance from buildings, fences, hedges and anything flammable and supervised by a responsible adult.
- 10.2 If you do not carry out the necessary Garden maintenance, and the Garden causes an eyesore or causes a health and safety risk, we may serve a notice on you requiring you to put your Garden in the condition required by condition 10.1 or require you to do anything reasonably required to remedy the breach. The notice shall specify the time or times within which the work required to be done in the notice must be completed. If the work is not completed within the specified time or times, We may enter the Property and undertake the

## NEW Proposed Tenancy

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necessary work and recharge reasonable costs (including any administration costs) to you.

A health and safety risk may for example include, overhanging branches, hedges encroaching onto the highway, waste and rubbish that could provide food or harbourage for vermin or pests.

- 10.3 You must not have any plant in your Garden that causes a nuisance or annoyance to your Neighbours, other people in the locality or us. This includes (but is not limited to) plants that may spread uncontrollably, plants that may spread onto the path or road or plants with root systems that could cause damage to the Property or neighbouring properties.
- 10.4 You must not plant any tree or plant on the Property which may grow to a height of more than two metres without prior written consent from us. Consent would not be unreasonably withheld.
- 10.5 You, relatives or anyone living with you, and your visitors must keep any communal garden area outside of the Property, clean, tidy and free from rubbish or furniture at all times.
- 10.6 You must share the use of any driveway which gives access to the Property and any adjoining property with the occupiers of the adjoining property.
- 10.7 You must not fence off or enclose any part of the driveway without our prior written consent.

## 11. Boundaries, Paths and Driveways

- 11.1 You will be required to obtain permission from us to install or remove fencing, walls, paths, hedges or driveways and the work will be pre and post inspected at our discretion.
- 11.2 The maintenance of any fencing, walls, paths, hedges or driveways installed by You will be Your responsibility.
- 11.3 We will maintain any fencing, walls, paths or driveways installed by the council or present at the time your tenancy commenced. Usually this will be through a planned programme of works over a number of years unless there are specific health and safety concerns. The type and timing of the work will be at our discretion and removal of fencing, walls, hedges or driveways will also be considered, where repair is not economical.
- 11.4 The maintenance of any hedgerow or tree(s) which define or mark the boundary will be Your responsibility.

## 12. Vehicles and Parking

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12.1 You, anyone living with you or visiting you must not do any of the following:

- Park a vehicle anywhere on the Property unless the Property has a garage, parking space or a driveway which is a hardstanding with a dropped kerb.
- Allow anyone, other than your relatives, visitors and/or friends to park at the property.
- Park any vehicle which is untaxed, illegal, is not roadworthy or is in disrepair on any land belonging to us. If you do, the vehicle must have a valid SORN and you must have our permission to park on our land.
- Store a Caravan or Motorhome on the Property without our written consent
- Allow a Caravan or Motorhome to be used as living quarters whilst it is on the Property
- Build a parking space, garage or driveway (hardstanding) without our written permission.
- Drive across a kerb to access the Property unless the kerb has been dropped in accordance with the regulations of the Highway Authority. You must have written permission from us and the Highway Authority to adapt a pavement so a vehicle can cross it.
- Drive or park any vehicle over any grassed or landscaped area
- Park any vehicle on a designated area set aside for emergency vehicles or park in any area which causes an obstruction or would block access for emergency vehicles or refuse collection vehicle.
- Double park vehicles or park in a way which causes obstructions to pedestrians or other road users.
- Carry out any vehicle repairs or maintenance, except minor maintenance on your own vehicle or to any vehicle on the Property, Communal Areas, Gardens, driveways or roads in the neighbourhood without prior written consent being given by Us.
- Use any Garden or driveway to the Property to store, load or unload vehicles, store scrap metal or break up vehicles for spare parts.
- Cause nuisance to Neighbours or damage to pathways, driveways and parking spaces through leakages or spillages from vehicles.
- Have a motor-related business from the Property or receive payment for repairing any vehicle at the Property.

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- Store any moped, motorbike or machinery having a petrochemical engine inside the Property or in Communal Areas.

12.2 Your vehicle must be less than 2 metres high (6 foot 6”), less than 1.83 metres wide (6’) and less than 4.8 metres long (16 feet). If you wish to park a bigger vehicle you must have prior written permission from us to do so.

### 13. Use of Communal Areas

13.1 You, anyone living with you or visiting you must abide by the following:

- Share the use of Communal Areas with other tenants. You must not cultivate, fence off or restrict access to any parts of the Communal Areas without prior written consent from Us.
- Not build, construct or place any building or other structure in the Communal Areas without our prior written consent.
- Not leave waste or other items in the Communal Areas (except in designated bins or other appropriate receptacles).

Not to cause nuisance, annoyance or disturbance in the Communal Areas. This includes (but is not limited to):

- Allowing your pet, or that of a relative or visitor, to foul the Communal Areas without clearing it up immediately.
- Allowing your pet, or that of a relative or visitor, to cause a nuisance, annoyance or disturbance.
- Play ball games.
- Noisy, abusive or intimidating behaviour.
- The consumption of alcohol when this behaviour becomes a nuisance to others.
- Inappropriate sexual behaviour.
- Causing damage to the Communal Areas.

13.2 If you are in breach of any of the conditions listed at 13.1 we may charge you the cost of repairing, reinstating or cleaning the Communal Areas or otherwise remedying your breach and recover these costs from you.

### 14. Keeping of Animals

14.1 If you live in a house or bungalow, you have our consent to keep the following animals without our written permission:

- One domestic dog; and/or
- One domestic cat; and/or
- One domestic caged bird; and/or
- Fish kept in an aquarium indoors; and /or

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- Small caged pets for example, gerbil, hamster or rabbit.

The size of the aquarium or cage must not exceed 1.83 metres in width (6'), 0.61 metres in depth (2') in depth and 1.22 metres (4') in height without our written permission.

No other type of pet or animal, including livestock may be kept without our prior written permission which will not be unreasonably withheld or delayed.

- 14.2 If you live in a house or bungalow and wish to keep any pet, animal or livestock, other than or in addition to those detailed in condition 14.1, you must obtain our prior written permission.
- 14.3 If you live in a flat or in Sheltered Properties, which has a communal entrance, you or anyone living with you may not keep a pet without our prior written permission.
- 14.4 You are responsible for the control of any pets/animal(s) which belong to you or anyone living with you.
- 14.5 You must not keep a pet/ animal in a communal area.
- 14.6 You must not breed pets/animals for commercial purposes at the Property.
- 14.7 You must not build any animal enclosures without prior written consent from us, in any part of the Property.
- 14.8 You must not board animals on a commercial basis without prior written consent from us.
- 14.9 If feeding wild animals or birds from your property, communal areas, outbuildings, gardens or from any part of the land belonging to us, you must do so responsibly, in a manner which does not attract vermin or cause a nuisance to your neighbours.
- 14.10 You must make sure that no animal you keep at the Property (or that you are responsible for) causes nuisance or annoyance to anyone:

Examples of nuisance include but are not limited to:

- Allowing your pet/animal to persistently foul in an inappropriate place
- Failing to clean up fouling in a timely manner
- Barking
- Creating a foul smell
- Not being kept under control
- Creating any type of danger or health hazard
- Encroaching onto other peoples gardens

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14.11 You, your relatives or your visitors or anyone living with you must not leave any pet/animal unattended for more than 24 hours either inside or outside of the Property.

14.12 Any permission obtained from us for you to keep a pet/animal may be withdrawn if your pet/animal creates a nuisance.

14.13 You must make sure that no pet/animal kept at the Property causes any damage:

- To the Property;
- To a Communal Area
- In the locality
- To any land owned by Us

You will be held liable should any damage be caused,

14.14 You are responsible for putting right any damage attributable to your pets, or those pets/animals you are responsible for.

14.15 You, your relatives or anyone else living with you, and your visitors must ensure that no pets/animals kept at the Property prevents our employees, or any other authorised person's from gaining access to the Property.

14.16 You must not keep any animals prohibited by law within the Property. All legislation relating to Pet ownership must be adhered to.

## 15. Alterations to the Property

15.1 You must obtain our prior written permission before making any alteration or addition to the Property

15.2 Permission may not be unreasonably withheld by us.

15.3 The list of structure erections, alterations and improvements include, but is not limited to:

- Building an extension
- Removing internal walls
- Changing the use of a room e.g. a living room to a bedroom
- Adding, changing or replacing fixtures and fittings: eg: kitchen, bathrooms
- Installing a water meter
- Decorating the exterior of the Property
- Altering or tampering with gas, electricity or water supplies
- Erecting an aerial or satellite dish
- Building a structure e.g. car port, garage, hard standing driveway or shed
- Creating ponds and/or carrying out major landscaping
- Removing any tree, hedge or boundary fence or wall

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- 15.4 When deciding whether it is reasonable to grant written permission we will consider a range of factors including but not limited to the impact of the alteration or improvement on the surrounding properties.
- 15.5 Any consent given by us may be subject to any reasonable conditions including (but not limited to):
- That work must be undertaken by a properly qualified person registered with the appropriate regulatory body
  - That you have obtained all necessary consents and approvals for the works
  - That you are responsible for maintaining the alteration or addition including complying with any statutory or other requirements related to the alteration or addition
  - That you may be required to remove the alteration or addition and reinstate the Property at the end of this Tenancy or when required to do so by us
  - That we will not be liable to you or any other person for any loss, damage or other harm arising from the alteration or addition
- 15.6 We may serve a notice on you requiring you to remove any unauthorised alterations or additions. An alteration or addition is unauthorised if it is undertaken without prior written consent or if it is not completed in accordance with the terms of the consent.
- 15.7 You must repair any damage resulting from the construction or removal of the alteration or addition. If you do not comply with the notice, then we may undertake necessary work to remove the alteration or addition and you will be liable to pay our reasonable cost of the work.

## 16. Recharges

- 16.1 We reserve the right to charge you for the following (not exhaustive) :
- Repairing any damage to the Property or Garden or Communal Area
  - Repair and/or replacement of damaged Fixtures and Fittings
  - Costs incurred by us as a result of breach by you of conditions in relation to this agreement
  - Costs incurred as a result of maintaining your Garden
- 16.2 We are entitled, and you agree to, the deduction of any reasonable costs associated with the above at condition 16.1 from any monies held by us lawfully due to you.

## 17. Ending Your Tenancy

- 17.1 You must provide us with four weeks' notice, in writing, before you leave the Property and end your Tenancy.

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- 17.2 You will be liable for payment of Rent during the four weeks' notice period.
- 17.3 When you move out of the Property you must:
- Provide us with vacant possession of the Property when your Tenancy ends.
  - Pay all Rent and Service Charges up to the date of the end of your Tenancy. If you owe Us money for Rent or Service Charges when you leave the Property, you must make arrangements to pay the debt
  - Reinstate any unauthorised alterations to the Property or any authorised alterations that are subject to the condition that they are reinstated at the end of this Agreement
  - Ensure that you record a final meter reading for your utilities and notify all of your suppliers of that reading and of your departure
  - Remove all of your furniture, personal belongings and rubbish from the Property
  - Return all the keys to the Property to our offices, or as directed at the time of submitting your written notice to end your Tenancy. This must be done by 12 noon on the date agreed by us. If you do not return the keys by the agreed date, you will be responsible for additional rent.
  - Advise us of your new address
  - Make sure that all household members, Lodgers, Subtenant and Animals leave the Property at the same time as you.
- 17.4 If you return the keys to the Property to us or you vacate the Property without giving written notice to end your Tenancy, we will treat this as a lawful surrender of your Tenancy and an end to this Agreement, once four weeks have elapsed. You will be charged rent during this four week period and we will hold the keys on your behalf. During this four week period we reserve the right to enter the property to carry out repair and maintenance works and/or undertake security works we deem appropriate. You may access the Property during this period with our prior permission which we will not unreasonably withhold.
- 17.5 The Property (including the Garden, outbuildings and loft space) must be left in a clean and tidy condition. You must clear and dispose of all your personal belongings, furniture and personal effects including rubbish from the Property.
- 17.6 You must make good any damage to the Property before ending your Tenancy. Any alterations or additions that have been carried out to the Property by you, anyone living with you or visiting you, without our written permission, must also be returned to their original state prior to ending your Tenancy.
- 17.7 We will remove, store and if not collected within one calendar month, sell or otherwise dispose of, any furniture, goods or personal items which you fail to remove from the Property at the end of your Tenancy either on surrender of the Property by abandonment, court order or termination by you. At any time, once the Property has been vacated, we will immediately remove and dispose of any perishable goods or waste products that we consider would be

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unreasonable to store as stated above. This includes such items as food, rubbish, domestic waste and goods damaged beyond economical repair. You will be responsible for all reasonable costs which we may incur in collection, storage and/or disposal of the above.

- 17.8 Unless required by law we will not be responsible for any damage or loss of goods/belongings stored by us under 17.7 above.

### 18. Consultation and Information

#### 18.1 Right to Consultation

You have the right in law to be consulted in respect of certain matters which relate to your Tenancy including significant changes to this Agreement. This is explained in more detail in the Tenants Handbook.

#### 18.2 Right to Information

We must provide you with a copy of your Tenancy Agreement. We publish our policies and procedures which you may see, together with a range of other information booklets on our website [www.oadby-wigston.gov.uk](http://www.oadby-wigston.gov.uk). These are available in hard copy upon request. The Data Protection Act 1998 provides you with the right to request information regarding your housing records. The Freedom of Information Act 2000, makes additional information available to you.

### 19. Notices

- 19.1 We may serve any notice on you at the Property by putting the notice through the letterbox, by fixing the notice to the Property, by leaving the notice with somebody for you at the Property or by sending the notice by post to the Property. This is in addition to serving the notice on you in person.

- 19.2 If you wish to serve any notice in connection with legal proceedings it should be served on your Landlord at:

Oadby & Wigston Borough Council, Council Offices, Station Road,  
Wigston, LE18 2DR

- 19.3 For all other notices e.g. Notice to Terminate your Tenancy or requests for permission, please contact the Housing Management team in writing at the above address or email [customerservices@oadby-wigston.gov.uk](mailto:customerservices@oadby-wigston.gov.uk) or by using the appropriate e-form online.

## Tenancy Agreement

This is a legal contract which sets out the terms and obligations of the Tenancy. You should read it carefully to ensure that you understand each of the terms and obligations.

If you do not understand this Agreement you are advised to ask for it to be explained to you before signing. You may consider consulting a solicitor, Citizens Advice Bureau or Housing Advice Centre to assist or advise you.

This Tenancy Agreement made between Oadby & Wigston Borough Council  
and

Tenant one \_\_\_\_\_(Print name)

Tenant two \_\_\_\_\_(Print name)

Type of tenancy:

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The address of the Property is:

House number: \_\_\_\_\_

Street \_\_\_\_\_

Town \_\_\_\_\_

County \_\_\_\_\_

Postcode \_\_\_\_\_

Start date of tenancy: [   ]

Rent £

Service Charge £

Insurance £

Heating £

Total £

### **Introductory Tenancies only**

Possible start date of Secure Tenancy:

(Based on key received date and subject to any order for extension)

### **Fixed Term Tenancies only**

Date that Fixed Term Tenancy will come to an end:

Please note that these amounts are correct at the start of your Tenancy and the amounts may change.

You will be given prior written notice of the new rent charges.

Date keys received:

Type of Property: House   Flat   Bungalow   Studio   Maisonette  
Detached   Semi   Terraced

Number of bedrooms:

Garden: None   Front   Rear   Side

If You sign this Agreement, it means You accept the Agreement as binding.

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I/We agree to accept the Tenancy of the above Property on the terms and conditions set out in this Agreement a copy of which I/We have received, read and understood.

Tenant one \_\_\_\_\_ Signature

Tenant two \_\_\_\_\_ Signature

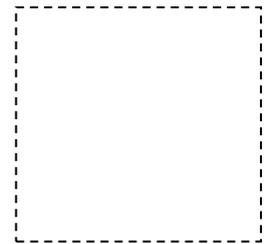
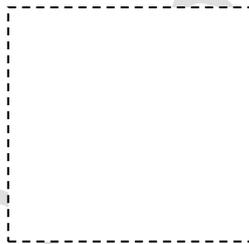
Signed on behalf of The Landlord

Full Name \_\_\_\_\_ Print Name

\_\_\_\_\_ Signature

Position \_\_\_\_\_

Tenant Photographs



### Succession

[For office use only]

Name of Successor:

Date of Succession:

I am aware there is only one succession, to one individual allowed in law and that no further successions may take place in relation to this Tenancy.

I agree to accept the Tenancy of the above Property on the terms and conditions set out in this Agreement a copy of which I have received, read and understood.

Successor:

Print full Name:

Signed:

Dated:

## NEW Proposed Tenancy

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Signed on behalf of the Landlord:

Full Name:

Signed:

Position:

NEW Proposed tenancy

# Tenancy Agreement Preliminary Notice of Variation

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How we have structured this Preliminary Notice of Variation

Comparing the current tenancy agreement with the draft tenancy agreement on a section by section, line by line, word by word basis would have been very difficult because the draft tenancy agreement is in a different format.

To help you understand the key proposed variations we have listed them on pages 2 to 6 where:

☐ **The left hand column comprises the heading within the current tenancy agreement.**

☐ **The middle column provides the proposed variation**

# Table of Changes

☐ The right hand column side provides the reasons why we are proposing the variations.

As there are new descriptive sections which did not feature in the current tenancy agreement we have identified those clearly as being new sections in the left hand column.

## Table of Changes

Current tenancy agreement section	Proposed tenancy agreement section	Amended terms & conditions
Additional Section Added	Contents and Definitions	We have added a content and definitions page(s). We have amended the order of the content and split the document into 19 sections.
1. Introductory Tenancies	1. Introduction to the Tenancy Agreement	Current agreement contains one long section explaining introductory and secure tenancies. In the proposed agreement we have split this section into 11 sub sections making it clearer and easier to understand. Section - 1.1 explains the reason for a tenancy. 1.2 states the two kinds of tenancies contained in this agreement. 1.3 is on Secure tenancy. 1.4 explains Introductory tenancy. 1.5 explanation of what happens if you breach your agreement. 1.6 explanation of being a joint tenant. Table A is added showing the difference in legal rights between the two tenancies. 1.8 information added in requiring Order of possession. 1.9 added in proposed agreement. 1.10 this information is under section 3.3 in the current agreement. 1.11 regarding fraud, added to proposed agreement to bring agreement up to date with current policies.
Additional Section Added	2. False statement	Section 1 added in proposed agreement to bring agreement up to date with current legislations.
1.1a – 1.1d Payment for the premises 1.3 Service of Notices 3.2 Rent	3. Payment of Rent and Charges	Proposed agreement contains more details and explanations regarding rental payment and tenant's responsibilities in relation to charges. We have divided this section into 12 sub sections to clarify each point. Sections 3.2, 3.3, 3.4, 3.6, 3.7, 3.9, 3.10 & 3.11 added into proposed agreement to bring agreement up to date with current policies and practices. Section 3.5 added to provide clarity for joint tenants on rental payments. Section 3.8 and 3.12 in proposed tenancy reworded from section 1.3 in current tenancy. Section 3.2 in current agreement moved to 3.1 in proposed agreement, wording amended.
3.3 Use of Premises 3.15 Overcrowding 3.16 Lodgers and sub-letting 3.18 Absence from premises 2.7 Succession to spouse	4. Use and Occupation of the property	We have absorbed section 3.3, 3.15, 3.16, 3.18 and 2.7 into section 4 of the proposed tenancy and removed some of the unnecessary wording to make it simpler to understand. 4.7 added clause about notice boards. 4.8, 4.9 & 4.10 added clause on dangerous material due to health and safety concerns. 4.11 added clause to ensure our records are kept up-to-date.
3.15 Access	5. Access to the property	We have moved 3.15 and merged 2.2(b-d) and 3.12 to section 5 of the proposed tenancy

## Table of Changes

2.2(b-d) Tenant's right to occupy 3.12 Access		and added more information about reasons in which we may require access to the property and information on emergency access.
2.3 Repair of structure and exterior 2.4 Repair of installations 2.5 Repair of common parts 2.6 External decoration 3.9 Damage 3.10 Reporting disrepair 3.11 Improvement	6. Repairs and Maintenance	We have absorbed 2.2 (a-d), 2.3(a-i), 2.4(a-d) and 2.5 into section 6 of the proposed tenancy. We have added more detailed information with regards to the tenant's responsibilities to make the agreement clearer and in line with current policies and procedures. We have spilt this section into 18 subsections. Added clause 6.1. Section 6.2, 6.9 & 6.10 of the proposed tenancy amended and reworded from section 3.10 of the current tenancy. Section 6.4, 6.16 and 6.18 of the proposed tenancy amended and reworded from section 11 of the current tenancy with clause 6.17 added for information. Section 6.12 and 6.14 of the proposed tenancy amended and reworded from section 9 of the current tenancy. Added clause 6.3, 6.5, 6.6, 6.7 and 6.8 added due to health, safety and fire concerns. Section 6.11 of the proposed tenancy amended from section 3.2(a-i) of the current tenancy. Clause 6.13 added to clarify maintenance of TV aerial. Clause 6.15 added to clarify council policy on damages.
3.25 Insurance	7. Insurance	We have re-worded this section to include information on the type of insurance the tenant requires – section 7.1, information on the repairs possibility of recharge – section 7.2 and 7.3.
3.5 Nuisance 3.6 Racial and other harassment 3.7 Noise	8. Anti- Social Behaviour	This section currently contains several sub sections which we have absorbed under one heading 'anti-social behaviour' to make it easier for you to locate the information. The proposed agreement provides more detailed information on what we consider as anti-social behaviour and breaches to your tenancy agreement. We have done this to make the agreement clearer, to clarify your responsibilities and bring it up to date with current legislation and our policies. Section 8.1 & 8.2 re-worded from section 3.5 in current agreement. Examples of nuisance added to section 8.2 to provide more clarity. Section 8.3 replaces section 3.6 in current agreement; we have expanded the wording in this clause and added bullet points to make it easier to read. We have also added domestic violence and the use of mental, emotional and sexual abuse as a form of harassment. Added clause 8.4 regarding false or malicious complaints. Clause 8.5 added regarding behaviours which can cause damage to the property and surrounding areas. Clauses 8.6 & 8.7 added due to health & safety concerns. Section 7 in currently agreement removed as included in a bullet point of section 8.2 of proposed tenancy.
3.22 Criminal activity	9. Unlawful behaviour	We have removed the two headings on the current tenancy and replaced it with 'Unlawful

## Table of Changes

3.23 Drugs		behaviour'. We have simplified and updated this section using bullet points and removed some of the explanatory information.
3.17 Gardens	10. Garden	We felt this section needed to contain greater detailed information to the tenant to inform them of their duties and responsibilities. Section 10.1 we have added bullet points to highlight responsibility for the upkeep of gardens. Section 10.2 clause added to include action we could take against your tenancy. Sections 10.3 to 10.07, we have added information regarding height of plants, plants should not cause a nuisance, information on upkeep of communal garden and the use of shared driveways.
Additional Section Added	11. Boundaries, Path and Driveways	We have added this section into the proposed agreement to provide clarity on fences, pathway and drives. Section 11.1 clause added to provide information and bring the tenancy up-to-date with current policy on obtaining permission for any works carried out. Paragraph 11.2 added for information. Section 11.3 clause added with information on maintenance of fencing, walls, path and driveways.
3.13 Roadways 3.24 Vehicle repairs/ business	12. Vehicles and Parking	We have expanded this section to give greater information on vehicles and parking. We have included bullet points to clarify use of driveways, caravan/motorhome, parking on kerbs or grassed/landscaped areas and designated areas. We have included clauses on parking untaxed/illegal vehicles, building parking spaces/drives without permission, causing obstructions, nuisance or damage, having a motor-related business and storing within communal areas.
Additional Section Added	13. Use of Communal Areas	We have added this section into the proposed agreement to clarify the use of communal areas and inform tenants of their responsibility. We have included bullets points, added some wording about sharing the use of communal areas, not to leave waste & items in communal areas and not to cause nuisance or disturbances within communal areas. Also included a clause on recharge.
3.8 Pets	14. Keeping of Animals	We felt we needed to include greater information on keeping pet/animals within your property. Section 14.1 & 14.2 explains the type and quantity of animal you can keep with or without prior permission in the house or bungalow and section 14.3 for flats. Section 14.4 to 14.8 explains your responsibilities for pets/animals and what you must not do. Section 14.9 clause added regarding feeding wild animals/birds responsibly. Section 14.10 gives examples of what we would consider as nuisance caused by your animal/pet. Section 14.11 clause added to state pet/animals should be left unattended in property only for a certain length of time. Section 14.12 clause added to remove permission if pet/animal is causing a nuisance. Section 14.13 & 14.14 clause added regarding pet/animal must not

## Table of Changes

		cause any damage to property or surrounding area and should they do, it is the tenant's responsibility to make good these damages. Section 14.15 clause added to state pet/animals must not prevent authorised person's from gaining access into the property. Section 14.16 clause added regarding prohibited animal.
3.11 Improvements	15. Alterations to the property	We have expanded this section to give greater information on alternations, erections and improvements. Section 15.3 gives examples of what we would term as an alteration. Section 15.4 and 15.5 provides information on factors impacting on any consent given. Section 15.6 & 15.7 clause added that we may serve notice on and/or remove any unauthorised alterations.
Additional Section Added	16. Recharges	We have added this section into the proposed agreement to provide information on our recharge policy giving examples on what we may recharge you for.
3.19 Ending the tenancy 3.20 Moving out	17. Ending your tenancy	We have expanded and reworded this section in the proposed tenancy. It now includes clause 17.2 informing the tenant they are liable for the rent during the 4 weeks' notice period. In Section 17.3 we have used bullet points to update clause 3.20 in the current tenancy to reference what you must do when you vacate the property. We have included paying off any arrears, taking a meter reading, handing keys back on the agreed date, advise us of your forwarding address and ensuring all household members and animals leave the property. Clause 17.4 added to bring the tenancy up to date with current policy reflecting our process should keys be handed back without notice. Amendments in clause 17.5 and 17.6 includes garden, outbuilding and loft space and making good any damage/alternations within the property before ending your tenancy. Clause 17.6 & 17.7 added to inform the tenant of the legal processes regarding goods left in the property.
4. The tenant's rights	18. Consultation and Information	We have removed section 4.1, 4.2, 4.5, 4.6, 4.7 from the proposed tenancy agreement as these have been moved to the associated sections within the tenancy agreement therefore does not need to be duplicated. No rights are lost. We have kept 18.1 Right to consultation and 18.2 Right to Information and shortened the clause to keep it current.
Additional Section Added	19. Notices	We have added a new section in the proposed agreement giving information on our policy for serving a notice.



**Oadby & Wigston**  
BOROUGH COUNCIL

## EQUALITY ASSESSMENT

### PART 1 - INITIAL SCREENING

<b>Name of Policy/Function:</b>		This is <b>new</b>
<b>Housing Tenancy Agreement (April 2019)</b>	X	This is a <b>change</b> to an existing policy
		This is an <b>existing</b> policy, Function, not previously assessed
		This is an existing policy/function for <b>review</b>

<b>Date of screening</b>	27 March 2019
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#### 1. Briefly describe its aims & objectives

A revised Housing Tenancy Agreement is proposed with specific changes including the provisions around Introductory Tenancies, Rent payments, use and occupation of the property, fire safety, environmental issues, pets, repairs and anti-social behaviour

#### 2. Are there external considerations?

*e.g. Legislation/government directive etc*

None

#### 3. Who are the stakeholders and what are their interests?

All Introductory and Secure Tenants

#### 4. What outcomes do we want to achieve and for whom?

Clarify and further explain important principles for the better management of Council housing.

**5. Has any consultation/research been carried out?**

Consultation was carried out internally to the Council and with all existing tenants (apart from non-secure tenants accommodated under homelessness provisions). Minor amendment received from Head of Law and Governance. No responses from tenants.

**6. Are there any concerns at this stage which indicate the possibility of Inequalities/negative impacts?**

*Consider and identify any evidence you have -equality data relating to usage and satisfaction levels, complaints, comments, research, outcomes of review, issues raised at previous consultations, known inequalities) If so please provide details.*

None as the provisions generally deal with anti-social behaviour ranging from deliberate damage of the property through to drug misuse. Hence no reasonable person could object to clarification of clauses and general improvements relating to how anti-social behaviour is dealt with.

**7. Could a particular group be affected differently in either a negative or positive way?**

**Positive** – *It could benefit*

**Negative** – *It could disadvantage*

**Neutral** – *Neither positive nor negative impact or not sure.*

	Type of impact, reason & any evidence
Disability	Neutral
Race (including Gypsy & Traveller)	Neutral
Age	Neutral
Gender Reassignment	Neutral
Sex	Neutral
Sexual Orientation	Neutral
Religion/Belief	Neutral

Marriage and Civil Partnership	Neutral
Pregnancy and Maternity	Neutral

**8. Could other socio-economic groups be affected?**

*e.g. carers, ex-offenders, low incomes, homeless?*

None identified

**9. Are there any human rights implications?**

*Yes/No (If yes, please explain)*

No

**10. Is there an opportunity to promote equality and/or good community relations?**

*Yes/No (If yes, how will this be done?)*

No

**11. If you have indicated a negative impact for any group is that impact legal?**

*i.e. not discriminatory under anti-discrimination legislation*

Not applicable.

**12. Is any part of this policy/service to be carried out wholly or partly by contractors?**

No

**13. Is a Part 2 full Equality Assessment required?**

No

**14. Date by which a Part 2 full Equality Assessment is to be completed with actions.**

Not applicable.

**Please note that you should proceed to a Part 2, the full Equality Impact Assessment if you have identified actual, or the potential to cause, adverse impact or discrimination against different groups in the community.**

We are satisfied that an initial screening has been carried out and a full equality assessment **is not required\*** (please delete as appropriate).

Completed by: Steve Nash Date: 27/03/19  
(Policy/Function/Report written)

Countersigned by: Adrian Thorpe Date: 27/03/19  
(*Head of Service*)

Please forward an electronic copy to: [veronika.quintyne@oadby-wigston.gov.uk](mailto:veronika.quintyne@oadby-wigston.gov.uk)  
(*Community Engagement Officer*)

Equality Assessments shall be published on the Council website with the relevant and appropriate document upon which the equality assessment has been undertaken.



<b>Full Council</b>	<b>Tuesday, 16 April 2019</b>	<b>Matter for Information</b>
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**Report Title:** **Member Conduct Update (April 2019)**

**Report Author(s):** **Steve Tucker (Democratic & Electoral Services  
Manager / Deputy Monitoring Officer)**

<b>Purpose of Report:</b>	To inform the Council of the outcome of a Determination Sub-Committee meeting held on Wednesday 20 February 2019, which adjudicated on an alleged breach of the Member Code of Conduct by Councillor Ravendra H Thakor ("Cllr Thakor").
<b>Report Summary:</b>	Cllr Thakor was found to have breached the Member Code of Conduct and sanctions were imposed, as set out in the report, by the Determination Sub-Committee.
<b>Recommendation(s):</b>	<b>That the contents of the report and appendix be noted.</b>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Anne Court (Chief Executive) (0116) 257 2602 <a href="mailto:anne.court1@oadby-wigston.gov.uk">anne.court1@oadby-wigston.gov.uk</a></p> <p>David Gill (Head of Law &amp; Governance / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a></p> <p>Steven Tucker (Democratic &amp; Electoral Services Manager) (0116) 257 2605 <a href="mailto:steven.tucker@oadby-wigston.gov.uk">steven.tucker@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Not applicable.
<b>Vision and Values:</b>	Accountability (V1) Respect (V2)
<b>Report Implications:-</b>	
Legal:	The implications are as set out in the report.
Financial:	There are no implications arising directly from this report.
Corporate Risk Management:	Political Dynamics (CR3) Reputation Damage (CR4)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	

Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	<a href="#">Agenda (Exempt) and Minutes from the Hearing of the Assessment Sub-Committee held on 29 November 2018</a> <a href="#">Agenda and Minutes from the Hearing of the Determination Sub-Committee held on 20 February 2019</a> <a href="#">Common Code of Conduct for Leicestershire</a>
<b>Appendices:</b>	<b>1.</b> Formal Letter of Censure (22 February 2019)

## **1. Background**

- 1.1 On 29 November 2018, an Assessment Sub-Committee convened to consider an allegation that Cllr Thakor may have breached the Member Code of Conduct by sending an email to Ms Veronika Quintyne, the Community Engagement Officer, in September 2018 which contained a number of derogatory and disrespectful comments towards the Chair of Oadby Residents Forum, a number of Liberal Democrat Councillors, and Ms Quintyne herself.
- 1.2 Having considered the information before them, the Assessment Sub-Committee were satisfied that Councillor Thakor's actions represented a prima facie breach of the Code of Conduct, and resolved that the matter should be referred to a Determination Sub-Committee for adjudication. The Assessment Sub-Committee also resolved however that if Councillor Thakor were to issue a satisfactory written apology for his actions before the date on which the Determination Sub-Committee was scheduled to meet, the Determination Sub-Committee hearing would be cancelled.
- 1.3 In light of Cllr Thakor's failure to issue a written apology by the required deadline, a Determination Sub-Committee was convened on 20 February 2019 to adjudicate on the alleged breach.

## **2. Determination Sub-Committee**

- 2.1 The Determination Sub-Committee, consisting of Councillors Mrs L M Broadley (Chair), E R Barr and R F Eaton, gave consideration to the Deputy Monitoring Officer's report and the advice of the appointed Independent Person. Councillor Thakor failed to attend the hearing and did not offer any representations.
- 2.2 The Sub-Committee unanimously agreed that the complaint regarding Councillor Thakor's alleged breach of the Code of Conduct should be upheld. Specifically, it was found that the derogatory comments made by Councillor Thakor towards fellow Councillors were in breach of Rule 3.1 of the Code, which requires that "you must treat others with respect and strive to establish respectful and courteous relationships with everyone you come into contact with as a Member".
- 2.3 In addition, the Sub-Committee found that Councillor Thakor had made unreasonable demands towards Ms Quintyne which demonstrated a lack of respect and understanding in regards to her role in providing impartial administrative support to Oadby Residents Forum, thus breaching Rule 3.2.4 of the Code, which requires that "you must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on

behalf of, the Authority”.

- 2.4 To appropriately address the breaches of the Code, the Sub-Committee unanimously resolved to apply the following sanctions:
- (i) A formal letter of Censure be sent to Cllr Thakor;
  - (ii) The findings of the Sub-Committee be reported to Full Council and published on the Council’s website;
  - (iii) Cllr Thakor be excluded from Council premises other than Council meeting rooms when necessary for the attendance at Council/Committee meetings;
  - (iv) Cllr Thakor’s entitlement to a Council-supplied iPad be withdrawn;
  - (v) A recommendation be made that Cllr Thakor should not attend Oadby Residents Forum, until such time as a satisfactory apology has been made to the Chair and Ms Quintyne; and
  - (vi) The Leader of the Oadby & Wigston Conservative Group be informed that the Sub-Committee recommend that Cllr Thakor be removed from Committees.
- 2.5 A formal letter of Censure from Councillor Broadley, as Chair of the Sub-Committee, was posted to Cllr Thakor on Friday 22 February 2019. The letter has been published on the Council’s website as part of the agenda pack for this meeting and is attached at **Appendix 1** to this report. The letter was also copied to the Oadby & Wigston Conservative Group Leader, Councillor B Dave.
- 2.6 Cllr Thakor’s Council iPad has been recovered by Democratic Services, whilst the findings of the Determination Sub-Committee have been published on the Council’s website within the minutes of the meeting.
- 2.7 Cllr Thakor is currently long-term absent and has sent apologies for all Committees until further notice. It has also been confirmed that he will not be seeking re-election after his current term of office expires in May 2019. On that basis, the recommendation of the Sub-Committee that Cllr Thakor be removed from Committees cannot be implemented.

# Appendix 1



# Oadby & Wigston

## BOROUGH COUNCIL

Cllr Ravendra H Thakor  
22 Pennine Close  
Oadby  
Leicester  
LE2 4TB

**Please ask for:** David Gill  
**Email:** david.gill@oadby-wigston.gov.uk  
**Telephone:** 0116 257 2626  
**Ref:** Code of Conduct  
**Date:** Friday 22 February 2019

Dear Cllr Thakor,

I write on behalf of the Council in my capacity as Chair of the Determination Sub-Committee that met on Wednesday 20 February 2019 to consider an allegation that you breached the Code of Conduct in sending an email to Ms Veronika Quintyne in September 2018 which contained a number of derogatory and disrespectful comments towards the Chair of Oadby Residents Forum, a number of Liberal Democrat Councillors, and Ms Quintyne herself.

The Sub-Committee (Cllr E R Barr, Cllr R F Eaton and I) unanimously agreed with the view expressed by the Independent Person that your choice of language in this email crossed the line of acceptability. Whilst within a political environment there is legitimate scope for fair comment and criticism of the behaviour of others, the derogatory nature of your comments brought your office, your political party and the Authority into disrepute. The Sub-Committee therefore unanimously agreed that a range of sanctions should be imposed against you, one of those being that you should receive a letter of censure from the Council.

The Sub-Committee's view was that, not for the first time during your time in office, your conduct was unacceptable, unwarranted and entirely unjustified and constituted a clear and serious breach of the Code of Conduct. The Sub-Committee felt strongly that you have repeatedly failed to demonstrate any willingness to improve your conduct, despite having been sanctioned under the Code on two previous occasions.

The Sub-Committee considered that your non-attendance at the hearing and general lack of engagement with the standards process demonstrated a distinct lack of accountability and moral and ethical principles on your part. It remains incumbent on the Council to ensure that such conduct is not tolerated and should be addressed through the strongest possible sanctions. Indeed, the Sub-Committee expressed disappointment that more punitive sanctions were not available under the current standards regime, as it was felt that only the potential for stronger sanctions would be likely to encourage a significant change in your behaviour.

The seriousness of this breach was further compounded by your continued failure to apologise to Cllr Darr and Ms Quintyne at the request of the Monitoring Officer, despite the opportunity this afforded you to resolve the matter swiftly and informally. This demonstrates further evidence of

your lack of respect towards Officers and your contemptuous attitude towards the Code of Conduct and the Monitoring Officer's role in upholding its integrity.

The Sub-Committee unanimously agreed that given your clear lack of recognition and remorse for the impact that your actions have caused, you should be excluded from Council premises other than Council meeting rooms where your attendance is necessary for attendance at meetings, and your Council iPad entitlement is to be withdrawn. It is my understanding that when Mr Ball, an Officer of the Council, telephoned you immediately after the hearing to inform you that you would no longer be entitled to the supply of a Council iPad you were due to collect, you offered a foul-mouthed response, which again illustrates the lack of respect the Sub-Committee identified you have towards Officers, and further vindicates the choice of sanctions the Sub-Committee agreed to impose.

In addition to the above sanctions, it is recommended that you should not attend any further meetings of Oadby Residents Forum until such time as you have apologised to Councillor Darr and Ms Quintyne, and that your group leader should be informed that in the view of the Sub-Committee, you should be removed once again from Committees. It is a matter for your group leader to determine if this recommendation is accepted.

The Sub-Committee hope that in the event you seek re-election in May 2019 and are successful, your next term of office will show that you have learned from the impact that your actions have had on the Authority, Ms Quintyne and your fellow Members, and you will moderate your future conduct appropriately.

Finally, in accordance with the Committee's wishes, the findings of the Sub-Committee will be published on the Council's website and reported to Full Council on 16 April 2019.

Yours sincerely,

Councillor Mrs L M Broadley  
Chair of Determination Sub-Committee

Cc:  
Councillor E R Barr  
Councillor R F Eaton