



Oadby and Wigston Borough Council

TO COUNCILLOR:

G S Atwal
T Barr
L A Bentley
G A Boulter
J W Boyce

L Darr
B Dave
Mrs L Eaton
B Fahey
D A Gamble (Vice-Chairman)

J Kaufman
K J Loydall
Mrs S B Morris (Chair)
R E R Morris

Dear Sir/Madam,

I hereby summon you to attend a meeting of the **POLICY, FINANCE AND DEVELOPMENT COMMITTEE** to be held in the Council Offices, Station Road, Wigston on **TUESDAY, 22 SEPTEMBER 2015 at 7.00 pm** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
Date Not Specified

Chief Executive

AGENDA

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**MINUTES OF A MEETING OF THE POLICY, FINANCE & DEVELOPMENT
COMMITTEE HELD AT THE COUNCIL OFFICES, WIGSTON ON TUESDAY 21
JULY 2015 COMMENCING AT 7:00 PM**

<p><u>IN ATTENDANCE:</u> Chair - Mrs S B Morris Vice Chair - D A Gamble</p> <p>Councillors: G S Atwal; L A Bentley; G A Boulter; J W Boyce; B Dave; B Fahey; J Kaufman; and K J Loydall</p> <p>Officers in Attendance: Ms A Court; P Loveday; Ms A Pathak-Mould; A Thorpe; Miss G Ghuman; and S Ball</p>

Min Ref.	Narrative	Officer Resp.
1.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence received from Councillors Latif Darr Richard Morris and Ted Barr.</p>	
2.	<p>APPOINTMENT OF SUBSTITUTES</p> <p>Councillor Dr Teck Khong was appointed as a substitute on behalf of Councillor Ted Barr.</p>	
3.	<p>DECLARATIONS OF INTEREST</p> <p>None.</p>	
4.	<p>MINUTES OF THE LAST MEETING</p> <p>RESOLVED: That the minutes of the previous meeting of the Committee held on 24 March 2015, be taken as read, confirmed, and signed.</p>	
5.	<p>PETITIONS AND DEPUTATIONS</p> <p>None.</p>	
6.	<p>ACTION LIST</p> <p>A verbal update was provided by the Director of Services with regards to the adoption of open spaces within the Oadby Woodlands Ward. She advised Members that there was a report that was presented to committee in July 2014 whereby four areas of open spaces had been identified as land which the Council was</p>	

maintaining but did not own.

Members were reminded that the recommendation put forward was that the Council would partake in discussions with land owners, with a view to the council adopting the said land subject to a commuted sum. In March 2015 a report was submitted to Senior Management team for the Policy, Finance and Development Committee (hereinafter PFD) to advise Members that discussions had been taking place with the landowners as to whether they would transfer the land. She explained that whilst they were willing to transfer the land, they were not prepared to pay a commuted sum. Therefore, she advised Members that Senior Management Team felt that it would be best to defer the same; there was conflicting information as to whether the Council had been maintaining the same or not. She stated that the Clean and Green team had categorically stated that they had not been maintaining the trees. Further clarification was sought as different departments were saying different things. The clarification was not sought in time for the March PFD Committee. Notification was received from the developers that as they had not heard from the council they would auction the sites off.

She advised that it had recently come to light that one of the sights has a play area and upon speaking with the solicitors acting on behalf of the landowners, it has been agreed that the play area would not be auctioned off but gifted to the Council. She confirmed that all of the remaining open spaces were auctioned on 16 July.

A Member thanked the Officers who dealt with this and welcomed the update but considered it unfortunate that this play area reached a stage whereby it would be auctioned. He appreciated the verbal update but said that it should have been a report as stated within the minutes of the previous meeting, and insisted that it should come to the next meeting.

The Chair advised that the report would be presented at a committee meeting but could not guarantee when this will be done.

A Member queried whether the fact that the other 3 areas that were wooded and have been sold off contradicts the Council's Greening of the Borough Strategy. He was advised that there are policies in place that protect such open spaces.

A Member also stated that the information relating to Building Control was not received by and should be acted upon as soon as possible.

	RESOLVED: That Members noted the Action List.	
7.	<p>INTERNAL AUDIT PROGRESS REPORT 2014/15 AND 2015/16</p> <p>The Audit Manager advised that this report summarises the work conducted from 1st April 2015 to early July 2015.</p> <p>He stated that a lot of the work in this period is work that was deferred from previous financial year with the majority having significant assurance with one moderate, whereby assurance has been received that work has been done.</p> <p>He explained Section 4 of the report contained the Recommendation Tracking, informing Members that these were due to be implemented by the end of June. He said that there are a total of 50 recommendations and that between end of March and June 34 had been added. He advised that details are given of outstanding recommendations and that these were not necessarily subject to their audit unless management specifically requested the same.</p> <p>A Member asked whether a Health and Safety Officer had been recruited to which the Director of Services replied that a Health and Safety Officer is in post and has started work with high risk areas, assuring Members that progress is being made.</p> <p>The Member asked whether the relevant individual from Zurich had started (As at page 25), to which the Finance Manager replied that work has started and explained that this work had been delayed by operational issues.</p> <p>The Member further asked whether we had a Communications Officer (as at page 27) and the Director of Services advised Members that the Council was working with a company that does letterbox and Cuttlefish too. She stated that an arrangement will be reviewed in September to see whether a Full Time Communications Officer is needed.</p> <p>A Member raised a query in relation to the Recovery Plan mentioned on page 26. He reiterated the importance that all information that the Council has is protected and asked whether what was in place currently was adequate. The Chair stated this is a live document and that she will obtain a personal guarantee that all is ok.</p> <p>RESOLVED: That Members note the content of the progress report for 2014/15 and 2015/16</p>	
8.	INTERNAL AUDIT ANNUAL REPORT 2014/15	

	<p>The Committee gave consideration to the report delivered by the Audit Manager as set out in report pages 32-46, which should be read together with these minutes as a composite document.</p> <p>The Finance Manager explained that this is the Internal audit annual report highlighting key outcomes of internal Audit reports during 2014-2015. He advised that the findings from this form the annual governance statement which is later in the agenda.</p> <p>The Chair advised all new Members that despite the fact it states it is an internal audit report this work has been contracted out to an external company to ensure its transparent.</p> <p>The Audit Manager outlined the purpose of the report and advised that the overall opinion was that significant assurance can be given and that there is a generally sound system of internal control, designed to meet the organisations objectives. However, he stated that there were some significant internal control issues (As at page 40) that may need to be included within the annual governance statement. Notwithstanding this he advised that since the production of this report there have been discussions with Senior Management team who have stated that they will see how the issues can be resolved. He stated that subject to adequate and effective action being taken, these would not need to be published within the annual governance statement.</p> <p>The Chair advised Members that significant assurance is good and despite more assurance being needed on certain areas these should hopefully be resolved in time for the annual governance statement.</p> <p>A Member stated that these were pertinent finance reports and questioned why the reports author (the Council's Section 151 Officer) was not present at the meeting. The Chair advised that the Section 151 Officer as not due in the office today and stated that the Finance Manager was capable of addressing the issues present.</p> <p>RESOLVED: That Members noted the report.</p>	
9.	<p>PROVISIONAL COMMITTEE BUDGET OUTTURN REPORT 2014/15</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 47-53, which should be read together with these minutes as a composite document.</p> <p>The Finance Manager outlined the report stating that the</p>	

	<p>provisional outturn position for 2014/15 is £1.953m, which represents a £463,000 underspend for the financial year as compared with the revised estimate. He explained that two of the major variances were as follows; in terms of staff costs he stated there was saving of 75k taking into consideration an overspend on hired staff and revised staff costs too at time of budget. The other variances he advised was the overpayment of housing benefits due to better information from the Department of Work and Pensions, as detailed within the reports. He advised the general trend of the variances that have materialised have been even. With regards to the Capital outturn £306,000 he stated represents an underspend of £413,000.</p> <p>A Member expressed concern regarding Appendix 3 and the note concerning the Customer services centre and that it had completed earlier than expected as it does not appear to be completed. The Finance Manager stated that there is a technicality with the scheme being carried over into 2015/16.</p> <p>A Member questioned the revised budget for 2014/15 stating that there was an overspend of £15,000. He was advised that despite that overspend showing in 2014/15 that there would not ultimately be an overspend as the scheme is carried over into 2015/16.</p> <p>The Member raised concern over the hired staff budget contained within the report on page 48. He asked whether the figure of £258,000 includes consultants, if this is not the case then he stated that Members need to be made aware of the separate costs for consultants.</p> <p>The Chair advised that every time a Consultant is employed it has been through Committee. The Director of Services stated there are a variety of reasons for agency staff, partially due to current market trends. She assured Members that it is something HR is working on.</p> <p>The Member stated that elected Members should see separate figures so that it can be monitored. The Chair said she will have discussions with the relevant parties.</p> <p>RESOLVED: That Members note the outturn positions for 2014/15.</p>	
10.	<p>OVERALL PROVISIONAL BUDGET OUTTURN REPORT 2014/15</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 54-63, which should be read together with these minutes as a composite document.</p>	

The Finance Manager outlined the report stating that it relates to the General Fund and the Housing Revenue Account (HRA).

With regards to the General Fund he advised that there is an overall reduction in outturn next expenditure against the revised budgets for 2014/2015 of £203,206. He also noted that income from business rates is better than expected.

He explained that the Section 31 grant for small business relief has helped with the NNDR business rates income. With regards to the HRA he advised the outturn position is £827,000 in surplus.

A Member questioned the figures with regards to the General Fund (primarily point 2 on page 55) and the Finance Manager advised that salaries were revised and that on top of that there were more savings made. However for completeness and clarity he advised he will send an email to all Members explaining the same.

A Member stated that it should be reported to Members when there is both an overspend and an underspend with the reasons why so that there is transparency. He made particular reference to page 60 and the HPDG Reserve budget against the revised estimate and the outturn and asked why there were such big changes. He noted the same issue with Management of Change stating the trend is not good and that Officers must advise as to why such variations exist. He voiced that under spending is just as bad as overspending.

The Finance Manager advised there are many reasons and some concern the level of activity within the authority and advised that he will discuss with him after the meeting.

The Member also questioned the delays in relation to the Capital programme asking whether there are sufficient resources so as to ensure that it will happen within the next financial year. He asked for the reasoning behind the backlogs and if there are issues present what solutions there are. The Chair advised all Members will get a written response via email.

A Member noted that on Page 60, the Grants Reserve illustrated a £10,000 under spend and the Finance Manager advised he would revert back to him via email with a response.

The Leader of the Council stated that the budget set, the monitoring or outturn was wrong. He suggested that a branch review of the budget, monitoring and the outturn needs to be conducted as one of the processes (budget, monitoring or outturn) is not sufficiently robust. The Chair noted his comments.

	<p>RESOLVED: That Members</p> <p>(1) Note the report and overall provisional outturn provisions for both the General Fund (as at Appendix 1 of the report) and the Housing Revenue Account 2014-15 (Appendix 2)</p> <p>(2) Approve the requested revenue and capital carry forwards for both the General Fund and Housing Revenue Account (Appendix 3)</p> <p>(3) Approve the transfer of £400,000 from the General fund Reserve to the Budget Equilibrium Reserve as at 31 March 2015.</p> <p>(4) Approve the transfer of £200,000 from the General Fund Reserve to the Management of Change Reserve as at 31 March 2015.</p> <p>Councillor Fahey voted against and Councillors Khong and Atwal abstained from voting.</p>	
11.	<p>COMMITTEE BUDGET REVIEW APRIL TO MAY 2015</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 64-65, which should be read together with these minutes as a composite document.</p> <p>The Finance Manager advised that this review is for the first 2 months of the financial year only. He advised there has been no movement and includes the Capital spend. The Leader of the Council stated variances are unlikely at this stage.</p> <p>RESOLVED: That Members note the current positions.</p>	
12.	<p>DRAFT ANNUAL GOVERNANCE STATEMENT 2014/15</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 66-87, which should be read together with these minutes as a composite document.</p> <p>The Finance Manager outlined the report and asked for Members to approve the same and refer to the Leader of the Council and Chief Executive for certification. He noted that the statement currently includes the areas for improvement however reiterated that should these be resolved by September's Council meeting these can be removed from the Annual Governance Statement.</p> <p>A Member noted the 8 bullet points on page 68 and stated there were so many variations, it is difficult to identify in either an individual or collective way. The Finance Manager advised that this is from official guidance so they have been suggested by</p>	

	<p>CIPFA/SOLACE and inserted into the report.</p> <p>RESOLVED: That the Annual Governance Statement (2014/15) as set out in Appendix 1 of the report be approved and referred to the Leader of the Council and Chief Executive for formal certification.</p>	
13.	<p>RESIDENTS FORUM BUDGET POSITION AND ALLOCATION REQUESTS</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 88-92, which should be read together with these minutes as a composite document.</p> <p>The Finance Manager outlined the report stating that the appendices set out the positions of the forums at the moment. He advised that the recommendation is for the budgets to be carried forward for completion in 2015/16.</p> <p>A Member stated that the grants to the community response team monies should be paid.</p> <p>RESOLVED: That</p> <p>(1) Members note the position of the Forum's budget. (2) Members approve that any ongoing forum schemes have their budgets carried forward for completion in 2015/16 (3) Members approve the allocations requested by the forums as set out in the report.</p>	
14.	<p>DEBT RECOVERY POLICY</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 93-117, which should be read together with these minutes as a composite document.</p> <p>The Finance Manager advised the Members that this policy combines all of the recovery policies into one document.</p> <p>The Chair advised Members that they are voting for their own policy as opposed to that of the officers.</p> <p>RESOLVED: That Members approve the revised corporate Debt Recovery Policy as at Appendix 1 of the report.</p>	
15.	<p>UPDATED MEDIUM TERM FINANCIAL STRATEGY</p> <p>The Committee gave consideration to the report delivered by the Finance Manager as set out in pages 118-139, which should be read together with these minutes as a composite document.</p>	

	<p>The Finance Manager advised that this report is an update to the Medium Term Financial Strategy (MTFS) that was approved in March 2015. He advised the report takes into consideration a number of things; firstly the Governments budget on the 8 July and the Councils revised Commitments as approved at Council this year and the Draft 2014/15 outturn position. He advised that there is little change for 2016-17 and 2017-18. He advised the budget that came out on 8 July provided little guidance for local government. It did mention a pay rise of 1% and that the living wage would rise to £9. He reaffirmed that the Council has implemented the living wage (and so the change will have minimal impact on the Council's budget) and that the 1% increase has already been incorporated.</p> <p>A Member asked whether a policy was to be created for Greening the Borough as it is a council priority. The Director of Services advised that the Council has commissioned a tree strategy and that work on the same will commence in August.</p> <p>A Member asked for the reasons why Oadby and Wigston Borough Council had the worst settlement of all districts in the County (as per page 119). The Finance Manager advised that this relates to a basket of grants income referred to Spending Power. He stated that Spending Power includes New Homes Bonus for which this Council gets the second worst contribution in the county, which severely distorts the Council's Spending Power percentage.</p> <p>The Leader of the Council stated that he was unsure of what works need to be done but advised that it is prudent to assume that there will be a cut next year and so a Medium Term Financial Strategy would need to be produced, which reflected two different cut levels</p> <p>RESOLVED: That the Committee approves the updated Medium Term Financial Strategy as set out in the report.</p>	
16.	<p>CUSTOMER SERVICE TRANSFORMATION PROGRAMME UPDATE</p> <p>The Committee gave consideration to the report delivered by the Director of Services as set out in pages 140-146, which should be read together with these minutes as a composite document.</p> <p>The Director of Services advised that this report is an update to the transition of Customer services to the centre of Wigston. She stated that the project timetable has moved to mid September for the opening, explaining that this was no reflection on how it has</p>	

	<p>been managed, reassuring Members that it has been managed very well. She advised Members that all new recruits will be fully trained before the centre opens. She informed Members that the lease had been signed and that refurbishment work is being undertaken.</p> <p>Members welcomed the update and a Member asked what the plan is with regards to Council services in Oadby as the surgery hours at Oadby Library have been reduced posing a problem for the residents of Oadby.</p> <p>The Finance Manager advised that going forward there will be a review for Oadby to ensure sufficient representation. With regards to the number of surgery hours at Oadby Library, he advised this was a Leicestershire County Council decision. A Member stated that South Wigston should also be taken into consideration in respect of the above too.</p> <p>The Leader stated that these are positive comments and the outcome is important.</p> <p>RESOLVED: That Members note the report and progress to date.</p>	
<p>17.</p>	<p>ADVISORY SERVICES IN THE BOROUGH</p> <p>The Committee gave consideration to the report delivered by the Head of Community as set out in pages 64-65, which should be read together with these minutes as a composite document.</p> <p>The Head of Community outlined the report stating that the report is primarily about advisory services within the borough however the new customer services centre gives more options about how the Council delivers its services on taking up an opportunity to look at a European Funding potential for a bid on what is termed as Me and My Learning. She provided some background information regarding the Council's procurement exercise with Citizens Advice Bureau (hereinafter CAB) and the fact that the contract is due to lapse at the end of July 2015. The report offers an opportunity to look at a 12 month contract with CAB under different terms to enable the Me and My learning ethos to work alongside CAB and allow officers time to assess the qualified financial services and assess what the future needs are. She advised Members that the Community Engagement Officer has conducted extensive research and has concluded that there are good small advice centres within Oadby and Wigston, but there is a lack of qualified and certified financial advisory services that is why CAB have offered the revised services as outlined in Option 1 and Option 2 in the report.</p>	

She stated that in looking at the mapping out services there is different availability and the opportunity of consolidating advisory services within the borough which is the concept and ethos of Me and My Learning.

Members were advised that Melton Borough Council are the lead authority to put forward a bid and are seeking an initial request from this Council.

The Finance Manager stated that it is an 'in principle' bid at the moment and that there is a second stage to the same. He further stated that the implementation of the above could shift the level that the Council's involvement is required and the pace the Council wanted to suit the level of funding received.

Members raised concerns over the CAB and its availability / access as they had received complaints from residents and suggested that the contract with CAB should be allowed to lapse. A Member was of the opinion that Me and My Learning was similar to Supporting Leicestershire Families (SLF) in that in principle it sounds good however ultimately it is of no benefit to the Council. He suggested the best way forward would be to include this in the SLF agenda and see where that goes.

The Leader of the Council supported the suggestion to allow the contract to lapse and suggested a review and a procurement exercise based on independent advice. He reiterated that the advice is independent and not about Council services. He stated he has an email from the Chief Executive of one other district which he read out and says that if one signs up to the initial bid for Me and My Learning it implies a commitment for the second bid and so suggested that the report is remitted to Leicestershire County Council's Supporting Leicestershire Families to consider.

The Chair stated that residents cannot be left without a support system and so stressed the urgency for action to be taken.

Members reaffirmed that they were not challenging the report and acknowledged the Officers hard work however they had concerns about the advisory services provided and wanted Officers to look at independent services. .

RESOLVED: That

(1) This report is remitted to Supporting Leicestershire Families and the Contract with the Citizens Advice Bureau be allowed to lapse. Withdraw funding for CAB, and let the contract lapse.

(2) Action be taken as a matter of urgency.

<p>18.</p>	<p>FOOD WASTE COLLECTION</p> <p>The Committee gave consideration to the report delivered by the Director of Services as set out in pages 154-156, which should be read together with these minutes as a composite document.</p> <p>The Director of Services advised that this report is an update regarding the current position on waste initiatives that will be subject to further reports.</p> <p>The Leader of the Council asked for this to be limited to no longer than 6 months which was seconded by the Chair.</p> <p>RESOLVED: That Members approve the recommendations subject to them being no longer than 6 months.</p>	
<p>19.</p>	<p>DIGITAL DISPLAY POLICY</p> <p>The Committee gave consideration to the report delivered by the Planning Policy and Regeneration Manager as set out in pages 157-171, which should be read together with these minutes as a composite document.</p> <p>The Planning Policy and Regeneration Manager outlined the report, highlighting that the policy contains fees and charges for advertising on the screens. He further advised that these fees and charges would cover the maintenance costs for the same.</p> <p>A Member welcomed this suggestion but questioned how the fees would be calculated, particularly in relation to which business would be considered to be local and which not. The Planning Policy and Regeneration Manager advised that national chains would be considered as businesses outside of the borough where as franchises would be considered as being local businesses.</p> <p>A Member questioned how much this would cost the Council to install, where the monies are coming from and who will maintain the same. It was confirmed by the Finance Manager that the monies for this have come out of the Capital Budget.</p> <p>The Planning Policy and Regeneration Manager confirmed that he would email all Members as to how much the costs would be, however advised that research was conducted before purchasing the screens.</p> <p>The Member asked who will maintain and how much that would cost. The Chair stated that the costs would be recouped from the revenue accumulated through the advertisements.</p> <p>Another Member stated that he welcomed this because local</p>	

	<p>community organisations will be able to obtain free advertisements for their events/causes, hence supporting the Council's Communication Strategy.</p> <p>RESOLVED: That Members approve:</p> <p>(1) The Digital Display Screen Advertising Policy</p> <p>(2) The fees and charges scale for advertising on the digital display boards as set out in paragraph 4.4 of the report.</p> <p>Councillors Fahey and Khong abstained from the vote.</p>	
<p>20.</p>	<p>FACILITIES ON HORSEWELL LANE PARK</p> <p>The Committee gave consideration to the report delivered by the Planning Policy and Regeneration Manager as set out in pages 172-178, which should be read together with these minutes as a composite document.</p> <p>Members considered supplementary papers that were submitted to Members at the Committee.</p> <p>The Planning Policy and Regeneration Manager outlined the report stating that after working with various stakeholders, the report recommends that the plans are agreed. He also stated that the recommendations include that of further works being undertaken as part of the scheme.</p> <p>A Member stated they welcomed the report and stated a lot of work has been done.</p> <p>RESOLVED That:</p> <p>(1) Members note the progress made on the option analyses undertaken to date and the work with stakeholders on options for redeveloping Horsewell Lane park and approve in principle the proposed basis on which the Council will move the project forward and seek funding</p> <p>(2) The Director of Services commissions further work to establish the cost of the redevelopment proposals so as to inform individual discussions with stakeholders and develop a funding package for the scheme.</p> <p>(3) The Council consider a capital to the scheme in considering the 2016/17 budget.</p> <p>Councillor Atwal abstained from the vote.</p>	

21.	<p>DISABILITY FACILITIES GRANT</p> <p>The Committee gave consideration to the report delivered by the Head of Community as set out in pages 179-183, which should be read together with these minutes as a composite document.</p> <p>The Head of Community outlined the report, stating that Members are asked to approve the additional funding of £78,068; details of which are within the report.</p> <p>Members welcomed the report and stated that this has been an ongoing situation whereby monies need to be paid.</p> <p>The Leader of the Council stated that he had no issues with the monies but was concerned about the 'Light Bulb Project' as there is a danger that it will increase costs. For the purposes of clarification he advised a report is needed as soon as reasonably practicable.</p> <p>The Head of Community stated that this project will go live in 2016 and currently is being piloted in Blaby District Council. She added that the Health and Wellbeing Board on 22 September will receive a presentation on the Lightbulb initiative, and invited Members to attend should they want further information.</p> <p>RESOLVED: That Members approve the additional capital funding of £78,068 to meet the demand which has been recommended from Service Delivery Committee of 7 July 2015.</p>	
22.	<p>LEISURE CONTRACT UPDATE - REPORT TO FOLLOW</p> <p>The Committee gave consideration to the report delivered by the Director of Services, which should be read together with these minutes as a composite document.</p> <p>The Director of Services updated Members on the Leisure Management contract, especially the financial implications. She advised that work is on time for completion in November. With regards to the refurbishment of the gym at Parklands, she advised it is in progress and that in Decemeber 2014 there were additional works that needed to be done and could not have been costed for at the beginning.</p> <p>In Wigston she advised that the soil has a small element of asbestos contamination and in order to dispose of the same safely, it will cost roughly £18,000. She advised that once information is received from the Contract Manager re the blockage she will circulate an email to Members</p> <p>At Parklands there is a drainage issue which could not have been</p>	

	<p>foreseen. The Surveyors have been challenged in this regard however as this could not have been foreseen the Council will have to pay £33,000 for the drainage to be manually dug out. She advised there is headroom within the budget to pay this and will provide a further update at the next committee meeting.</p> <p>A Member sought clarification that this report that the report is to be noted and that Officers are therefore not asking for authorisation for any additional monies to be paid from the budget of £9.6million.</p> <p>The Chair reaffirmed that If extra monies were needed it would come back to committee. The Finance Manager also reaffirmed this saying that despite the £10m allocation approval would still be needed by committee and confirmed that the £9.6 million is the approved contract sum.</p> <p>The Director of Services stated that firstly they will look at what can be done within the existing contract (make savings to fund this) so if this cannot be done she will bring a report to next committee.</p> <p>The Leader stated that effectively it could go £51,000 over £9.6m. If this is needed he suggested that authority be taken in September at full Council or else it may result in falling foul of the deadline.</p> <p>RESOLVED: That Members note the report.</p>	
23.	<p>EXCLUSION OF PRESS AND PUBLIC</p> <p>The Press and Public are likely to be excluded from the remainder of the meeting in accordance with Section 100 (A)(4) of the local Government Act 1972 (Exempt Information) during consideration of the item below on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 Of Schedule 12A of the Act and the public interest in maintaining the exempt items outweighs the public interest in disclosing the information.</p>	
24.	<p>STAFF HONORARIUM - FINANCE</p> <p>Members had a discussion <i>in camera</i> about staff honorarium.</p>	
25.	<p>BENEFITS OVERPAYMENT</p> <p>Members had a discussion <i>in camera</i> about benefits overpayment.</p>	

The Meeting Closed at 09:05 PM

Agenda Item 6

Policy, Finance and Development Committee 21.07.2015

ACTION LIST

<u>Min. No.</u>	<u>Title</u>	<u>Action To be Taken</u>	<u>Officer</u>	<u>Target Date</u>	<u>On Target</u>
113.	Honorarium Update	The policy is considered for a review in 6 months.	AC	October 2015	Yes
6.	Action List – Building Control	Costings for Building Control be emailed to Members	JD/PL	October 2015	Yes
6.	Action List – item 29 – Adoption of Open Spaces	Report needs to come to committee as it had been pulled by management.	AC	October 2015	Yes
10.	Overall Provisional Budget Outturn Report 2014/15	Email to all Members concerning the figures with regards to the General Fund.	JD/PL	October 2015	Yes
10.	Overall Provisional Budget Outturn Report 2014/15	Email to all Members regarding delays in relation to Capital Programme	JD/PL	October 2015	Yes
10.	Overall Provisional Budget Outturn Report 2014/15	Email to all Members with regards to under spend of £10,000 for the Grants Reserve.	JD/PL	October 2015	Yes
19.	Digital Display Policy	Email concerning digital display screen costings to be sent to all Members	AT	August 2015	Completed August 2015



Policy, Finance and Development Committee	22 September 2015	Matter for Information and Approval
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Title: Annual Governance Statement 2014/15

Author: John Dickson, Chief Financial Officer and Section 151 Officer

1. Introduction

The purpose of this report is to advise Members on the content of the Council's Annual Governance Statement for 2014/2015 following the review of the effectiveness of the Council's system of internal control.

All Local Authorities are required to produce in line with proper practice and guidance an Annual Governance Statement (AGS). The purpose of the AGS is to set out and evaluate the Council's corporate governance arrangements. This year the AGS format has been reviewed and reflects the Local Code of Corporate Governance. The AGS must be approved by this committee prior to its certification by the Leader of the Council and Chief Executive, and published alongside the Council's Statement of Accounts.

Good governance arrangements are also essential in ensuring we get the basics right. Good governance leads to good management, good performance, good stewardship of public money, good public engagement and ultimately a good outcome for citizens and service users. The AGS articulates these arrangements along with the updated action plan have been included as Appendix 1.

This paper provides the Committee with the draft Annual Governance Statement 2014/15 ahead of formal approval by this Committee in September 2015.

The Accounts and Audit Regulations 2011 have established requirements that all Local Authorities must adhere to in relation to systems of internal control. This has implications for the whole Authority and all its services. The regulations require Councils to have a sound system of internal control which facilitates the effective exercise of the Council's functions and which include the arrangements for the management of risk.

The Council is required to review at least annually the effectiveness of the system of internal controls and make a statement on that alongside the Statement of Accounts.

Whilst the legislation requiring this statement is placed within the Accounts and Audit Regulations, this is not just an accounting or auditing issue. The Annual Governance Statement is a key measure of the overall effectiveness of the Authority.

As part of the production of the Annual Governance Statement assurance is required from all services regarding their current systems procedures and accompanying controls operated. All services have therefore been asked to complete a service assurance assessment and any issues have been reflected in this document.

2. Recommendations

That the Annual Governance Statement (2014/15) as set out in Appendix 1 be approved and referred to the Leader of the Council and Chief Executive for formal certification.

3. Background

The Council has a statutory requirement to produce an Annual Governance Statement (AGS) in accordance with delivering good governance in Local Government Framework and Guidance produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE).

The purpose of the AGS is to report publically on the extent to which the Council complies with its own code of governance known as the Local Code, including how they have monitored the effectiveness of their governance arrangements in year, or any planned changes in the current period. The process of preparing the Governance Statement should itself add value to the corporate governance and the internal control framework of an organisation.

In March 2010 further guidance was issued by CIPFA on the application of the role of the Chief Financial Officer in local Government and how the AGS can reflect compliance with the requirements of the role as set out in the CIPFA statement. The AGS includes a specific statement confirming that the Council's arrangements conform to the governance requirements of the CIPFA statement.

In December 2012 CIPFA refreshed its' previous framework and guidance last issued in 2007 and whilst the six principals of good governance remain the same, as did the supporting principals, the suggested evidence in which a Council could rely on for its commitment and seek assurances was updated.

A Local Government review published by Grant Thornton in 2013 reported on how organisations in the public sector could improve their governance by learning from other sectors and their peers. The report emphasised that effective imbedded governance frameworks are essential if Councils are to meet the challenges faced by Local Government whilst retaining the support of their stakeholders. The findings produced in the report highlighted that whilst considering the CIPFA/SOLACE guidance, each Council should capture its own priorities and achievements so local residents can recognise their own Council in the statement. The Council has previously expressed its' commitment in its Local Code of Corporate Governance to the six core principals of good governance and the underpinning principals as set out in the CIPFA/SOLACE guidance. The AGS provides an update against how the Council is responding to these main principals. The Councils local core of proper governance was last reviewed and adopted at Council in 2011.

In line with the Accounts and Audit Regulations (2011) from 31 March 2011 the AGS accompanies the Financial Statements rather than included within them. The purpose of this change was to make clear that the AGS is not part of the Statements on which the auditor's opinion is given. However, a Council has discretion to decide whether it should be part of the same document as the Accounting Statements or be issued as a separate document. For this Council it was decided to continue to publish the AGS together with the Statement of Accounts. In addition, this committee must approve the AGS prior to its formal certification by the Leader and the Chief Executive.

Councils need to adopt a Local Code of Corporate Governance that sets out a commitment to corporate governance and how the approved code will be developed and implemented.

Within Oadby & Wigston Borough Council corporate governance operates to:

- Establish and monitor the Council's vision and objectives
- Facilitate policy and decision making
- Ensure compliance with policies, procedures, laws and regulations
- Ensure that economic efficient and effective use of resources and secure continuous improvements
- Enable the financial management of the Council and financial reporting
- Support delivery of high quality services and effective performance management
- Identify and manage the Council's risk.

The CIPFA/SOLACE framework applied by the Council focuses on six key principals of corporate governance and sets out a process that should be followed to enable the Authority to review and improve governance arrangements. These actions have been applied by officers and are summarised below:

- Review existing governance arrangements against the CIPFA/SOLACE framework
- Develop and maintain an up-to-date Local Code of Governance including arrangements for ensuring its ongoing application and effectiveness
- Prepare a governance statement on an annual basis to include how the effectiveness of governance arrangements have been monitored in the year and any planned changes in the coming period
- Consider the extent to which the Council complies with the principals and requirements of governance as set out in the model
- Identify systems, processes and documentation that provide evidence of compliance
- Identify the individuals and committees responsible for monitoring and viewing the systems, processes and documentation identified
- Identify the issues that have not been addressed adequately in the Council and consider how they should be addressed
- Identify the individuals who would be responsible for undertaking the actions required and plan accordingly.

The CIPFA/SOLACE principals are:

- A clear definition of the Authority's purpose and desired outcomes focussing on the purpose of the Authority and on outcomes for the community and creating and implementing the vision for the local area
- Well-defined functions and responsibilities – members and officers working together to achieve a common purpose with clearly defined functions and roles
- An appropriate corporate culture promoting values for the Authority demonstrating the values of good governance to upholding high standards of conduct and behaviour
- Transparent decision making taking informed and transparent decisions which are subject to effective scrutiny and managing risks
- A strong governance team developing the capacity and capability of members and officers to be effective

- Review accountabilities to stakeholders, engaging with local people and other stakeholders to ensure robust public accountability.

The signatories to the Annual Governance Statement (the Leader of the Council and Chief Executive) must be satisfied that the document is supported by reliable evidence and that procedures are in place to demonstrate this.

At a corporate level assurance of compliance requires the assessment of local procedures and arrangements against the principals and requirements of governance.

At service level assurance of compliance with the principals and requirements of good governance requires all Heads of Service to complete, certify and return of Service Assurance Statements each year.

As a result of the assessment of governance arrangements and procedures, actions were identified to improve the high quality of governance arrangements already in place for the Council. Any actions considered significant are included in the Annual Governance Statement attached as Appendix 1.

4. Options

The alternative option is to defer its referral to the Leader of the Council and the Chief Executive. This is not considered appropriate due to the requirement for documents to be formally certified.

5. Legislation Policy

The preparation and publication of the AGS in accordance with the CIPFA/SOLACE framework is necessary to meet the statutory requirements set out in Regulation 4 (3) in the Accounts and Audit Regulations 2011.

Effective Corporate Governance practice is essential if the Council is to demonstrate that it is acting in the best interests of the governing legislative framework in the community it serves. The Corporate Governance arrangements are tested through a number of audit channels and studies.

6. Financial Implications

Robust scrutiny of the Council's Annual Governance Statement and framework applied in line with best practice will further strengthen the Council's sound base of strong financial management and assist in reducing risk.

7. Risk Management Implications

A strong internal control environment contributes to the overall effective management of the Council and will minimise the risk of the council failing to achieve its' ambitions and priorities and service improvements.

Without robust governance arrangements there are potential service continuity and reputation risk implications.

8. Inclusion, Diversity and Community Cohesion Implications

Ensuring the Council has arrangements in place to ensure inclusion, diversity and community cohesion forms part of the Council's governance arrangements.

9. Other Relevant Considerations

All aspects of the work of the Council are affected by the corporate governance regime as well as the Council's partners in service delivery and other agencies in which the Council shares information. External bodies in particular need to have confidence in the way the Council operates and this can be achieved by demonstrating robust corporate governance arrangements that are fully embedded.

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Implications	
Financial (JD)	Please see paragraph 6 above
Risk (JD)	Please see paragraph 7 above
Equalities (JD)	Please see paragraph 8 above
Legal (JD)	Please see paragraph 5 above

Background Papers:-

- CIPFA/SOLACE document – delivering good governance in Local Government
- Oadby & Wigston Borough Council – local code of corporate governance
- Audit Commission – annual audit and inspection letter.
- Internal Audit Annual Report 2014/15

10. Appendices

- Appendix 1 – Annual Governance Statement 2014/15



APPENDIX 1 : ANNUAL GOVERNANCE STATEMENT 2014/15

DRAFT ANNUAL GOVERNANCE STATEMENT 2014/15

Scope of Responsibility

Oadby & Wigston Borough Council (the Council) is responsible for ensuring that its' business is conducted in accordance with the law and proper standards and that public money is safeguarded and properly accounted for and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its' functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility the Council is responsible for putting in place proper arrangements for the governance of its' affairs and facilitating the effective exercise of its functions including arrangements for the management of risk.

The Council has previously approved and adopted a Code of Corporate Governance which is consistent with the principles of the CIPFA/SOLACE framework Delivering Good Governance in Local Government. A copy of the Authority's code can be obtained from Corporate Resources. This Statement shows how the Council has complied with the Code and also meets the requirements of Regulation 4(3) of the Accounts and Audit Regulations 2011 which requires the Council to prepare an Annual Governance Statement.

Purpose of the Governance Framework

The governance framework comprises the systems, processes, culture and values by which the Council is directed and controlled. It reflects activities through which the Council meets the needs of the community. It includes arrangements to monitor the achievements of its strategic objectives and to consider whether those objectives have lead to the delivery of appropriate services and value for money.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risks of failure to achieve policies, aims and objectives and therefore can only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives. Evaluation of the likelihood and potential impact of those risks being realised and to manage them efficiently, effectively and economically.

The governance framework has been in place at Oadby & Wigston Borough Council for year ended 31 March 2015 and up to the date of the approval of the Statement of Accounts.

The Governance Framework

Vision and Priorities

The Council's Corporate Plan was updated in June 2014 with the Council's three main priorities being declared as:

- A good quality of life for all residents
- A clean, green and safe environment
- A successful economy.

These priorities were agreed with residents through the consultation process and the residents' forums.

In 2011 the Council set out a vision for 2011-15 represented by the following seven priorities:-

- Protect the good quality and consistent value for money frontline services provided to residents, particularly with the refuse and recycling collections
- Enhance the green environment of the Borough so the residents can take full advantage of it
- Revitalise the town centres through development and by retaining free shoppers car parking
- Work with the Police to create a safer Borough where people feel comfortable and at ease
- Better community engagement including listening to and delegating more to the three town forums
- Work smarter to deliver the efficiency, savings required to meet the continuing budget cuts
- Working with others to try and improve the health and wellbeing of the residents of the Borough.

These priorities will:

- Focus and drive forward the Council's strategic plan over the next four years
- Form the basis of the Council's Medium Term Finance Strategy
- Provide the direction for allocating resourcing and restructuring
- Set the parameters for the annual Service Delivery and Development Plans.

The vision on objectives of individual departments are outlined in the annual Service Delivery and Development Plans. The plans for 2014/15 were approved by relevant committees in July 2014.

The Council's financial strategy is outlined in the medium term financial strategy 2014 to 2017 which was approved by the Policy, Finance & Development Committee in March 2014. The document outlines 11 financial objectives which the Council looks to achieve in order to meet the continuing pressure and available resources. Alongside this the Council has put in place the Housing Revenue Account (HRA) business plan which sets out how the Council will respond and operate under the new system of self-financing.

Quality of Services

Service plan targets and key performance indicators as set for each department within the Service Delivery and Development Plans. Progress against targets is monitored monthly by the management team and relevant committees. The Council's financial position is reported against budget to every Policy Finance and Development Committee meeting. Detailed budget information is provided to budget holders each month and dedicated project teams provide financial information for large projects or schemes. A full review of the budgetary control process was carried out during 2014/15. This aimed to ensure that budget information provides value for users and effectively informed decisions.

The Council ensures that its key priorities determine the allocation of resources to deliver its agreed activities. A robust Corporate Business Planning programme is used to identify projects against criteria including the Council's agreed policies, its priorities, the outcomes of public consultation, demonstration of continuous improvement and change in legislative need. New funding (investment) or funding from services downsize or de-prioritise is allocated to projects based on outcomes of this exercise. Agreed projects are then included in the relevant service plans as priorities for the Borough in 2013/14.

Achievements of the priorities for the Borough have been monitored throughout 2013/14 by the Council's Senior Management Team and reports to the relevant committees. This included brief details of key achievements against these priorities. The monitoring of delivery against the priorities ensures the Council's capacity to deliver against projects within the agreed cost, time and resources.

To further ensure that non-core resources are directed or re-directed towards the achievement of agreed objectives and priorities within the overall priorities for the Borough, there is an annual critical review of existing services and budgets. This process helps ensure the economic, effective and efficient use of resources and is undertaken within the framework of the Value for Money Strategy.

The financial elements of the Council's Corporate Business Planning process are set out in the Medium Term Financial Strategy and looks three years' ahead to ensure the Council's commitment to deliver its' priorities. The Council has a good track record of robust financial management and internal control but the Council's resources are necessarily limited and efficiencies year-on-year continue to be required. There is therefore increasing reliance on excellent partnership working to ensure the Council demonstrates value for money and the delivery of its' plans and actions.

The Council continues to ensure the accounts are compliant with the Local Authority Accounting Code of Practice for 2014/15. Performance against its' budget is monitored at committee meetings and by Senior Management Team and through the Corporate Business Planning process. It ensures that the level of reserves it holds is sustainable over the medium term. The Medium Term Financial Strategy will continue to take account of the current economic climate and the recent changes to Local Authority funding.

The Council has a Treasury Management Strategy that is reviewed each year and monitored on a regular basis. This ensures the Council has sound processes and controls over the Treasury function that minimises risk to the Council.

The Council communicates the Borough vision and achievements against its priorities by a quarterly publication that is delivered to the homes of its' residents and on its website. The Council Tax information leaflet gives further information on the Council's performance, expenditure and efficiencies and is posted on the Council's website.

The Council, the Policy, Finance and Development Committee and the Service Delivery Committee take decisions on service and management matters. They are timetabled to meet four times a year. The Policy, Finance and Development Committee undertakes the role of the Audit Committee and provides ongoing monitoring and scrutiny of financial management, performance, policy and action plans. Further challenge is provided by Members through meetings with Committee Chairmen, Resident Forums and Member Workshops.

Scrutiny is provided at Officer level through the work of the Council's internal audit function which since May 2012 has been delivered by CW Audit Services. The annual risk based audit plan contributes to the review of the Council's key internal control systems, risk management processes and corporate governance arrangements. CW Audit supports the design and effectiveness of the Governance framework. Each internal audit review is given an assurance level. The definition of each of these assurance levels are provided in the table below.

Table – Definition of Assurance Levels

Level of Significance	Criteria
Full	No significant risk issues identified
Significant	Exposure to levels of risk that may only impair the effectiveness of the system or process under review
Moderate	Exposure to levels of risk that render some elements of the system's control environment undeliverable
Limited	Exposure to unacceptable level of risk that could have a serious impact upon the system or process under review
No	Exposure to unacceptable levels of risk that could have a serious impact upon the organisation as a whole

Regular monitoring meetings are held with the Chief Financial Officer as the Council's Section 151 Officer and the Director of Services. This ensures the high standard of internal audit support is maintained. The annual audit plan is reviewed on a frequent basis to identify any amendments needed to reflect changing priorities, emerging risks or resourcing changes.

Further challenges are provided by the Senior Management Team.

It is important to ensure that Members and Officers work together to achieve a common purpose with clearly defined functions and roles. The Constitution includes a Scheme of Delegation and Terms of Reference for each of the Council's committees. Responsibilities are recorded to make clear how the Council and its committees operate within the Council. The Constitution reflects the legislative arrangements for defining these functions. To emphasis the separation of these functions the Terms of Reference are divided into relevant sections.

The Scheme of Delegation defines the general power to that granted to the Chief Executive and Chief Officers within the areas of their service responsibility. The Constitution is published on the Council's website.

The Members are responsible for ensuring that effective policy making, scrutiny and monitoring of activities occur. A clear committee structure assists such responsibilities to be effectively carried out. Members' expertise and involvement is further enhanced by ongoing training and development of Members.

The Council has a statutory responsibility to have a Section 151 Officer and a Monitoring Officer. The interim Chief Financial Officer is the Section 151 Officer who has a duty to the Council's tax payers to ensure that public money is being appropriately spent and managed. The Monitoring Officer is the Council's Director of Services who acts as guardian of the Council's Constitution to ensure lawfulness, probity and fairness of Council decision making. The Chief Financial Officer reports directly to the Chief Executive. The Chief Financial Officer ensures that appropriate

advice is given on all financial matters. He is responsible for keeping proper financial records and the Council maintaining an effective system of internal control.

Officer decision making at a strategic level is led by the Senior Management Team comprising the Chief Executive, Interim Chief Financial Officer and Director of Services. They meet usually on a weekly basis and addressed at each meeting is finance, policy, governance, human resource issues and performance including delivery of the priorities for the Borough.

The Council's financial management arrangements conform with the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010).

To ensure that a constructive working relationship exists between elected Members and Officer there is an agreed protocol which governs Members and Officers working relationships.

An Annual Governance Statement promotes governance values for the Council and demonstrates the values of good governance through upholding high standards of conduct and behaviour.

To ensure Councillors and any co-opted Members of the Borough Council behave in a way that exemplifies high standards of conduct and effective governance, the Standards Committee promoted and maintained high standards of conduct. The Council Officers are likewise expected to maintain such high standards of conduct. Following changes to the standards regime a new Member Code of Conduct was approved by Council in 2012. The Council has a staff Code of Conduct that is on the Council's Intranet, in the same way as all Council policies. Regular records of advice and Code issues are kept by the Monitoring Officer. The Standards Committee oversaw the number and types of complaints dealt with through the local referrals process.

Declaring interests under the Code of Conduct is a standard item on the agenda at every committee meeting and Council and declarations are minuted by the Clerk. A legal advisor attends all Council and Committee meetings to advise on code and other issues where this is requested or otherwise considered appropriate. A Planning Code of Conduct is in place and is adhered to by members who sit on the Development Control Committee. Members and Officers comply with a Gift and Hospitality Policy. They can also be called in at any time by the Monitoring Officer.

There is an Internet page explaining how complaints can be made against Councillors. This can be done by either downloading a complaint form or making a complaint on-line. The web page also has links to the Code of Conduct within the Constitution. The confidential Monitoring Officer e-mail in-box is available to receive complaints. A register of the Council's contracts is published on the Council website. In addition, details of the Council's spend above £250 (excluding VAT) is published on a quarterly basis. Another key element of the systems in process in the Council's Governance arrangements are to make informed and transparent decisions which are subject to effective scrutiny in managing risk.

Underpinning the Council's financial management arrangements is a regularity framework comprising Financial Regulations, Contract Procedure Rules, annual audits of key financial systems, audits of other systems undertaken on a risk-based basis and the role of the Statutory Section 151 Officer. Other processes and procedures such as the Procurement Strategy and Risk Management Strategy are monitored on a regular basis.

An annual review and update of Financial Regulations and Contract Procedure Rules is undertaken. These reviews are led by the Chief Financial Officer and involve relevant key officers. Key financial systems have supporting procedure notes and manuals which are regularly reviewed to show they remain current.

The Risk Management strategy was reviewed in 2014 and will be reviewed bi-annually unless changes are made which require the documents to be updated in the interim. In addition, the Policy, Finance & Development Committee receive reports on risk management which enables them to monitor as appropriate.

The Monitoring Officer has processes for the review of legislative changes which feed into the annual review of the Constitution. Consultation meetings and other forms of communication between the Monitoring Officer and Senior Managers as appropriate ensures that managers can contribute to revisions for the scheme of delegation and Terms of Reference. The Annual Review of the Council's Constitution which includes all Terms of Reference and Scheme of Delegation is discussed with Members who are on the Constitutional Task Group. The Monitoring Officer retains overall responsibility for monitoring the Constitution.

The Council's policies and procedures are drawn up and regularly reviewed to ensure compliance with current legislation and regulations. Legal Services assist with updating and amending relevant policies and advice on legal implications including legislative impacts or decisions put forward in committee reports. Equalities implications are also considered as part of the committee reports. Concerns regarding non-compliance with policies, procedures, laws and regulations can be reported through the Council's anti-fraud and confidential reporting (whistle blowing) policies. Concerns raised are investigated and acted on following clearly defined guidelines.

The Whistle Blowing Policy is published on the Council's Intranet and internet to raise awareness and outlines procedures in place to staff, contractors and the public and features in the induction of new staff. The Anti-Fraud and Corruption Policies are on the Intranet and are given to all new members of staff as part of the Council's comprehensive staff induction process. The Monitoring Officer after consultation with the Chief Executive and Section 151 Officer has statutory powers to report to Council in relation to any function, any proposal, decision or omission that he/she considers would give rise to unlawfulness or any decision or omission that has given rise to mal-administration. Such a report would have the effect of stopping the proposal or decision being implemented until the report has been considered.

The Policy, Finance & Development Committee receives regular reports from the Council's External Auditor and Internal Audit. Where appropriate, comment is made on non-compliance with legislation that has been identified as part of a routine audit. The Chief Financial Officer has direct access to this Committee as well as to External Auditors. All members of the Policy, Finance & Development Committee have received formal training in risk management so as to allow them to appreciate the nature of risks presented to the Council through its activities. Training on Internal Audit will also be given to augment the Committee's knowledge of this function.

Another key element of the systems and processes that comprise the Council's governance arrangements is to develop the capacity and capability of Members and Officers to be effective.

The Council's appraisal process not only identifies progress and performance but also skills gaps. Any identified gaps are then addressed through an individual's personal

development plan. Personal development and delivery against agreed personal objectives are monitored in ongoing one-to-one discussions. This process ensures that the Council continually has in post individuals equipped to carry out their functions with due regard to law, policy and regulation.

As part of the business planning process each service plan includes learning and development needs linked to specific actions. This ensures that the skills sets required to deliver the key priorities and actions for the Council are identified and development planned and provided.

Changes to and development of training programmes are disseminated to relevant staff and published on the Intranet and more broadly using the Council's other internal communication mechanisms.

The Council fully supports the development of Members.

Engaging with local people and other stakeholders to ensure robust public accountability is a key element of the governance framework.

The Council's corporate business planning process includes an annual timetable of formal consultation events ensuring statutory, voluntary and business partners have the opportunity to comment on budget proposals under consideration.

The Council has given delegated authority on budget provision to three Residents Forums. These can make recommendations to the Policy, Finance & Development Committee on various projects and how the funding can be allocated. The Forum's membership is open to people who live in the three areas and it has been found to be a very good source of communication and consultation of the Council's policy initiatives.

Reviewing the effectiveness is another important element of the governance framework.

The Council has responsibility for conducting at least annually a review of the effectiveness of its' governance framework including the system of internal control. The review of effectiveness is informed by the work of the Senior Managers within the Council who have responsibility for the development and maintenance of the governance environment. The annual report from the Council's Internal Auditors (CW Audit Services) is a key mechanism for reviewing the effectiveness of the Council's arrangements on governance. Also, comments made by External Auditors and where relevant other review agencies and inspectorates are important.

The Senior Management Team chaired by the Chief Executive reviews the Council's governance framework and control environment and is responsible for the preparation of the Annual Governance Statement.

Each Head of Service and Corporate Manager, as appropriate, is responsible for producing their own service assurance statements and developing an improvement action plan to rectify any identified governance weaknesses within their service areas. The Chief Financial Officer reviews all of these documents. The Policy, Finance & Development Committee members are informed of progress on producing this Annual Governance Statement and will review it and evaluate the robustness of the underlying assurance statements and evidence.

No cases of mal-administration were found against the Council by the Local Government Ombudsman during 2014/15.

The Policy, Finance & Development Committee has reviewed progress against the Annual Governance Statement 2013/14 action plan that was implemented in 2014/15. The Council has taken action where improvements were needed to be made in response to audit recommendations. The results of this process are summarised in the tables at the end of this Annual Governance Statement.

Constitutional Matters

The key roles and responsibilities of Council committees, elected members, the Chief Executive, Monitoring Officer and Section 151 Officer are set out in the Council's constitution scheme of delegation.

The constitution includes the Contract Procedure Rules and Financial Regulations which detail the processes and improvements required for various levels of purchase and the internal control procedures required for managing the risk across the Council. The constitution scheme of delegation, Financial Regulations and Contract Procedure Rules were extensively updated during 2014 by the Policy, Finance & Development Committee.

Code of Conduct

The standards of behaviour expected from members and officers are set out in Member/Officer Codes of Conduct. A register of members' interest is maintained and the records of interest are declared at council and committee meetings. All members are required to complete Related Party Declarations at the end of the financial year in support of the statutory financial statements. Members' allowances are examined on an annual basis and a review of the allowance scheme was undertaken in 2014/15 by an independent remuneration panel.

The Constitution, Contract Procedure Rules, Financial Regulations, Whistle Blowing Policy and the Anti-Fraud and Corruption Policy set the rules and standards within which Council business is conducted and provide the mechanism for dealing with any failures in these procedures.

Chapter 7 of the Localism Act 2011 outlines that there is no longer a statutory requirement to have a Standards Committee. However each Council has to put in place arrangements dealing with complaints and standards issues. The Standards Committee decided its' preference was to adopt a common code in collaboration with other Local Authorities in Leicestershire and Rutland and was approved by the Council in April 2012.

The Standards Committee monitored performance of members, senior officers and the Council's Committees.

Standards

Councillors have to abide by this Constitution, which includes a Code of Conduct in order to ensure high standards in the way they undertake their duties. The Council promotes excellence, probity and transparency in public services and provides training and advice for Councillors governance matters including the Code of Conduct.

The Localism Act 2011 (the Act) brought about a number of key changes to the Standards Regime operating in Local Authorities. Under the Act, Local Authorities remain under a statutory duty to promote and maintain high standards of conduct by

their Councillors. In discharging this duty, the Council is still required to adopt its own Code of Conduct (previously the content of the Code was prescribed by legislation). Oadby and Wigston Borough Council adopted the common Code of Conduct for Leicestershire Authorities which is set out in Part 5 of this Constitution together with the procedure for dealing with complaints about a Councillor's conduct.

The Act repealed the statutory requirements for the Council to have a Standards Committee. At the Council meeting on 25 February 2014 the Council agreed to disband the existing Standards Committee in view of the fundamental changes to the national Standards Regime. The Policy, Finance and Development Committee has taken on the responsibility for promoting and maintaining high standards of conduct and where a panel of Councillors is required to hear a complaint is allocated from the membership of the Policy, Finance and Development Committee on a rotational basis; the procedure for investigations will be carried out in accordance with the process set out in Part 5 of this Constitution.

Scrutiny

Oadby and Wigston Borough Council operates a committee style arrangement and therefore is not required by law to have a separate Scrutiny Committee to support and monitor the work of the Committees and Council. At the Council meeting on 25 February 2014 it was agreed that each Committee will scrutinise its own decisions as they are being debated and made in the public arena. If necessary a Task Group may be convened by the Council to deal with any specific matter.

Corporate Plan

The Council's decision making practices are guided by the values as set out in the 2014/15 Corporate Plan which is attached as an appendix and purely consolidates in a focus document the Council's previously agreed priorities and governance arrangements.

There will be a complete review of the Corporate Plan in 2014/15, including consultation ready for and to coincide with the election of the new Council in May 2015 when it will start its term of office and set out its vision for its four year administrative period of what it wants to achieve.

Audit Committee Functions

In 2013/14 the Policy, Finance and Development Committee and Internal Audit undertook the core functions identified in CIPFA publication: Audit Committee - Practical Guidance for Local Authorities. The Committee receives reports from the internal audit service and then ask questions at each meeting and can call upon Service Heads to attend meetings as appropriate. Reports from External Auditors are also received at these meetings.

Policies, Procedures, Laws and Regulations

The Council's statutory officers are the Chief Executive, the Section 151 Officer and the Monitoring officer. They are responsible for ensuring the Council acts within the law and in accordance with established policies and procedures. No report can be presented to Council or Committee for approval without first being reviewed by these officers or their delegated representative(s). These Officers are responsible for ensuring that legislation and policy relating to service delivery, health and safety are implemented in practice.

Risk Management

The Strategic Risk Management Group is an operational management group and co-ordinate risk management arrangements across the Council. Following recommendations from Internal Audit and the Strategic Risk Management group the Council's insurers, Zurich Municipal, were engaged to update the Council's Risk Management Strategy, Procedures and Strategic Risk Register.

Risk management workshops are held on a regular basis with Members and Senior Management to provide training on risk management and to identify the key risks facing the Council's objectives. A revised Risk Management Strategy, Strategic Risk Register and further development plan were presented to Committee in October 2013. Further work was performed in 2014/15 informed by the development plan to further embed the appropriate processes, procedures and culture within the authority.

During 2014/15 the Strategic Risk Register was reported quarterly to the Committee. This register identified major risks and commented on their likelihood and impact on the Council's objectives. Each risk is allocated a responsible officer who is responsible for identifying an action plan and provides an update on residual risk for each quarter. Risk management is embedded in processes such as Capital Appraisals and Service Development Plans.

The Council awarded a new £10 million Leisure contract in 2014 to Sports and Leisure Management Limited (SLM) following a procurement exercise. The construction works for a new build swimming pool and gym facilities at Wigston and a new build swimming pool together with refurbished gym facilities at Parklands, Oadby is underway. The construction programme is monitored through the Project Liaison Group who meet formally on a monthly basis. The Group consists of representatives from SLM, the build contract Manager and officers of the Council, including a representative from Finance. A monthly report is considered by the group on the programme overview, works summary, inspections and finances for each site. A summary of the progress is reported to the Service Delivery Committee. In between these timetabled monthly meetings ad-hoc meetings take place as necessary. The works are progressing well.

Whistle blowing and Complaints

The Council's Whistle Blowing Policy is available to all employees and those contracting with the Council. A corporate complaints procedure is in place which includes staged levels of escalation depending on the seriousness of the complaint.

Training and Development

An induction programme is provided for all new Members and Officers. Member training is provided. A Member training programme exists throughout the Leicestershire & Rutland Improvement Partnership. In-house training is provided for Members which includes covering significant changes in Council business such as new legislation.

The skills and resources required by Statutory Officers are set out in Person Specifications. Rigorous recruitment processes are followed to appoint these key posts. Responsibilities are reinforced through the Council's Constitution and development needs identified through employee development interviews.

Communication and Consultation

Local people and stakeholders are engaged through the community strategy, resident forums, youth, senior citizens and multi-cultural groups. A programme of meetings is in place for these groups with agendas largely being set in conjunction with residents and other stakeholders. A number of public consultations have taken place in year on pertinent issues including Open Spaces, Blaby Road Park and residents of Boulter Crescent.

All meetings are held in public. There is a high level of interest in matters considered at the three Resident Forum meetings as evidenced by the high level of attendance. Minutes are produced of all meetings with action lists of issues raised to be reported back to the next meeting.

The Council communicates to residents through the Letterbox Newsletter which is circulated to all residents each quarter. Key documents such as the Corporate Plan, Statutory Accounts and Council Budget Book are published setting out achievements, performance and planned activity. Regular staff communication is achieved through the staff and management notice boards and regular briefings held by the Senior Management Team.

Partnerships

The Council aims to fully exploit the opportunities for partnership working to ensure joined up service delivery and efficiency savings. Key partnerships involving the Council include the Community Safety and Crime and Disorder reduction partnerships for Oadby and Wigston. At County level the Council is involved in Leicestershire Together and works with other public sector providers to improve the wellbeing of residents of Leicestershire.

From an operational perspective the Council continues to pursue opportunities for joint work with other Councils. Some joint arrangements however have been terminated as they did not prove as effective as when they were originally introduced.

Review of Effectiveness

The Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of the effectiveness is informed by the work of the Senior Management Team and the results of the work of Internal Audit/External Audit and comments received from other review agencies/review inspectorates. The sections below set out how the Governance Framework has been maintained and reviewed up to the date of the approval of the Statement of Accounts.

A review of the Council's Governance structure was presented to the Policy, Finance & Development Committee during 2013 and included a number of suggested amendments to the current organisation. These changes were partly implemented during 2013 with the remaining changes completed during 2014.

Current Governance Structure

Oadby and Wigston has retained a Committee system. The vast majority of Councils operating use a cabinet system where a small group of councillors have been given the power to make the majority of decisions on behalf of all other councillors.

The benefits of the Committee system are that all councillors sit on a range of Committees and every member has a vote that counts every time. This is the cornerstone on which this Council is built in order that councillors do not feel marginalised from decision making. All decisions are debated and made during open committee in full public view. All Councillors and constituents can hear the full debate including the views of Ward councillors. Only urgent decisions are delegated to the Chair/Vice Chair which are then reported back to the full Committees at the earliest opportunity so all members are engaged. In addition to the statutory requirement to have a separate Council and distinct Development Control and Licensing Committees, the Council has two main Committees:

- The Policy, Finance and Development Committee which has overall responsibility for setting the long term aims of the Council and moving it forward in line with these objectives.
- The Service Delivery Committee which has the direct responsibility for the day-to-date operation of all services.

The Council's principal Committees have considered the following key areas in 2014/15.

Council

- Budget proposals and budget monitoring
- Council Tax Base
- Council Tax Setting
- Council Tax Support
- Evolving Council Governance
- Delegated reports from Forums and Committees
- Equality and Diversity
- Voluntary Sector Funding
- Licensing Policy
- Pay Policy
- Members Allowances
- Members' Code of Conduct
- Constitutional Review (Including Contract Procedure Rules and Financial Regulations)

Policy Finance and Development Committee

- Individual internal audit reports and the annual report and plan
- Reports from the external auditor including annual plan and report on the Statement of Accounts
- Budgetary Control and financial updates
- Treasury Management and Prudential Indicators
- Welfare Reform and Council Tax Support
- Pooling of Non Domestic Rates
- Risk management reports and strategy
- Procurement Strategy
- Updating of Council policies and Strategies
- Medium Term Financial Strategy and Housing Business Plan and regular updates
- Review of Financial Regulations
- Leisure Procurement and Strategy

Service Delivery Committee

- Greening the Borough
- Tenants Charter
- Choice Based Lettings
- Refuse and Recycling Operations
- Housing Business Plan
- Council Tax Support and Welfare Reform
- Disabled Facilities Grant
- Service Charters

Senior Management Team

The Senior Management Team consisting of the Chief Executive, Director of Services and Chief Financial Officer are responsible for ensuring proper standards of internal control within the Council. At the end of each financial year Heads of Service complete a declaration to confirm that they have reviewed the systems within their areas of responsibility and have identified all areas where improvements are necessary.

Officer Governance arrangements were reviewed during 2014 and a new structure was developed and implemented during 2014/15.

External Audit

The Council's external auditors are KPMG.

The external auditors review the Council's arrangements for:

- Preparing accounts and compliance with statutory and other relevant requirements
- Ensuring the proper conduct of financial affairs and monitoring their adequacy and effectiveness in practice
- Managing performance to secure economy, efficiency and effectiveness in the use of resources.

The Council has taken action where appropriate to respond to external audit recommendations.

Internal Audit

Internal audit is responsible for the review of the systems of internal control and for giving an opinion on both corporate and service specific standards. From May 2012 following a competitive tender exercise the Coventry and Warwickshire Audit Services (CWAS) were awarded a three year internal audit contract. The Council and CWAS have developed a very good professional relationship. Because of this and the pressure of other work the Council have agreed to extend CWAS Internal Audit contract to 31 March 2016. The Council will initiate a full procurement process during 2015.

The annual audit plan for 2014/15 has been completed apart from a few minor audits which were agreed by Senior Management Team to be deferred until 2015/16. Details of the findings for each individual audit have been reported to the Council's Senior Management Team and then to the Policy, Finance and Development Committee.

The Chief Financial Officer/Section 151 Officer reviewed the effectiveness of internal audit through the quality of recommendations and audit reports and subsequent comments made by the Committee on audit findings. The Annual Audit Plan for 2014/15 was approved by the Policy, Finance and Development Committee in March 2014.

The Internal Audit Annual Opinion Report for 2014/15 provided a year end opinion on the Council's internal control framework. The report stated that "The overall opinion is that significant assurance can be given that there is generally a sound system of internal control designed to meet the organisation's objectives and that controls have generally been applied consistently." However, some weakness in the design and/or inconsistent application of controls put the achievement of particular objectives at risk.

The basis for forming the internal audit opinion is as follows:

- An initial assessment of the design and operation of the underpinning risk management framework and supporting processes
- An assessment of the range of individual opinions arising from risk based audit assessments contained within internal audit risk based plans that have been reported throughout the year. This assessment has taken account of the relative materiality of these areas of the management's progress in respect of addressing control weaknesses
- Any reliance that has been placed on third party assurances.

During the course of the year Internal Audit undertook work to provide assurance over financial governance and operational systems:

- During the year Internal Audit undertook reviews of the Council's core financial systems (including financial management including ledger and financial transactions) and gave full or significant assurance with regard to the management of risk in these areas
- Internal Audit also undertook work on areas of principal risk. In general internal audit were able to conclude that these systems are robust and operating in good controlled environments.

It is the view of Internal Audit taking an account of the respective levels of assurance provided for each audit review, an assessment of the relevant weighting of each individual assignment and the extent to which agreed actions have been implemented that the Council generally has sound systems of internal control.

However, Internal Audit highlighted during the year Significant Internal Control issues that they considered would require disclosure within the AGS. These are set out below:

- Street Cleaning/Grounds Maintenance – this review provided 'limited assurance' and highlighted a number of areas for improvement in managerial processes and controls to ensure the effective and efficient delivery of these services.
- Void Housing Property Repairs – this review provided 'moderate assurance' and highlighted a number of control improvements needed, the key areas relating to inadequate monitoring of void spend and lack of reporting and monitoring of void turnaround performance.

- 2013/14 review on Health & Safety – this review reported in June 2014 provided ‘limited assurance’ and highlighted issues relating to health and safety policies, risk assessments, training and corporate support.
- 2013/14 review on Payroll and Expenses – this review reported in June 2014 provided ‘limited assurance’ and highlighted the following key areas:
 - There is no signed SLA with the payroll provider. Further, the current unsigned agreement makes no reference to the monitoring of performance by the service provided.
 - There is no independent reconciliation of the payroll of Human Resources Establishment Lists.
 - Instances of non-compliance with payroll procedures.
 - There is no periodic production and review of control and exception reports.
 - Checks are not undertaken to confirm the completeness and accuracy of the payroll before it is released.

It must be stressed that Management has since provided assurances – through the Council’s recommendation tracking process – that all due agreed actions have been implemented. See the note below further in relation to payroll

In relation to Significant Internal Control Issues that Internal Audit referred to in their 2013/14 HoIA opinion, with regard to Housing Responsive Repairs in their follow-up in late 2013/14 noted that certain areas still needed to be dealt with; they reported again to management on this matter and revised actions and timescales for action were agreed. Management has since provided assurances – through the recommendation tracking process – that all due agreed actions have been implemented. Internal Audit’s planned review on this matter for 2014/15 has been deferred into 2015/16 at management request.

Internal Audit also noted in their 2013/14 opinion that “recent reviews on Health & Safety and on Payroll and Expenses have highlighted some potentially significant matters; formal reports on these subjects have not yet been agreed with management, however. Any Significant Control Issues arising will be reported in due course.” Subsequently internal audit reports giving ‘limited assurance’ opinions were agreed with management and action plans put in place by management to address the areas highlighted. Further detail is given above. Internal Audit’s planned payroll review for 2014/15 has been delayed at management request to June 2015 at the earliest and accordingly is not complete, thus they were unable to give a revised assurance opinion on this system following the ‘limited assurance’ opinion provided in 2013/14.

Internal Audit also noted that several other planned reviews have been delayed at management request or deferred and included in the 2015/16 internal audit plan and they have accordingly not reflected an assurance opinion on these reviews in their annual opinion report. Given the delivery of the bulk of the work planned for 2014/15, covering a range of fundamental control systems Internal Audit do not consider that this prevents the provision of their annual opinion.

Significant Governance Issues

Significant Control Issues	Sources	Action Plan
Prior Year Follow Up Actions		
<p><u>Street Cleaning and Grounds Maintenance</u></p> <p>There are a number of areas in the management process and controls which require improvement to ensure the effective and efficient delivery of these services.</p>	<p>Internal Audit Report 2014/15</p>	<ul style="list-style-type: none"> • All processes have been documented and safe systems of work produced. • Daily work sheets are returned, signed by the operatives to the foremen who note any issues raised, update records and carry out spot checks. • HR are pursuing harmonisation of contracts for depot staff. Issues remain with a co-ordinated approach to fly tipping, graffiti, etc due to the lack of trained and experienced staff in other sections. When resources are in place the processes will be mapped, streamlined and documented. • Now all entered onto “Uniform” IT system enabling performance to be tracked and reports produced. • The situation has been examined and there are no significant areas for income generation, this has been accepted by audit.
<p><u>Void Housing Property Repairs</u></p> <p>There were a number of control improvements needed to key areas relating to inadequate monitoring of void spend and lack of reporting and of monitoring of void turnaround time.</p>	<p>Internal Audit Report 2014/15</p>	<ul style="list-style-type: none"> • The budget is monitored at present but changes to the system are arising as a result of the creation of the CSC. This requires further work to ensure that processes are robust and staff are clear about roles. Calculation of average cost per property is not a meaningful measure as the number is small each year and consequently the

		<p>average can vary substantially. A better way of measuring predictability of cost and cost trend is being considered.</p> <ul style="list-style-type: none"> • The time that the property is unavailable for letting is to be monitored rather than the previous time from one tenancy to the commencement of another. This will be a far more meaningful measure in terms of void management as properties that are hard to let distort the current data.
<p><u>Health and Safety</u></p> <p>Issues were raised regarding the health and safety policies, training risk assessments and corporate support.</p>	<p>Internal Audit Report 2013/14</p>	<ul style="list-style-type: none"> • A consultant H&S advisor was appointed in May. He worked to address all issues raised in the audit until the end of August when he resigned without warning or notice. • Action for breach of contract is being considered. • Interim arrangements for additional resources are being put in place to pick up the work that has been commenced. • Some training has been undertaken with a priority being given to fire safety and conflict management. • Recruitment of a permanent post holder is also underway.
<p><u>Payroll and Expenses</u></p> <p>The following issues were raised in key areas;</p> <ul style="list-style-type: none"> • There is no signed SLA with the payroll provider. • There is no reference to the monitoring of performance by the service provider. 	<p>Internal Audit Report 2013/14</p>	<ul style="list-style-type: none"> • Contract under review and amendments proposed • Amendments proposed include monitoring arrangements. • Independent reconciliation

<ul style="list-style-type: none"> • Instances of non compliance with payroll procedures. • No periodic production and review of control and exception. • Checks are not undertaken to confirm the completeness and accuracy of the payroll before it is released. 		<p>carried out in Finance</p> <ul style="list-style-type: none"> • Procedures clarified and staff made aware. • Performance issues being taken up with the provider and alternative supplier options being investigated. • Checks being carried out by both HR and Finance
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Mark Hall

John W. Boyce

Date

Chief Executive

Leader of the Council



**Policy, Finance and
Development
Committee**

**22 September
2015**

**Matter for
Information**

Title:

Treasury Management Annual Report 2014/15

John Dickson – Chief Financial and Section 151 Officer

1 Introduction

This report details the actual performance and activities of the authority's treasury management function for the financial year 2014/15. Treasury management is defined in the Code of Practice as "the management of the organisation's 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"

2. Recommendations.

That Members note the report.

3 Information

Two annual reports on treasury management are produced. Firstly, a Treasury Management Strategy and Statement is approved by Council prior to the commencement of the financial year and then this report provides Members with a summary of actual activity for the year 2014/15. The report is required to comply with the "Code of Practice on Treasury Management in Local Government" and the Council's own Treasury Management Policy Statement.

The Code requires the Section 151 Officer to operate the treasury management function in accordance with treasury management practices adopted by Council. There are no issues of non-compliance with these practices that need be brought to Member's attention.

Under the Prudential Code for Capital Finance, the Council is required to prepare a number of prudential indicators against which treasury management performance is measured.

Details of all borrowing and investment transactions for 2014/15 together with the performance against prudential indicators are given below.

Borrowing

Long Term – The Authority is able to borrow on a long term basis from the Public Works Loans Board (PWLB). At the beginning of the year the amount of

loan outstanding was £19.114m. During the year, no further borrowing was undertaken. This left the outstanding balance at the end of the year unchanged at £19.114m. This is £11.5m less than the approved borrowing strategy, and results from the later than expected start to the Leisure Facilities capital project, and the decision to liquidate all outstanding investments before borrowing to fund it.

Short Term (Less than 365 days in duration) – There was no short term borrowing undertaken during 2014/15 (2013/14 £0).

Cost of Borrowing – Interest on the PWLB loans was paid as follows:

Loan £ 000's	Maturity Date	Interest Rate	Interest £ 000's
500	29/03/2052	4.10	21
500	29/03/2018	3.50	17
18,114	Various	2.98*	539

* Average Interest rate for loans

Investments

During 2014/15, the Council was in a position where it often had cash surpluses to invest. When considering investments the Council must consider the following factors:

- **Security** – the Authority has a counterparty list, based on credit ratings, within its Investment Strategy that is approved prior to the commencement of the financial year. The current list and basis of approval is attached at Appendix C.
- **Liquidity** – because of cash flows there is always a need to have a mix of investments that are realisable when required.
- **Yield** – probably the least important consideration as often higher yields mean greater risks

In the current economic climate and due to the volatility and uncertainty being prevalent in financial markets security has to be the most important factor of the three listed above.

For 2014/15 surplus cash was invested in the following ways.

Special Interest Bearing Account – This account is held with National Westminster Bank plc. It can be used for deposits up to £5 million and pays interest at 0.25%

Business Direct Reserve Account – Again, this is a National Westminster Bank account which allows deposits up to £1 million and also pays interest at 0.25%.

Money Market Deposits – Used for larger amounts up to £1.5 million. The list of institutions approved for investment was agreed at committee on 25 March 2014 and is included again for reference in Appendix C. The investments fall into two categories:

- Money on Call – These investments run for a minimum of 7 days after which they can be recalled at any time. Interest rates are variable and can fluctuate during the life of the investment.
- Fixed Deposits – Investments which mature at a pre-arranged date. The interest rate is fixed for the life of the investment.

The total interest received for the year to 31 March 2015 on temporary investments amounted to £58,908 (2013/14 £58,280). A summary of the total amount invested in 2014/15 is given at Appendix A.

Prudential Indicators

The Local Government Act 2003 requires Councils to comply with the Prudential Code for Capital Finance in Local Authorities when carrying out their budgeting and treasury management activities. Fundamental to this is the calculation of a number of prudential indicators which provide the basis for management and monitoring of borrowing and investments. These indicators were agreed by Council on 25 March 2014.

The Capital Financing Requirement (CFR) – This represents the Council's underlying need to borrow for capital purpose based on the cumulative value of capital expenditure not fully paid for. The CFR will change year on year in accordance with the value of capital spending.

The first key control over activities is to ensure that over the medium term, net borrowing will only be for capital purposes, The Authority must ensure that net external borrowing does not, except for short periods, exceed the total of the CFR. A comparison of the estimate against the actuals is shown in the table below.

	2014/15 Original Estimate £ 000's	2014/15 Revised Estimate £ 000's	2014/15 Actual £ 000's
Gross Borrowing	30,614	19,114	19,114
Investments	-	-	-
Net Borrowing 31st March	30,614	19,114	19,114
Total CFR 31st March	32,583	23,053	25,177

The Section 151 Officer reports that the Council complied with the requirement to keep borrowing below the relevant CFR in 2014/15 and no difficulties are foreseen for the current or future years.

Borrowing Levels – The following two indicators control the overall level of borrowing.

- **The Authorised Limit** – This represents the limit beyond which borrowing is prohibited and needs to be set and revised by Members. 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.
- **The Operational Boundary** – This indicator is based on the probable external debt during the course of the year. It is not a limit and actual borrowing could vary around the boundary for short times during the year. It should act as a barometer to ensure the authorised limit is not breached.
- **The actual borrowing compared to the Authorised and Operational limits agreed by Council are as follows:**

	2014/15 Original Limit £ 000's	2014/15 Revised Limit £ 000's	2014/15 Actual (Max) £ 000's
Authorised Limit	38,000	38,000	19,114
Operational Boundary	36,000	36,000	19,114

Ratio of Financing Costs to Net Revenue Stream – This indicator compares net financing costs (borrowing costs less investment income) to net revenue income from revenue support grant, business rates, housing revenue account subsidy, council tax and rent income. The purpose of the indicator is to show how the proportion of net income used to pay for financing costs is changing over time.

	2014/15 Original Estimate %	2014/15 Revised Estimate %	2014/15 Actual %
General Fund	10.5	3.4	3.5
HRA	10.4	10.4	10.4

The above indicator shows that within the General Fund, financing costs are equivalent to 3.5% of the net revenue income. In the case of the HRA there is net interest payable which is equivalent to 10.4% of the net revenue income.

Limits on Activity – The following indicators 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.

- **Upper Limits on Variable Rate Exposure** – This indicator identifies a maximum limit for variable interest rates.
- **Upper Limits on Fixed Rate Exposure** – Similar to the previous indicator this covers a maximum limit on fixed interest rates.
- **Maturity Structures of Borrowing** – These gross limits are set to reduce the Council’s exposure to large fixed rate sums falling due for refinancing.
- **Total Principal Funds Invested** – This limit is set to reduce the need for early sale of investments and is based on the availability of investments after each year-end.

	2014/15 Original Indicators		2014/15 Revised Indicators		2014/15 Actual Maturity Structure	
	%		%		%	
Fixed Interest Rates Limit	100		100		100	
Variable Interest Rates Limit	25		25		0	
Maturity Structure of Borrowings	Lower	Upper	Lower	Upper	Lower	Upper
Under 12 months	0	25	0	25	0	0
12 months to 2 years	0	25	0	25	0	0
2 years to 5 years	0	50	0	50	0	8
5 years to 10 years	0	75	0	75	0	26
10 years and above	0	100	0	100	0	66

The prudential Code requires indicators to be set for the maturity structure of fixed borrowings only.

With respect to total principal funds invested, there were no sums invested for periods longer than 364 days. The average number of days over which principal funds were invested was 218 days.

4. Financial Implications.

These are included within the information provided above.

5. Risk Management Implications

These are shown at Appendix D.

Responsible Officer : Paul Loveday, Finance Manager.

Email: paul.loveday@oadby-wigston.gov.uk

Tel: **0116 257 2750**

Implications	
Financial (PL)	The financial implications are contained within the body of this report.
Risk	No direct implications
Equalities	No direct implications
Legal	In accordance with the regulations the Council is obliged to provide such information by 30 September 2015

Appendix A

Total Investments Placed During the Period 1 April 2014 to 31 March 2015

	Cumulative No. Of Investments In Year		Total Value Invested in Year £ 000's
British Clearing Banks			
Santander Bank plc	2		2,003
National Westminster Bank plc	143		50,142
Building Societies			
Nationwide Building Society	1		1,000
Local Authorities			
Woking Borough Council	1		1,000
Thurrock Borough Council	1		1,000
Lancashire County Council	2		2,000
	150		57,145

Appendix B

Schedule of PWLB Loans (HRA Self – financing Settlement)

Principal (£)	Rate of Interest (%)	Date of Maturity
1,006,333	1.99	20/03/2020
1,006,333	2.21	20/03/2021
1,006,333	2.40	20/03/2022
1,006,333	2.56	20/03/2023
1,006,333	2.70	20/03/2024
1,006,333	2.82	20/03/2025
1,006,333	2.92	20/03/2026
1,006,333	3.01	20/03/2027
1,006,333	3.08	20/03/2028
1,006,333	3.15	20/03/2029
1,006,333	3.21	20/03/2030
1,006,333	3.26	20/03/2031
1,006,333	3.30	20/03/2032
1,006,333	3.34	20/03/2033
1,006,333	3.37	20/03/2034
1,006,333	3.40	20/03/2035
1,006,333	3.42	20/03/2036
1,006,333	3.44	20/03/2037
18,113,994	Total	

INVESTMENTS STRATEGY 2014/15 – 2016/17**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 (2011).

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
- achieve the maximum return on investments after taking into account security and liquidity

2.0 Current Investments

At present the Council has no fixed 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 for a maximum of 364 days and amounts will only be invested 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 credit rating by a credit rating agency

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 all 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:

	Credit Agency		
Term	Fitch	Moody's	S & P
Short	F1	P1	A1
Long	AA-	AA3	AA-
Individual	C	D	
Support	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:

	Credit Agency		
Term	Fitch	Moody's	S & P
Short	F1	P1	A1
Long	A	A2	A1
Individual	C	D	
Support	3		

For any organisation that meets the above criteria, up to £1m may be invested at any one time for a maximum duration of 6 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 of up to £5m at any one time with a maximum duration of 364 days 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.

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 does not expect to place investments for longer than 364 days although this situation will be kept under review by the Section 151 Officer. 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.

The maximum amount which may be held in investments lasting more than 364 days will be 25% of the average annual investments.

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 Sector 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

Policy, Finance and Development Committee

- Approval of annual strategy
- Approval of annual treasury outturn report
- Approval of mid year treasury management updates
- Mid year treasury management updates
- Review of treasury management policy and procedures, including making recommendations to responsible body

Overview and Scrutiny Committee

- Scrutiny of Treasury Management Strategy and Plan, Investment Strategy and Annual Outturn Report

Chief Financial Officer (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**

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

HSBC Bank plc
(Rating Source: Sector – Feb 2014)

Long-term	Short-term
Rating	Rating
AA-	F1+

Category 2

Restrictions	
Max Amount £m	1
Duration	6 months
Asset Base (Building Societies Only)	£6 bn

Bank of Scotland plc
Barclays Bank plc
Lloyds Bank plc
Nationwide Building Society
Royal Bank of Scotland plc
Santander UK plc
Standard Chartered Bank
(Rating Source: Sector – Feb 2014)

Long-term	Short-term
Rating	Rating
A	F1
A	F1
A	F1
A	F1
A	F1
A	F1
AA-	F1+

Debt Management Office

Restrictions	
Max Amount £m	N/A
Duration	6 months

Operated by a National Government Department

Public Authorities in England, Scotland and Wales

Restrictions	
Max Amount £m	5
Duration	364 days

All public authorities (including local government, fire and police authorities)

in England, Wales and Scotland

Money Market Funds

Restrictions	
Max Amount £m	1.5
Duration	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).

Agenda Item 11



**Policy, Finance and
Development
Committee**

**Thursday 22nd
September 2015**

Matter for Decision

Title: **Local Plan Update**

Author: **Anne Court (Director of Services)
Adrian Thorpe (Planning Policy and Regeneration Manager)**

1. Introduction

- 1.1 This report provides a summary of the position following the recent Planning Appeal in relation to Cottage Farm, Oadby.
- 1.2 It also sets out the current issues in relation to preparing a new Local Plan for the Borough.

2. Recommendations

It is recommended that:

- Members note the position with regard to the recent Planning Appeal in relation to Cottage Farm, Oadby.
- Members note the importance of the following in enabling the Council to have control of delivering its spatial planning strategy for the Borough:
 - Objectively Assessed Need
 - Ensuring the consistent delivery of a sufficient number of new dwellings
 - Maintaining a 5 year supply of housing land
- Members note the situation with regard to the preparation of the Local Plan.
- The Council holds its intention to prepare its Local Plan in the context of the Strategic Growth Plan and an end date of 2036, but ensures the flexibility to switch to an end date of 2031 should the Strategic Growth Plan experience delay and/or fall out of line with the timetable for the preparation of the Local Plan.
- Members approve the Local Plan Key Challenges document for a period of 6 weeks public consultation, commencing on Monday 12th October 2015.

3. Information

- 3.1 The Council's development plan currently consists of the Saved Local Plan (1999), the Core Strategy (2010) and the Town Centres Area Action Plan (2013).
- 3.2 The Core Strategy was evidenced, prepared and adopted by the Borough Council prior to the publication of the National Planning Policy Framework (NPPF) by the Government in 2012. Therefore, whilst aspects such as the spatial objectives and spatial strategy may still be relevant, some of the evidence upon which the policies are based, such as housing numbers, is open to challenge.
- 3.3 This was the case during the recent Planning Appeal in relation to Cottage Farm, Oadby when the developer's challenges were met with some sympathy by the Inspector, despite the Council's arguments to the contrary.

3.4 Whilst the Council does not agree with the Inspector's report and is in the process of challenging the Inspector's conclusions through the court of appeal, the situation demonstrates that in order to mitigate as far as possible the risk of a successful challenge to the development plan, two things are necessary:

1. The preparation of a new Local Plan
2. In the interim:
 - the consistent delivery of a sufficient number of new dwellings to meet the 'Objectively Assessed Need'
 - the identification of a sufficient amount of land to maintain a '5 year supply of housing land'.

Objectively Assessed Need

- 3.5 Although the Borough Council is of the view that the Core Strategy is up to date, Objectively Assessed Need (OAN) is an important concept because the National Planning Policy Framework states that where a development plan is found to be out of date, the Local Planning Authority should seek to meet the full OAN, rather than the housing requirement set out in its Plan.
- 3.6 'Objectively Assessed Need' represents an overall assessment of need without applying any limitations and policy considerations such as the supply of land for new development, local housing markets, infrastructure or environmental constraints. In other words it is 'policy off'. The housing requirement in the Plan is 'policy on'.
- 3.7 The OAN for the Borough was identified in the Leicester and Leicestershire Strategic Housing Market Assessment which was published in 2014. OAN is derived based upon household projections, the need to support economic growth and the need to provide affordable housing. Due to the specific nature of the Borough, when assessed in this way, the level of need for affordable housing was found to be relatively high (163 dwellings per annum).
- 3.8 Taking this into account the OAN for Oadby and Wigston to the period to 2031 was identified to be 80-100 dwellings per annum (although shown as a range the OAN is considered to be the higher end of the range i.e. 100). This is an 'uplift' of 21 dwellings per annum compared to the household projections of 79 dwellings per annum. The uplift is considered to take account of the affordable housing need whilst deriving a realistic OAN in the context of the Borough. It is important to note that it is the Council's case that in establishing an OAN judgements have to be made, but these judgements are not based on Policy decisions and therefore the OAN is 'policy off'.
- 3.9 At the Planning Appeal in relation to Cottage Farm, Oadby the developer put forward an alternative case as to what the OAN for the Borough might be. Their main point being that the OAN should be higher due to the high level of need for affordable housing even though they had not themselves undertaken an affordable housing assessment. The Planning Inspector agreed with the developer and determined that 'for the purposes of this appeal [he would] adopt 147 per annum as the indicative figure [(i.e. the OAN)] for calculating whether the Council is able to demonstrate a 5 year supply of housing land'
- 3.10 As a result, a summary of the current picture for the Borough is provided in the table below.

Source	Dwellings per Annum
Core Strategy Housing Requirement	90
Leicester and Leicestershire SHMA OAN	100
Cottage Farm Inspector's Report conclusion on OAN	147

Ensuring the consistent delivery of a sufficient number of new dwellings

- 3.11 It is very important to ensure the consistent delivery of a sufficient number of new dwellings in the Borough to meet the housing requirement. If this is found not to be the case, Government guidance requires that more new homes, in addition to the housing requirement, are provided.
- 3.12 The Core Strategy provides a breakdown of the amount of dwellings that are intended to be delivered in the Direction for Growth, within the Town Centres and in the remainder of the urban area. Therefore, it is important that we are on course to meet the targets in each of these areas.
- 3.13 In the immediate years after the adoption of a plan it is usual for delivery to be slower whilst the strategy comes into effect and proposals for development are drawn up. This has been the case in the Borough, but delivery is now beginning to increase.
- 3.14 The Core Strategy requires 452 dwellings to be provided at the Direction for Growth between 2009 and 2026. This equates to 27 dwellings per year. The planning approval for the Direction for Growth remains subject to the signing of the Section 106 Agreement. The Director of Services is in regular contact with the developer's solicitor to try to bring this matter to a resolution. Once development is underway there is a high level of confidence that these dwellings will be delivered at a consistent rate and within the plan period.
- 3.15 The Core Strategy requires 393 dwellings to be provided in the town centres between 2009 and 2026. This equates to 23 dwellings per year and over the 6 years to date (2009/10-2014/15) an average of 23 dwellings have been provided each year. Provided proposals set out within the Town Centres Area Action Plan come forward (eg Paddock Street, Wigston and East Street, Oadby) there is a reasonable level of confidence that dwellings will continue to be delivered at a consistent rate and to target in the town centres. This will be assisted by changes of use of offices to residential and interventions by the Council such as the Investor Prospectus and the Local Development Orders that are currently under preparation.
- 3.16 The Core Strategy requires 191 dwellings to be provided elsewhere in the urban area between 2009 and 2026. This equates to 11 dwellings per year and over the 6 years to date (2009/10-2014/15) an average of 43 dwellings have been provided each year. There is a high level of confidence that dwellings will continue to be delivered at a consistent rate and to target elsewhere in the urban area based upon previous performance.
- 3.17 Regarding affordable housing, the Core Strategy sets out targets for affordable housing provision in each of the settlements – 40 dwellings in Oadby, 90 dwellings (excluding the DfG) in Wigston, and 30 dwellings in South Wigston (160 in total) - during the plan period.
- 3.18 Across the Borough as a whole this equates to 8 affordable dwellings per year and over the 6 years to date (2009/10-2014/15) an average of 13 affordable dwellings have been provided each year. The specific targets for each settlement have also been exceeded. There is a high level of confidence that affordable dwellings will continue to be delivered at a consistent rate and to target subject to development coming forward as expected.
- 3.19 It should be noted that the figures and targets contained in this section are derived from the housing requirement set out in the Core Strategy of 90 dwellings per annum.

Maintaining a 5 year supply of housing land.

- 3.20 A five year supply of housing land is required by Government guidance to demonstrate that there is sufficient land available in the Borough that is suitable and available to achieve the delivery of the housing requirement over a 5 year period. Government guidance requires us

to prepare a Strategic Housing Land Availability Assessment (SHLAA) each year which is used to determine whether or not a five year supply of housing land exists. The table below shows the sites that have been identified in the SHLAA that are considered will be deliverable and developable within the next 5 years.

Deliverable and Developable within 5 Years			
Settlement	Site	Area (hectares)	Number of Dwellings
Wigston	No. 39, Long Street	0.238	18
Wigston	No. 53 to 59, Queens Drive	0.096	15
Wigston	No. 8 to 10, Long Street	0.084	14
Wigston	No. 34, Bell Street	0.030	8
Oadby	Old Library, The Parade	0.265	40
Oadby	Oadby Pool Site, Leicester Road	0.260	10
South Wigston	Former Shoefayre, Kirkdale Road	1.102	56
South Wigston	Alpha House, Countesthorpe Road	0.149	14
South Wigston	No. 41 to 43, Canal Street	0.034	12
South Wigston	Land at Bennett Way	0.130	8
South Wigston	No. 29-31, Canal Street	0.021	5
South Wigston	No. 3, Canal Street	0.019	4
Total		3.210	204

3.21 As of the 1st April 2015, the Council had a 5 year land supply of 843 new residential dwellings, consisting of:

- 294 new dwellings with extant planning permission
- 204 dwellings on SHLAA sites (that are suitable and available to achieve within 5 years)
- 75 Local Plan allocation dwellings (Town Centre Area Action Plan sites – Paddock Street and East Street)
- 200 new dwellings at the Direction for Growth (Barratt Homes)
- 70 windfall sites (sites that will come forward that the Council is currently unaware of)

3.22 The National Planning Policy Framework requires Local Planning Authorities to calculate the 5 year land requirement based upon:

- the Plan period housing requirement (90 dwellings per annum as set out in the Core Strategy) or where the plan is found to be out of date, the OAN
- plus, a 5% buffer (or 20% if there has been persistent under delivery of new housing)
- plus, any past delivery backlog. Since 2006 there has been an under delivery of housing in the Borough (67 dwellings), however it is not felt that this under delivery has been persistent, hence the authority adopt the 5 % buffer.

3.23 Taking account of the above, using the Plan period housing requirement of 90 dwellings per annum, the Council is required to provide at least **540** new dwellings over a 5 year period:

(90 dwellings x 5 years = 450 dwellings + 5% buffer = 473 dwellings + 67 dwellings backlog)

- 3.24 If the Objectively Assessed Need higher end figure of 100 dwellings per annum was used (as identified in the Leicester and Leicestershire Strategic Housing Market Assessment) the Council would be required to provide at least **592** new dwellings over a 5 year period:

(100 dwellings x 5 years = 500 dwellings + 5% buffer = 525 dwellings + 67 dwellings backlog)

- 3.25 As mentioned earlier in this report, the Council is in the process of challenging the Inspector's decision regarding Cottage Farm through the court of appeal. However, if this decision was to stand, using 147 dwellings per annum as the Objectively Assessed Need and the 20% buffer, the 5 year requirement could be as high as **949** new dwellings over a 5 year period:

(147 dwellings x 5 years = 735 dwellings + 20% = 882 dwellings + 67 dwellings backlog)

- 3.26 More detailed information relating to 5 year supply and housing delivery can be found in the most up to date Housing Implementation Strategy (Appendix 1). It is imperative that the Council continue to unlock housing land within the Borough (for example the Town Centre Area Action Plan sites at Paddock Street and East Street) to ensure that a consistent rolling supply of housing land is maintained. Ensuring a consistent and healthy supply of housing land can negate any unforeseen circumstances, such as (for illustration purposes only) the Direction for Growth area stalling for 5 years, which would mean the 200 new homes projected to come forward within the next 5 years could not be used within the 5 year supply calculation.

Preparation of a new Local Plan

Timetable

- 3.27 Preparation of a new Local Plan is underway based upon the following timetable:

Key Challenges Consultation:	Autumn 2015
Preferred Options Consultation:	Autumn 2016
Submission of Plan:	Spring 2017
Adoption:	Autumn 2017

It is important that the Council keeps to this timetable. A Written Ministerial Statement by Brandon Lewis (Minister of State for Housing and Planning) on 21st July 2015 stated: "In cases where no Local Plan has been produced by early 2017 – five years after the publication of the NPPF – we will intervene to arrange for the Plan to be written, in consultation with local people, to accelerate production of a Local Plan". On the basis of this statement it is not yet clear whether the Borough Council is seen to have a Local Plan in place or not, given that we already have an adopted Core Strategy and Town Centres Area Action Plan. It has also been stated that the Government will publish league tables setting out local authorities' progress on their Local Plans.

Evidence

- 3.28 The main focus to date has been on preparing the Sustainability Appraisal Scoping Report and the various evidence documents that are required to underpin the Plan. The majority of evidence can be prepared in house, however some evidence requires specialist knowledge and will need to be commissioned from external consultancies. Whichever way, collating evidence is a resource intensive and time consuming exercise and can only be undertaken as quickly as resources allow. This needs to be considered in the context of the Government's statement regarding councils having produced a Local Plan before early 2017.

- 3.29 The following evidence is prepared or underway:
- Strategic Housing Market Assessment*
 - Transport Study to 2031*
 - Green Wedge Review
 - Review of Locally Listed Buildings
 - Climate Change Study
- 3.30 Consideration will be given to preparing or updating the following evidence over the next 12 months:
- Strategic Housing Market Assessment update*
 - Employment Land Study*
 - Transport Study to 2036*
 - Gypsy and Traveller Needs Assessment*
 - Affordable Housing Viability Assessment
 - Retail Study
 - Local Infrastructure Plan
 - Places of Worship Needs Assessment
 - Conservation Areas Update
 - Landscape Character Assessment update
 - Phase 1 Habitat Survey

*denotes evidence that needs to be prepared at a Leicester and Leicestershire level, in partnership with other authorities.

Plan Period

- 3.31 The Council is currently working on preparing a plan to 2036 for the following reasons:
- there is an adopted plan in place to 2026
 - given the size of the Borough the rate of growth is relatively low and therefore it is much more effective and efficient to plan over a longer timescale (e.g. in terms of securing infrastructure etc)
 - given the current timetable for preparing the plan there will not be a full 15 year plan period at the date of adoption if the end date is 2031. The Government's National Planning Policy Framework states that 'Local Plans should be drawn up over an appropriate timescale, preferably a 15 year time horizon'
 - a plan period to 2036 fitted well with the timetable for the preparation of the Leicester and Leicestershire Strategic Growth Plan which was scheduled to be completed by Spring 2016 and intended to contain the strategy for the location of development up to 2036 and a strategic vision to 2050.
- 3.32 At a Leicester and Leicestershire level, there are differences in the proposed plan periods of different councils, with some preparing plans to 2031 (including Leicester City Council and Harborough District Council) and others preparing plans to 2036 (such as ourselves and Melton Borough Council).
- 3.33 In addition, the timescale for the preparation of the Leicester and Leicestershire Strategic Growth Plan has slipped significantly with indications that it will now not be available until Spring 2017.
- 3.34 These issues cause difficulties as far as meeting the requirements of the Duty to Co-operate is concerned and preparing the necessary evidence to support a plan to 2036 when other councils are focused principally on the period to 2031.
- 3.35 The Strategic Planning Group has sought advice on this matter from the Planning Advisory Service and The Planning Inspectorate (Appendix 2). Separately, we have sought our own

advice from Andrew Wright who provided our Planning Advisory Service Plan Review earlier this year (Appendix 3).

- 3.36 In consideration of this advice, it is proposed that the Borough Council continues with its plan preparation but, currently, with an open ended plan period. To facilitate this all evidence and related studies will need to be geared to provide outputs for horizons of 2031 and 2036.
- 3.37 This approach will enable the Council to hold its intention to prepare its Local Plan in the context of the Strategic Growth Plan and an end date of 2036. However, it also enables the flexibility to switch to an end date of 2031 should the Strategic Growth Plan experience delay and/or fall out of line with the timetable for the preparation of the Local Plan.
- 3.38 If we were to switch to an end date of 2031 and the Inspector express concern that the plan did not cover a full 15 years from its likely date of adoption, there would be the option to add extra years to the plan period by extrapolating the planned delivery rates for housing and employment land and projecting them forward over the extra years. This approach has been undertaken elsewhere in the County. There may also be a case for providing an indication as to where further development would take place after 2031 in order to assist coherent masterplanning or planning for infrastructure. This could be done by means of an indicative allocation and is considered to be an appropriate mechanism for dealing with development beyond the plan period (as against development within the plan period).
- 3.39 This approach would ensure that:
- The Council's Plan reflects the preparation of the Strategic Growth Plan which will look ahead beyond 2031 (up to 2050)
 - If new or additional evidence becomes available before adoption of the Plan or if another council identifies that it has unmet housing need which requires consideration at a Leicester and Leicestershire level, there is scope to make amendments to our Plan to reflect such situations, during the course of its preparation.
 - There is the opportunity to undertake an early review of the Plan after its adoption should this prove necessary in the context of evidence and/or the planning policy position in the wider HMA

Local Plan Key Challenges Document

- 3.40 In order to progress with the preparation of the Local Plan a key challenges document has been prepared for a period of 6 weeks public consultation (see Appendix 4). This is intended to seek the views of local people about how the Local Plan should address the key challenges that exist within the Borough.
- 3.41 It is proposed that a number of public consultation events are held in order to seek the full input of local people in the process. The stage provides local people with an opportunity to have an input into the preparation of the Local Plan at an early stage and before the Plan starts to include policies and detailed wording which can be difficult to interpret.
- 3.42 The consultation will be carried out in line with the requirements of the Council's Statement of Community Involvement and the Duty to Co-operate.
- 3.43 The results of the public consultation will inform the selection of reasonable options for the Plan which will need to undergo sustainability appraisal. This process will inform the identification of preferred options which will also require sustainability appraisal as well as a further 6 week period of public consultation.

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Implications	
Legal	The Council is currently in the process of challenging the Inspector's decision in relation to the planning appeal regarding Cottage Farm, Oadby through the courts. The preparation of the Local Plan will need to comply with the requirements of the NPPF and NPPG.
Financial (CR)	Provision is made for the costs of preparing the Local Plan in the Council's budget. The budgetary position is reviewed on an annual basis
Equalities	An Equalities Impact Assessment has been carried out of the key challenges document.
Risk (AT)	<p>CR1 Decreasing Financial Resources – It is a statutory requirement that the Council prepares a Local Plan, however, it is a costly taking into account the requirement for evidence, public consultation and Examination. There are financial implications in moving away from a plan period to 2036 to a open ended plan period with the potential to undertake an early review however this needs to be balance against the risk of the Plan being found unsound if the Council was to continue to progress on the basis of a 2036 plan period.</p> <p>CR2 and CR3 Partnership Failure/Political Dynamics – The Duty to Co-operate requires partnership working with other councils in Leicester and Leicestershire. There is a risk of difficulties in these relationships in considering strategic cross boundary planning issues or if one of the councils was to identify that it cannot meet its housing need, thus triggering the potential that it might have to be accommodated in another council area. The Strategic Planning Group and Member Advisory Groups are in place to mitigate this risk.</p> <p>CR4 Reputation Damage – The Government has stated that councils should have Local Plans in place before early 2017, otherwise there is the risk it they may intervene. It has also stated that league tables will be issued setting out progress in preparing Plans. The Council needs to ensure that adequate resources are in place to enable the plan preparation timetable is met and effective influence at a strategic level to ensure that strategic decisions do not delay plan preparation in the Borough.</p> <p>CR9 – Economy – Having a Local Plan in place is important in order to provide certainty to businesses wishing to locate in the Borough.</p>

Housing Implementation Strategy

April 2015

Evidence base under pinning the Local Plan for the Borough of
Oadby and Wigston



Contents

- 1. Introduction**
- 2. Overall Plan Period Target**
- 3. Overall Plan Period Trajectory**
- 4. Five Year Land Supply**
- 5. Affordable Housing Target and Trajectory**
- 6. Potential Risk to Housing Delivery**

Useful Contacts

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1 Introduction

1.1 The Housing Implementation Strategy for the Borough of Oadby and Wigston sets out the Council's approach to managing the delivery of new housing up to 2026.

1.2 The National Planning Policy Framework states that Local Authorities should *'for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five year supply of housing land to meet their housing target'*.

1.3 From information contained within the Council's adopted Core Strategy, Strategic Housing Land Availability Assessment and the Residential Land Availability report the following document will set out how the Council is to achieve the Core Strategy housing requirement. Over the Plan period, from 2006 to 2026 the Council are to provide a minimum of 1800 net additional homes within the Borough, or 90 dwellings per annum.

1.4 It is important to note that this document (Housing Implementation Strategy) should be read in conjunction with the Borough Council's Residential Land Availability report and the Strategic Housing Land Availability Assessment.

2 Overall Plan Period Target

2.1 The Borough's annual housing target is set out in the Council's adopted Core Strategy. The figures have been found sound and robust through an Examination in Public and have subsequently been justified through the production of a Leicester and Leicestershire Strategic Housing Market Assessment.

2.2 The Core Strategy sets a plan period target of 1800 additional homes for the period 2006 to 2026, which equates to 90 dwellings per annum.

Housing Requirement for the Borough of Oadby and Wigston: 2006-2026	1,800	
Housing Completions: 1st April 2006 to 31st March 2009	285	
Existing Housing Commitments as of 31st March 2009	479	
Remaining Housing to be provided: 2009-2026	1,036	
Housing opportunities identified in the Wigston and Oadby Town Centre Masterplan areas and within the South Wigston Masterplan area	393	
Masterplan dwelling breakdown	Wigston	166
	Oadby	81
	S Wigston	146
Housing opportunities identified within the Leicester Principal Urban Area outside of the Wigston and Oadby Town Centre Masterplan areas and outside of the South Wigston Masterplan area	191 *	
Direction for Growth adjoining the Leicester Principal Urban Area to the south east of Wigston	452	

Figure 1: Extract from Core Strategy – Approach to Housing Delivery

2.3 The adopted Core Strategy illustrates the approach (shown in above table) of the Borough Council to housing delivery up to 2026. As of the 31st March 2009 there had been 285 additional residential completions, leaving a residual provision over the 17 year period of 1515 (or 89 dwellings per annum).

2.4 Since the 31st March 2009 there has been an additional 458 additional dwellings completed and added to the Borough's housing stock.

Table 2: Net housing completions in the context of the borough's core strategy											
Year	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	Required plan total to date	Borough total to date
No. of Completions	154	39	92	93	79	79	44	47	116	810	743

Figure 2: Extract from Residential Land Availability report 2014-15

2.5 As of the 31st March 2015 the residual additional dwellings to be provided in the Borough stood at (1800 minus 743) 1057 or 96 dwellings per annum. Taking into account all residential completions since the start of the Plan period in 2006 the Council is currently 67 additional dwellings below the Core Strategy requirement of 810.

3 Overall Plan Period Trajectory

3.1 To achieve the Core Strategy requirement of 1800 net additional homes over the Plan period; as of 31st March 2015, the Borough Council has a residual provision of 1057 additional dwellings.

3.2 To achieve the Plan period target the Council will allocate land through the new Local Plan process, identify land through the Strategic Housing Land Availability Assessment and take into account residential dwellings that already have granted planning permission.

3.3 The table below illustrates the number of dwellings likely to come forward through the processes outlined above.

Dwelling Source	Potential Number of Additional Dwellings
Current committed development	294
Identified deliverable SHLAA sites	204
Units identified in the Local Plan	217
Direction for Growth	450

Table 1: Illustrates potential number of additional dwellings over Plan period as of the 31st March 2015.

3.4 Summing the number of dwellings listed in the above table there are a potential 1165 additional dwellings up to 2026 (without including a windfall allowance). The Council has historically seen healthy supplies of windfall units. The following pages will illustrate potential supply with and without a windfall allowance.

3.5 The figure of 1165 is 108 dwellings (excluding windfall sites) above the 1057 residual requirement of the Core Strategy.

3.6 It must be noted that only 0 – 5 year SHLAA sites are illustrated within the trajectory below. 6 – 10 year sites and those of 10 years and above identified would be in addition to the SHLAA sites illustrated in the trajectory.

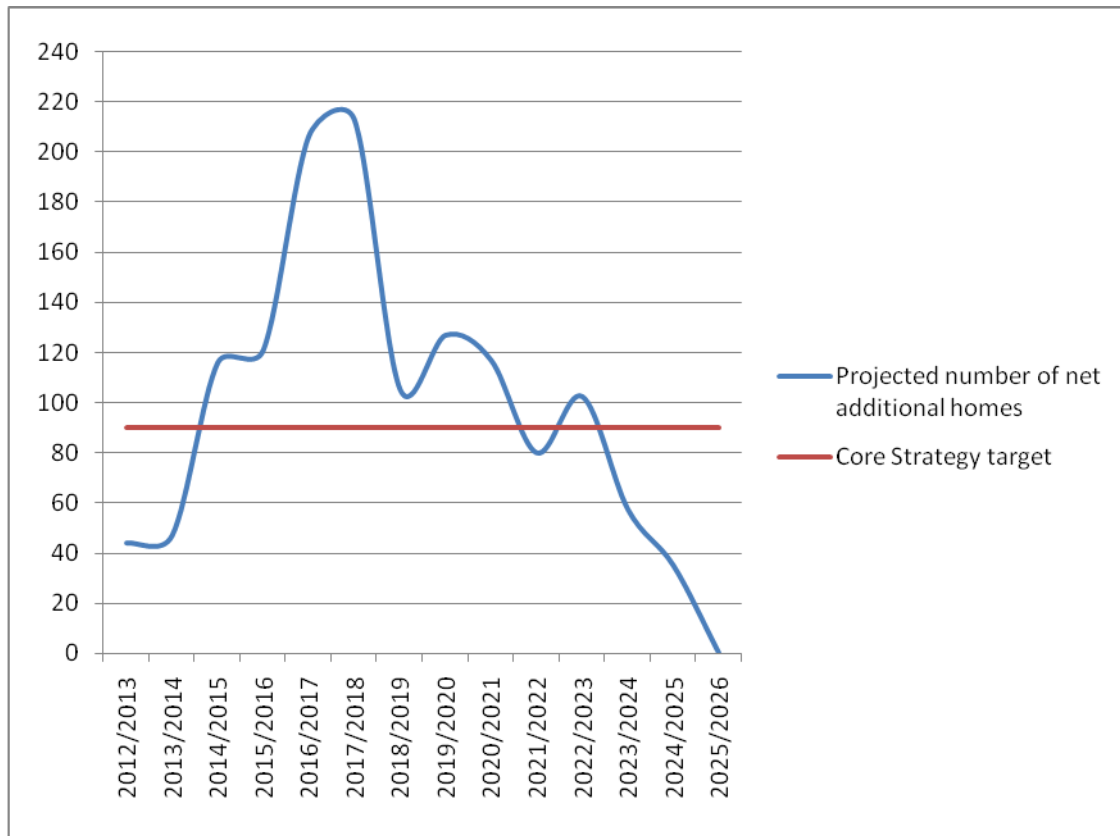


Figure 3: Projected delivery of additional homes over the Plan period

3.7 The chart above plots the projected number of annual additional dwellings over the Plan period against the Core Strategy requirement. The forecasting of completion figures over a shorter term period, for example, 5 years is relatively robust, however the longer the period the less accurate the forecast.

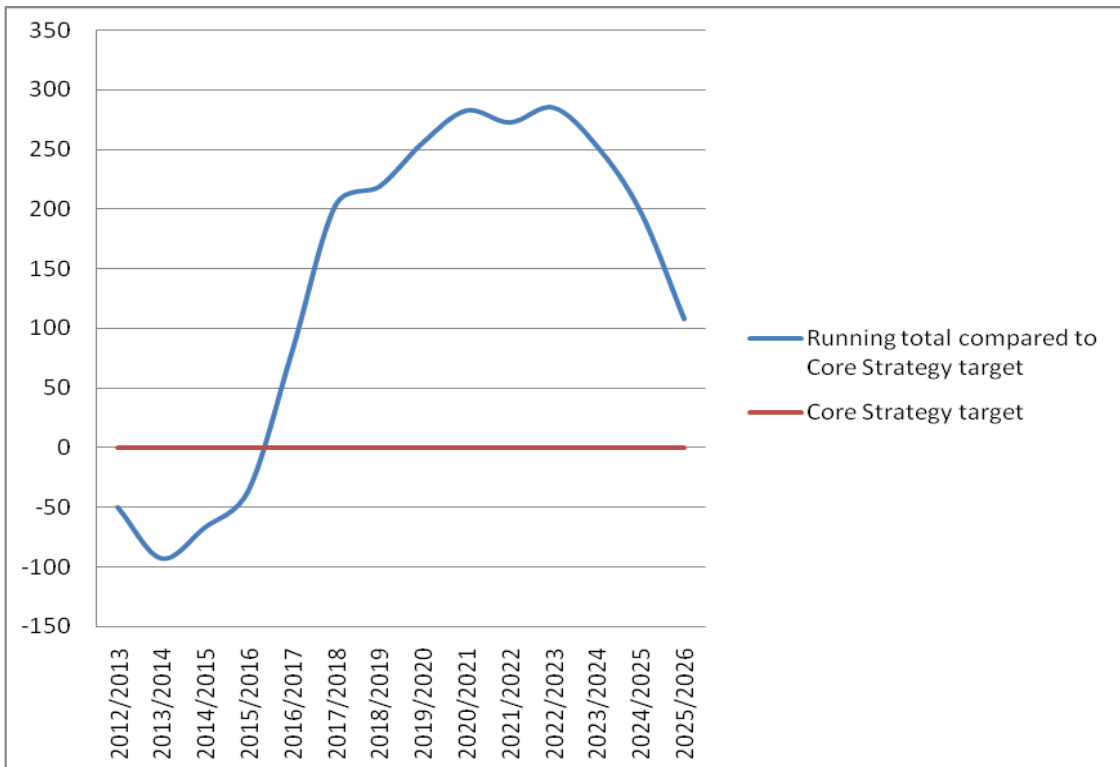


Figure 4: Cumulative dwelling total compared to Core Strategy target

3.8 Figure 5 overleaf, shows the detailed delivery of housing sites through a housing trajectory. The trajectory is based upon the trajectory contained within the Borough's Core Strategy, however has been updated to reflect the current situation in terms of actual housing delivery and potential housing delivery. It must be noted that the trajectory is an estimation of potential housing delivery for the remainder of the Plan period.

3.9 Figure 4 is based on Figure 5 overleaf and plots annualised cumulative dwelling completion data against the Core Strategy requirement. The graph shows that from 2016 the Borough's cumulative dwelling completions should be in excess of the cumulative Core Strategy target.

Windfalls

3.10 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.

3.11 From the 1st April 2008 until 31st March 2015, 383 (or 70 per cent) of the total 550 additional dwellings would be defined as windfalls. Of the 383 additional dwellings 292 have been provided on large sites of 11 units or more.

3.12 Over the 7 years mentioned above the average number of windfall units being delivered on both large and small sites is 55 dwellings per year which equates to over half of the Core Strategy annual target of 90. It would not be prudent of the Council to include 55 dwellings a year into its five year supply; however evidence does suggest that an allowance should be included.

3.13 To ensure that the windfall allowance is realistic the Council has decided to use only a proportion of the annual average; some 25 per cent of the 55 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 there were none of the units classed as windfalls, the number of windfall units has ranged between 30 and 89 in the other 6 years (4 of these 6 years have seen 70 units plus as windfalls).

Note – the Council has included a windfall allowance within the five year supply calculation due to current government guidance and compelling evidence suggesting it should.

Year	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	Totals
Current committed development	44	47	116	121	118	55	-	-	-	-	-	-	-	-	
Identified SHLAA sites (0-5 year only)	-	-	-	0	81	90	33	-	-	-	-	-	-	-	204
Local Plan allocations	-	-	-	0	0	28	0	47	37	0	35	35	35	0	217
Direction for Growth	-	-	-	0	8	40	72	80	80	80	67	23	-	-	450
Annual dwelling total	44	47	116	121	207	213	105	127	117	80	102	58	35	0	
Cumulative dwelling total since 2006	580	627	743	864	1071	1283	1389	1516	1633	1713	1815	1873	1908	1908	
Core Strategy requirement since 2006	630	720	810	900	990	1080	1170	1260	1350	1440	1530	1620	1710	1800	
Running total compared to Core Strategy requirement	-50	-93	-67	-36	81	203	219	256	283	273	285	253	198	108	

Figure 5: Plan period net housing trajectory. Figures in blue refer to actual completions.

4 Five Year Land Supply

4.1 The National Planning Policy Framework states that *'local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land'*.

4.2 The current 5 year requirement for the Borough, using the adopted Core Strategy target of 90 dwellings per year is 450 dwellings plus the 5 per cent buffer, totalling 473. The Borough has seen a slight under provision of dwellings since 2006, therefore a backlog figure of 67 needs including within the requirement calculation. Using the Sedgefield methodology approach to five year supply, the figure totals 540 (450 + 5% + 67). As of the 31st March 2015 the Borough has a five year supply figure of 843 net additional homes, which is 303 dwelling units above the requirement of 540.

4.3 The above five year supply figure is based on:

- 294 committed dwelling units (those with extant planning permission)
- 204 SHLAA dwelling units (5 year sites only)
- 75 Local Plan allocation dwelling units
- 200 dwelling units on the Direction for Growth
- 70 windfall unit allowance (14 per year)

4.4 All the above figures have been extracted from the trajectory in Figure 5 above.

4.5 To ensure sustainable delivery of dwellings the Council will maintain a healthy 5 year supply of deliverable housing sites by:

- Updating data relating to identified sites and their progression
- Monitoring dwelling delivery through the Council's Residential land Availability report, and
- Considering potential contingency sites if the supply of sites ever was to drop below the five year supply requirement.

4.6 For more detailed information relating to SHLAA, completions and commitment figures please see the relevant monitoring documents (Residential Land Availability Assessment and Strategic Housing Land Availability Assessment).

5 Affordable Housing Target and Trajectory

5.1 Countywide evidence base has highlighted an affordable housing need within each Borough or District within Leicester and Leicestershire. Providing a healthy supply of affordable housing is a priority for most local authorities.

5.2 The National Planning Policy Framework states that as well as having an overall housing trajectory, local planning authorities should produce an affordable housing trajectory that illustrates expected rates and quantity of delivery.

5.3 The Core Strategy under Policy 11 Affordable Housing, sets out affordable housing percentage site targets for each of the three settlements, that seek to meet identified local need. The affordable housing targets (as displayed below) are only relevant to 'large' residential sites that trigger the threshold of 10 dwellings or more. It must be noted that recent changes in government guidance mean that the threshold is now 11 dwellings or more.

5.4 The current targets are;

- Oadby 30 per cent
- Wigston 20 per cent
- South Wigston 10 per cent

5.5 Figures illustrated in Table 2 below have been taken from the Residential Land Availability report and the Strategic Housing Land Availability Assessment as well as calculated from site figures expressed in the Local Plan.

Dwelling Source	Potential Number of Additional Affordable Dwellings
Current Committed Development	41
Direction for Growth	90
Identified Deliverable SHLAA sites	110
Identified through the Local Plan	49

Table 2: Illustrates potential number of additional affordable dwellings over Plan period

5.6 For the purposes of the affordable housing trajectory in this document, the Core Strategy per cent target has been used to forecast affordable housing delivery on a site, unless otherwise known.

5.7 Summing the number of affordable dwellings listed in the above table there are a potential 290 additional affordable dwellings up to 2026 (not including windfall sites).

5.8 Since 2009 the Council has provided 77 affordable units, thus bringing the original 250 requirement down to 173. With the Council predicting delivery of some further 290 units over the Plan period, the Core Strategy target will be exceeded.

Year	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	Totals
Committed development	0	0	24	12	21	8	-	-	-	-	-	-	-	-	
Identified SHLAA sites	-	-	-	0	32	63	15	-	-	-	-	-	-	-	110
Local Plan allocations	-	-	-	0	0	7	0	10	8	0	8	8	8	-	49
Direction for Growth	-	-	-	0	0	0	20	30	30	10	-	-	-	-	90
Dwelling total	0	0	24	12	53	78	35	40	38	10	8	8	8	0	

Figure 6: Plan period affordable housing trajectory. Figures in blue refer to actual completions.

6 Potential Risks to Housing Delivery

6.1 The following Chapter outlines the potential risks and constraints that could undermine the delivery of the Borough Council's housing requirement.

Economic Climate

6.2 Predicting the delivery of new homes is becoming ever difficult with the fluctuations in the economic climate (for example the market downturn in 2007/08). It can be particularly difficult when looking beyond a 5 year period. Delivery in the housing market is closely linked to the state of the economy and access to finance, for example, a period of decreased consumer demand due to unprecedented problems (like the UK has experienced since 2007) with potential home buyers not being able to secure finances will slow build rates and ultimately housing delivery. Recently however there has been a market recovery with build rates and completions on the increase.

6.3 Both the overall housing trajectory and the affordable housing trajectories have taken account of the current economic situation and the forecast continued increased delivery rates in the future.

Supply of Deliverable Land

6.5 The local authority could potentially have a situation where by there is insufficient deliverable housing land to deliver the Plan period requirement.

6.6 As the trajectories contained within this document illustrate, the Borough Council has a sufficient supply of deliverable sites to accommodate the Plan period requirement of 1800 additional homes. The deliverable land identified provides a healthy surplus to the requirement, even without factoring in other potential sources of additional residential units for example windfall sites. Also, should it be required the Council's Direction for Growth area can accommodate further growth to the 450 homes already planned.

Status in the Planning System

6.7 Sites that are identified and illustrated in the trajectory that do not have extant planning permission could be considered to have a higher degree of risk in terms of delivery than those with valid permission.

6.8 Although there could be a perceived greater risk to delivery for sites without an extant permission, most of the potential risk is expelled through the identifying of sites through the Strategic Housing Land Availability Assessment and the allocations process. Having the Council identify the sites gives developers a greater level of certainty that the sites are achievable in planning terms. Also, the majority of (if not all) sites within the 0-5 year period of the SHLAA have had land owner or developer discussions of some form.

APPENDIX 2

Aligning Local Plans across the Leicestershire HMA

1. The local planning authorities across the Leicestershire HMA are considering a number of options to better align local plans in order to deliver common growth aspirations, secure investment and comply with the 'duty to co-operate'. A number of options are being explored. Key issues relate to timescales and end-dates of plans, infrastructure constraints and the extent to which the City of Leicester can accommodate its objectively assessed housing need. Further detail is set out in the attached Briefing Paper (Appendix 1).
2. Members and senior officers of the relevant councils are keen to ensure that any collective approach agreed is deliverable and likely to be found sound by the Planning Inspectorate, and have sought advice from PAS on this basis. Andrew Pritchard (PAS Principal Consultant) and Keith Holland (PAS supplier and former Planning Inspector) were asked to offer comments on the Briefing Paper, and took part in a discussion with officer representatives from all the relevant councils, including the County Council and the recently appointed HMA Strategic Planning Manager, on the 14th August 2015.
3. Specifically, PAS were asked to provide advice on the following matters:
 - Review the four options identified in the briefing paper and provide a critical appraisal of each.
 - Advise on the respective levels of the risks associated with proceeding with each option.
 - Consider whether any other options should be pursued and, if so, identify what these are.
 - Advise whether the 'preferred' option 2 is a realistic option, or if not which option is considered more realistic.
 - Advise on what needs to be put in place to reduce the risks associated with the 'preferred' option.
 - Advise on any additional steps that could be taken to secure government 'buy in' to this approach.
4. PAS made it clear at the meeting that any advice provided was based on personal professional knowledge and experience only and could not be used to bind the decisions of the Planning Inspectorate.
5. On this basis, the following comments are offered:
 - a) The assessment of the options set out in the Briefing Paper contained in Appendix 1 provides an appropriate basis for considering a collective way forward.
 - b) Option 2 would appear to provide an appropriate balance between local flexibility and the inevitable degree of uncertainty. It is noted that the Government is strongly committed to delivery of adopted plans by 2017, and that is unlikely that a degree of uncertainty over the post 2031 period would be considered sufficient reason to delay plans that could otherwise proceed.
 - c) However, it is suggested that those LPAs planning to 2036 might include reference to a 'trigger point' for review, to take account of any new evidence that could alter the post

2031 situation which may emerge before a plan is adopted, such as new demographic projections or the publication of a longer term HMA wide Strategic Growth Plan (currently under discussion). The existing Memorandum of Understanding between all the LPAs could usefully be updated to reflect this.

- d) A critical factor in the success of Option 2 in the short term will be the extent to which current assumptions about the City of Leicester meeting its own objectively assessed housing need up to the period 2031 are found to be sound. To mitigate this risk, it is suggested that the City Council requests a PAS local plan evidence review focussed on the deliverability of the approach to meeting OAN.
- e) Moving forward, it is clear that the development of an HMA Strategic Growth Plan, the proposals for an HMA-wide Combined Authority and the infrastructure challenges of accommodating growth over the long term will result in the need for further and deeper co-operation. A common understanding of the relevant technical issues and the establishment of effective governance arrangements for agreeing joint decisions will be required, particularly for elected members and senior officers. PAS is currently developing a new package of direct support to assist groups of councils to address such issues on a collective basis. It is suggested that HMA as a whole requests support from this offer.

Andrew Pritchard
Keith Holland

26th August 2015

APPENDIX 3



Oadby and Wigston Borough Council

Plan review support: local plan period

August 2015

1 Introduction

- 1.1 The first phase of support to the Council was to provide advice on the approach to be taken to the review of the core strategy. In particular that advice focused upon the how strategic planning would be taken forward for the wider Leicestershire area, and the implications for Oadby and Wigston.
- 1.2 The Council has now requested further advice in relation to the matter of the appropriate plan period for the local plan. It has provided a copy of a note which was produced by the Leicester and Leicestershire Local Authorities for the purposes of a discussion with Keith Holland of PINS on how the authorities can best align their approaches to plan making.
- 1.3 Whilst the remit is to advise the Council in terms of its own interests, the note reflects concerns amongst the wider group of authorities which may influence the positions they take in relation to strategic planning, and may therefore have an effect upon Oadby and Wigston. The advice here therefore addresses those concerns as well as considering the particular situation of Oadby and Wigston.

2 The plan period issue

- 2.1 It is clear from the note prepared for the meeting with Keith Holland that there are a number of concerns about the plan period among the LPAs, which they are seeking to resolve. These may be summarised as follows:
 - Those LPAs which are currently progressing plans on the basis of a plan period to 2031 (Harborough, Leicester and North West Leicestershire) wish to be able to continue without having to address the issues which will apply after 2031
 - Whilst there is shared commitment to the preparation of a Strategic Growth Plan for the whole of Leicestershire, it is only just starting, and will take some time to be prepared. To switch to planning in the context of the Strategic Growth Plan would mean that those currently working to 2031 would not only experience significant delay, but they would also need to re-cast a substantial amount of the work already done

- Further transport modelling is required for the period 2031 to 2036, for which there is no current programme, so this in particular is likely to affect the timetable for the Strategic Growth Plan
- There is concern about the Government's recent announcement of its intention to take over the preparation of local plans where LPAs have no plan in place by March 2017
- LPAs which are just beginning the review of their adopted core strategy, including Oadby and Wigston, would not have a 15 year plan period from the likely date of adoption if they accepted a 2031 plan end date
- In particular, Oadby and Wigston wish their local plan period to extend well beyond the end date of the adopted core strategy of 2026, on the basis that this would better enable them to address infrastructure needs, and a longer plan period would be more efficient

3 The LPAs working to 2031

- 3.1 In the case of the three LPAs which are working to the 2031 end date, they are effectively taking forward the principles underpinning a memorandum of understanding prepared at the time of the Charnwood local plan examination. This recorded that they had considered the scale of housing provision which would be required to meet their objectively assessed needs as indicated by a joint SHMA. Each had completed their own Strategic Housing Land Availability Assessment (SHLAA) to an agreed common methodology.
- 3.2 The memorandum of understanding set out the key findings of the technical work. It said that based on the technical assessments and transport capacity work led by the County Council, all the authorities concluded that they could meet the upper level of projected objectively assessed needs for housing in the SHMA within their own area up to 2028 (the end date for the Charnwood core strategy).
- 3.3 It is understood that the LPAs will project needs and supply forward to 2031, and indications are that they can each meet their objectively assessed needs up to that date (though it is acknowledged that there is likely to need to be some shift of strategy after that date to reflect in particular the anticipated housing supply situation in Leicester after 2031).
- 3.4 Broadly speaking, provided that the LPAs can continue to confirm through their further plan making work that they can still meet their full objective needs up to 2031, then the matter of the duty to cooperate will not arise in relation to housing supply (though it may apply in relation to other cross-boundary issues with a more limited impact). In such a situation there should be no need for a wider strategic framework, and the individual LPAs can continue to work on their own to take their plans through to submission and examination.

- 3.5 However, in looking at this situation the previous advice to the Council indented as a key risk that at examination of the Leicester local plan, the Inspector might come to the view that the City could not in fact deliver all the housing to meet all its needs up to 2031. At worst this could lead the Inspector to conclude that Leicester had not met the duty to cooperate, and that the plan must therefore fall. That would then impact upon the planning of all the other Leicestershire Districts.
- 3.6 Since that advice was provided, the Government has provided new guidance to the Planning Inspectorate aimed at trying to prevent plans having to be found unsound at an advanced stage in the process. It encourages consideration being given to whether unresolved matters could be dealt with through an early commitment to a plan review. There would be a strong supporting argument for such an approach in the fact that Leicester and the other LPAs in the County would be committed to the preparation of the Strategic Growth Plan, the SGP is the proper vehicle to address the wider strategic issues and it should be allowed to take its course.
- 3.7 Given that work on the Strategic Growth Plan will be under way by the time the local plans for the three authorities reach examination, it must be anticipated that the Inspectors will require good reasons why those plans should go ahead to adoption rather than await the Strategic Growth Plan. They may well accept the current plans only on the basis that the LPAs commit themselves to an early review which will address the strategy in the Strategic Growth Plan.

4 The way forward for Oadby and Wigston

- 4.1 The Council has set out coherent reasons why it wishes to work to a local plan end date of 2036, and it is considered that it can do so without causing problems for other LPAs in the County. Those which are working to 2031 can continue to do so, but of course in awareness of the risks. This would effectively mean acceptance of Option 3 in the note prepared for Keith Holland.
- 4.2 That note identifies two potential disadvantages in Option 3: that it could be more difficult to demonstrate compliance with the duty to cooperate, and that challenges on the basis of a coherent, up-to-date spatial approach would be more likely to succeed. The matter of the duty to cooperate for LPAs working to a 2031 end date has already been dealt with. Provided those LPAs can demonstrate convincingly that they can meet their full objectively assessed needs, the duty to cooperate does not arise.
- 4.3 The matter of challenges on the grounds that there is not an up-to-date spatial approach is largely covered by the fact that the duty to cooperate only applies where there are strategic issues which run across LPA boundaries. If the duty does not apply, there is no essential need for a cross-authority spatial strategy. The NPPF assists here. It says clearly in paragraph 14 that local plans should “positively seek opportunities to

meet the development needs of their area”; and in paragraph 179 that “Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas”. Thus strategic planning is seen as being necessary to meet unmet needs, rather than being an end in itself.

- 4.4 Moreover, the LPAs will of course stress to the Inspector that they are parties to the preparation of a wider strategic framework in the form of the Strategic Growth Plan. However, the SGP is required primarily to address strategic issues post 2031, and it makes sense for the LPAs to put plans in place now which allocate land for development and support delivery of housing until such time as the Strategic Growth Plan is in place, and can be taken forward through local plan reviews.
- 4.5 In working to a plan period to 2036, the Council should be clear that it will prepare the plan in the context of the Strategic Growth Plan and will conform fully with it. This includes acceptance of the timetable for preparation of the Strategic Growth Plan.
- 4.6 The mechanism suggested in Option 2 in the note for Keith Holland, which speaks of the possibility that plans prepared to a plan horizon of 2036 should in some manner be “more flexible” is not considered workable. Essentially it would only offer a firm plan up to 2031, and would involve devices such as indicative allocations beyond 2031, over-allocation up to 2031, reserve or “future priority” sites, or a form of safeguarded land.
- 4.7 It is not considered that such devices would be acceptable to an Inspector at examination; since they would not provide the necessary certainty as to just *how* full development needs would be met. None of the post 2031 provisions would be firm development proposals, but of intentionally lesser status. There might however be value in some of these possibilities if the Council changed to a 2031 end date, which will be touched upon later.
- 4.8 Whilst the Council can hold to the intention to prepare its local plan in the context of the Strategic Growth Plan and an end date of 2036, it will wish to keep its options open to deal with the possibility that the Strategic Growth Plan may be seriously delayed for some reason. In particular, it is advised that all evidence and related studies should be geared to provide outputs for horizons of both 2031 and 2036.
- 4.9 Then should the Strategic Growth Plan encounter substantial delay, the Council will have the option to switch to a plan period to 2031. This would be coupled with an undertaking to prepare an early review against the strategic framework provided by the Strategic Growth Plan once it is in place.
- 4.10 Should the Council feel the need to take this course, it is possible that the Inspector at examination might be concerned that the plan did not cover

15 years from the likely date of adoption. This would appear less likely in the context of current Government encouragement for early reviews, but if it did arise the Council could respond to the Inspector by offering to add one or two years to the plan end date, extrapolating the planned delivery rates in the local plan for housing and employment land.

- 4.11 If the Council did switch to a 2031 plan period, there might be a case for providing an indication as to where further development would take place after 2031. This might be beneficial where, for instance, a strategic site was proposed whose development would logically run past 2031, to assist coherent master planning or planning for infrastructure. This could be done by means of an indicative allocation. Such a device would be appropriate because it would be dealing with development beyond the plan period, as against development within the plan period.
- 4.12 Finally, it is not considered that the Council should be concerned about the Government's stated intention to take over the preparation of local plans where they are not in place by March 217. It is clear from the Ministerial Statement by Brandon Lewis MP that the target is those LPAs which have no local plans at all, not authorities like Oadby and Wigston, which has an adopted core strategy which allocates the main strategic site. The regime may change over time, but it is not considered to pose any threat to the Council in the shorter term.

Andrew Wright

POS Enterprises on behalf of the Planning Advisory Service

**OADBY AND WIGSTON LOCAL PLAN
KEY CHALLENGES (REGULATION 18) CONSULTATION**

October 2015



Equalities Statement

Oadby and Wigston Borough Council seeks to celebrate the diversity of our communities. It does, however, recognise that individuals and communities may experience unlawful discrimination in many ways despite equality laws and many examples of good practice in the Borough.

The Council considers equality as a basic human right and believes that all groups should be treated with respect and valued equally. We actively oppose all forms of unlawful or unfair discrimination.

As a Council we believe that no one within our community should be disadvantaged, irrespective of where they live, their gender, age, disability, religious belief, race or sexual orientation.

We will ensure that every effort is made to provide key services to all. Oadby and Wigston Borough Council actively encourages public engagement and participation from all sections of the community in all aspects of plan making and decision taking and provides a variety of ways and means of doing so.

Alternative formats

If you require this consultation document in a different format such as large print or a different language, please contact the Planning Policy on 0116 257 2636 or email us at planningpolicy@oadby-wigston.gov.uk.

Tell us what you think...

We want to hear your views. We welcome comments on all of the key challenges or just those you have a particular interest in. Your views will help us to develop the best strategy, policies and mix of development in the right location.

This document contains a series of questions and we would invite you to answer whichever questions you wish. The quick questions are specifically designed for local residents whilst the detailed questions are aimed more specifically at those with a particular interest in the subject and planning professionals.

What happens next?

After this consultation, we will consider all the responses we receive. From your responses and using the information we have collected, we will finalise what the new Local Plan will need to cover. We will also consider the potential options for addressing these challenges. During this time we will also undertake additional research and options testing to ensure we have looked at dealing with an issue from every angle. Overall this will help to inform the most suitable and sustainable strategy for meeting the Borough's development needs. At this stage we will seek your views again.

The story so far...

Oadby and Wigston Borough Council adopted a Core Strategy in 2010 and a Town Centres Area Action Plan in 2013. Since then government guidance, legislation and local information has changed so we are now preparing a new Local Plan.

Through preparation of the Local Plan we will look to see what policies need updating or what new policies are required to achieve the growth and development needs within the whole Borough. The Plan will allocate land to meet these needs.

The key policy areas the Local Plan is likely to address are:

- how many new homes (including affordable homes) do we need to plan for and where these can be located;
- how much land is required to support employment and enterprise and where it is needed;
- how we can best protect our special green areas, heritage, landscapes and habitats;
- how we can continue to support the vitality and viability of the Borough's town, district and local shopping areas; and
- what local infrastructure do we need to plan for.

This document is the first formal stage of consultation in the preparation of the new Local Plan. We are inviting comments on a series of key challenges for the Borough and views on how they can be addressed. We also want to hear suggestions of anything that you feel may be missing.

This is an opportunity for you to have a say on how we plan for development and growth in the Borough. What you tell us during this consultation will help us develop the most sustainable strategy for managing growth, and meeting the Borough's development needs.

This is the first stage of consultation on the Local Plan. Our Local Development Scheme provides more information about future opportunities to comment as the preparation of the Local Plan progresses, including a timetable for the development of the new Local Plan document and also the further stages we will be seeking comments on.

How far ahead are we planning?

According to Government guidance, Local Plans should preferably cover a 15 year time horizon and take account of longer term requirements. Therefore, it is currently intended that the plan will cover the period to 2036. However, Leicester City Council and several other Leicestershire district councils are preparing Local Plans to 2031 and this will be reflected in the preparation of the Oadby and Wigston Local Plan with evidence prepared to cover the periods to 2031 and 2036.

The Local Plan will reflect the Leicester and Leicestershire Strategic Growth Plan which is also currently in preparation and which will cover the period to 2036 and beyond.

PLANNING FOR THE HOUSING AND JOBS THAT THE BOROUGH NEEDS: THE LOCATION OF NEW DEVELOPMENT

What the Government say:

“Local planning authorities should positively seek opportunities to meet the development needs of their area”¹

“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth”²

“Local planning authorities should “boost significantly the supply of housing”³

“Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own area”⁴

What the Borough’s Local Plan needs to do:

The Local Plan will need to reflect the outcomes of joint working with other councils and stakeholders in Leicester and Leicestershire to ensure that the Borough plays its part in meeting the need for new development across the whole area.

The Local Plan will need to include a growth strategy that identifies the main areas of growth in the Borough, for example town centre and previously used land first. The Plan will need to determine the most appropriate and sustainable locations for new homes, jobs and other development, taking account of all forms of existing and proposed infrastructure, such as roads, schools and health facilities.

The Local Plan will need to identify land in the Borough where new housing development can take place. A recent study has shown that 95 new homes will need to be provided each year in the Borough up to 2036 (or 100 new homes up to 2031)⁵. This figure may increase if other councils in Leicester and Leicestershire do not have sufficient land to meet their own need and if it is identified that there is the capacity to provide for it in the Borough of Oadby and Wigston.

We also need to consider whether there is a need to provide land for new jobs such as shops, factories and business units. We intend to do some further work to understand if this is necessary and if so, how much.

We need to decide what land to ‘allocate’ for these various uses and in particular consider the balance between the amount of greenfield land and brownfield land (land which has had a previous use) that is identified.

We need to ensure that sufficient local public services are in place and that roads and

¹ National Planning Policy Framework (paragraph 14); March 2012

² National Planning Policy Framework (paragraph 17); March 2012

³ National Planning Policy Framework (paragraph 47); March 2012

⁴ National Planning Policy Framework (paragraph 179); March 2012

⁵ Leicester and Leicestershire Strategic Housing Market Assessment (Tables 84 and 85); June 2014

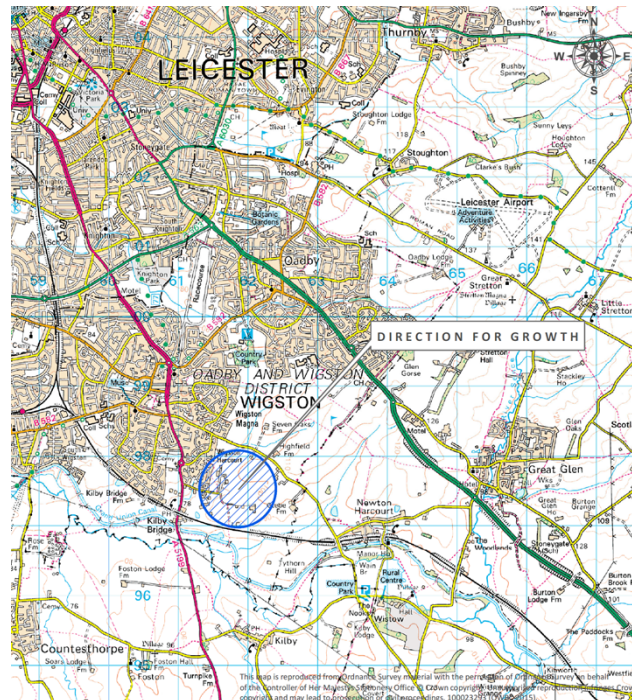
public transport have the capacity to meet the needs of more people living in the Borough.

The Current Situation:

Since 2006 we have had in place a strategy to build as much new development as possible on land that has been previously used. It also reflects a previously agreed strategy across Leicester and Leicestershire to focus new development in urban areas and on large greenfield sites adjoining urban areas. These are known as ‘sustainable urban extensions’, none of which need to be provided in the Borough. As a result of this strategy, currently 90 new homes are required to be built in the Borough each year between 2006 and 2026 (a total of 1,800 homes)⁶. In addition, new land has had to be made available to meet the need of business and enterprise.

In order to meet these needs we identified opportunities to re-use sites for new development across the Borough, but particularly in Wigston, Oadby⁷ and South Wigston⁸ town centres whilst at the same time aiming to improve the quality of the towns and the range of facilities that are available there.

However, because there is insufficient brownfield land available in the Borough to accommodate all of the current development needs we identified an area of greenfield land to the south east of Wigston where 450 homes and up to 3.5 hectares of land for businesses and industry can be built⁹. This is known as a ‘Direction for Growth’. In 2013 Barratt Homes and David Wilson Homes prepared a ‘masterplan’ to show how this could be achieved. outline planning permission was granted in April 2014¹⁰. The masterplan also showed the potential to build more than 450 homes and that if this was the case, the opportunity to build new community facilities, for example, a primary school.



⁶ Oadby and Wigston Core Strategy Policy 1; September 2010

⁷ Oadby and Wigston Town Centres Area Action Plan; September 2013

⁸ South Wigston Regeneration Masterplan; May 2008

⁹ Oadby and Wigston Core Strategy Policy 1; September 2010

¹⁰ Subject to Section 106 Agreement

We have currently identified that only appropriate development should take place at Kilby Bridge, such as small scale leisure, tourism and canal based development, given that this is the only rural settlement located in the Borough.

The Challenges for the Future:

Quick Questions:

1. Do you agree or disagree with the Council's assessment¹¹ that 95 new homes will need to be provided each year in the Borough up to 2036 (or 100 new homes each year up to 2031)?

2. Which parts of the Borough do you think should be identified for development in the future?

Detailed Questions:

The Council will need to continue to collaborate with other councils and stakeholders in Leicester and Leicestershire to agree where development needs are to be met, particularly if it is found that a local planning authority cannot meet its development needs within its own area.

3. What are the cross-boundary issues that you think we should be considering in Oadby and Wigston?

4. What public bodies should we be constructively engaging with?

The Local Plan will need to set out how many homes need to be built in the Borough and identify a range of sites on which they can be built in order to ensure flexibility. This will ensure that homes are built continuously and consistently each year. The sites are likely to include a range of greenfield land and brownfield land. A number of sites are already known to the Council¹² and these will be taken into account when considering the 'reasonable options'.

5. Are you aware of any particular sites that should be taken into consideration?

6. How do you think the Council should balance the amount of greenfield and brownfield land that is identified for development and how can this land be used most efficiently?

7. What do you think should be the minimum size of a housing site (in terms of the number of homes that it can accommodate) that is included in the Local Plan?

8. Do you think the Council should direct more development to the Direction for Growth in the future?

The Local Plan will need to set out how much land is required in order to reflect the number of jobs in the Borough, in particular jobs related to the business industry, commercial and warehousing sectors.

¹¹ Leicester and Leicestershire Strategic Housing Market Assessment (Tables 84 and 85); June 2014

¹² Oadby and Wigston Strategic Housing Land Availability Assessment; April 2015

9. Do you have any information that the Council should take into account in determining how much land should be provided for these uses?

The Borough is small in terms of the land area that it covers and the opportunities to identify land for new development are often limited. However, the Council is required to prepare a plan that meets the development needs of the Borough.

10. How do you think the Council should balance the small size of the Borough with meeting its development needs?

11. How do you think the Council should plan for Kilby Bridge, which is the only rural settlement in the Borough?

The location of the Borough, adjacent to Leicester, means that there is a strong relationship between the two areas in terms of where people, live, work and access sporting and leisure facilities.

12. How do you think the Council should plan for this?

13. Are there any particular relationships between the two areas that you think the Council should be particularly aware of?

PLANNING FOR HOMES TO MEET THE NEEDS OF THE COMMUNITY

What the Government say:

Local planning authorities should “deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities”¹³

Local planning authorities should “identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”¹⁴

Local planning authorities should “where they have identified that affordable housing is needed, set policies for meeting this need on site....such policies should be sufficiently flexible to take account of changing market conditions over time”¹⁵

The “Government’s aims in respect of travellers sites are: that local planning authorities should make their own assessment of need for the purposes of planning; to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites....”¹⁶

What the Borough’s Local Plan needs to do:

The Local Plan will need to set out how many affordable homes should be built and ensure that there is an appropriate balance between the number of new market and affordable homes built in the Borough.

The Local Plan will need to ensure that a sufficient number of market homes for sale are built so as to widen opportunities for home ownership.

The Local Plan will need to meet the housing needs of the community by responding to any specific requirements as to the most appropriate size and types of homes (for example, for families, single people, young people, elderly people and people who need support and care).

The Council needs to make its own assessment of the accommodation needs of Gypsies and Travellers working jointly with other councils in Leicester and Leicestershire and where necessary and appropriate, identify land for this purpose.

The Current Situation:

We have identified the level of affordable housing that can viably be provided to meet local needs within the Borough¹⁷. The current targets, which apply to all developments of 10 homes or more are:

- At least 30 per cent of new homes in Oadby should be affordable
- At least 20 per cent of new homes in Wigston should be affordable
- At least 10 per cent of new homes in South Wigston should be affordable¹⁸

¹³ National Planning Policy Framework (paragraph 50); March 2012

¹⁴ National Planning Policy Framework (paragraph 50); March 2012

¹⁵ National Planning Policy Framework (paragraph 50); March 2012

¹⁶ Planning Policy for Traveller Sites (paragraph 4); March 2012

¹⁷ Affordable Housing Provision and Developer Contributions Report; September 2009

¹⁸ Oadby and Wigston Core Strategy Policy 11; September 2010

We have identified sites of sufficient size that will enable the provision of affordable housing and we are working with developers and housing associations to bring forward developments that will consist wholly of affordable housing.

We have identified a range of sites where new homes can be built, including sites within town centres, sites within the existing settlements and a Direction for Growth which will enable the establishment of a new suburb to the south east of Wigston¹⁹. This range of sites will allow opportunities to develop apartments and houses of varying size. They also enable opportunities to provide specialist forms of housing, such as retirement living and extra care housing that provides supported accommodation for those who require it²⁰.

We have in place a criteria that would be applied in the determination of any planning applications for Gypsy, Traveller or Travelling Showpeople sites²¹. A recent study²² shows that there is no need arising for sites to be identified in the Borough to meet the accommodation needs of Gypsies and Travellers.

The Challenges for the Future:

Quick Questions:

14. What types of new housing are most needed in the Borough?

15. What approach should the Local Plan take towards providing affordable housing?

Detailed Questions:

The Borough of Oadby and Wigston is the third smallest local authority in the country in terms of land area (outside of the London Boroughs)²³. The effect of this, combined with the location of the Borough adjoining Leicester, is that, when assessed, the level of affordable housing need in the Borough is indicated to be high compared to the amount of new homes that it is actually feasible or viable to build each year²⁴.

In practice, also due to the specific nature of the Borough, this assessed level of affordable housing need tends to be met. This is because the Council's affordable housing stock is supplemented by the availability of housing benefit available to people who are renting privately owned accommodation.

16. How should the Local Plan meet affordable housing needs given the specific and unique nature of the Borough in this context?

17. How can the Local Plan assist in the Government's aspiration to increase home ownership?

¹⁹ Oadby and Wigston Core Strategy Policy 1; September 2010

²⁰ Oadby and Wigston Core Strategy Policy 12; September 2010

²¹ Oadby and Wigston Core Strategy Policy 13; September 2010

²² The Leicester and Leicestershire Gypsy and Traveller Accommodation Needs Assessment; 2013

²³ Office for National Statistics, Standard Area Measurement for 2013 Local Authority Districts (UK)

²⁴ Leicester and Leicestershire Strategic Housing Market Assessment (Tables 84 and 85); June 2014

The amount of affordable housing required to be provided on site by a developer is important to ensure that affordable housing continues to be built in the Borough. Due to the difference in the price of land across the Borough, the requirement for different percentages of affordable homes between each of the three main settlements has maximised the amount of affordable housing built in the borough.

18. How should the Local Plan seek to maximise the amount of new affordable homes built in the Borough in the future?

Everyone who lives in the Borough has their own specific housing need. This may be for a house of an appropriate size for their family. It may be a single person wishing to share or to have a home of their own. It may be someone wishing to downsize to a bungalow or apartment or someone wishing to move into retirement or supported housing. It may be someone wishing to buy a plot of land on which to build their own home.

19. Given the small size of the Borough, and its predominantly urban nature that directly adjoins the countryside surrounding the urban area of Leicester, how can the Local Plan meet all of these differing needs?

Government guidance states that where there is no identified need arising for sites for Gypsies or Travellers, the Local Plan should contain criteria which are “fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community as a basis for decisions should planning applications nevertheless come forward for Gypsy and Traveller sites”²⁵

20. What matters should such a criteria take into account?

²⁵ Planning Policy for Traveller Sites (paragraph 10); March 2012

PLANNING FOR THE LOCAL ECONOMY AND EMPLOYMENT LAND

What the Government say:

The planning system has “an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure”²⁶.

“Local planning authorities should set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth”.....; “support existing business sectors”.....; “identify and plan for new and emerging sectors likely to locate in their area”²⁷

What the Borough’s Local Plan needs to do:

The Local Plan will need to reflect the Council’s economic vision for the Borough and ensure that the necessary amount of land is available in the right locations to enable the vision to be delivered. In particular, it will need to take into account the road network to ensure that land put to economic use is viable when considered against transport and access costs.

The Local Plan will need to support existing businesses by seeking to maintain and improve the quality of the employment areas in the Borough whilst enabling businesses in existing poor quality premises to relocate to more suitable locations within the Borough.

The Local Plan will help to attract inward investors to deliver existing and new commercial opportunities. The food and drink sector is a growing sector in the Borough and the Local Plan will need to focus upon meeting the specific needs and requirements of this sector.

The Current Situation:

The Borough’s property portfolio is very diverse. It meets the needs of very small companies in multi-let properties as well as purpose built plants serving very large companies. Many companies have been present in the Borough for a long time and have an established presence. However, the employment areas in which they are located are unable to expand because they are surrounded by other uses. For example, many of the employment areas neighbour housing estates. In addition, buildings on the employment areas can fall into uses other than the business industry, commercial and distribution sectors and therefore limit the opportunities to provide jobs relating to these sectors in the Borough. This can have a detrimental effect on the overall economic competitiveness of the Borough.

Therefore, the new employment land currently earmarked to be provided in the Borough is intended to make up for the land within the existing employment areas that is lost to alternative uses²⁸.

²⁶ National Planning Policy Framework (paragraph 7); March 2012

²⁷ National Planning Policy Framework (paragraph 21); March 2012

²⁸ Oadby and Wigston Core Strategy Policy 1; September 2010

The Council collaborates with other councils and stakeholders in Leicester and Leicestershire, including the Leicester and Leicestershire Enterprise Partnership to ensure that the various economic sectors are supported across the area. Sector Plans are currently being prepared by the Leicester and Leicestershire Enterprise Partnership and these will help to ensure that the Local Plan meets the needs of those sectors that have an existing or anticipated future interest in the Borough.

The Council has a clear economic vision and strategy for the growth and development of the Borough²⁹. The key economic focus is to support the growth of the local economy meeting the needs of both local home-grown businesses and larger multi national companies whilst providing opportunities, support and advice for inward investors and developers. The emphasis is on continuing to meet the growth needs of key sectors such as food, construction and distribution sectors which have developed based on the areas assets and strengths. The Council has identified a number of key projects to assist in the delivery of this strategy.³⁰

The Council launched its Investor Prospectus in March 2015. This seeks to promote a number of key sites in the Borough in order to attract new and existing businesses to establish themselves in the Borough.

The Challenges for the Future:

Quick Questions:

21. How and where should the Local Plan meet the existing and new employment needs of the Borough?

22. Are there any particular businesses or commercial activities in the Borough that we should develop specific policy support for?

Detailed Questions:

The job density for the Borough of Oadby and Wigston is 0.54³¹ which means that there is roughly one job in the Borough for every two residents of working age. This means that a large proportion of people who live in the Borough work elsewhere and is reflective of the location of the Borough adjacent to Leicester. We need to ensure that the appropriate amount and type of land is available to meet the needs of existing businesses wishing to expand and also new business sectors that want to develop a presence in the Borough.

23. How should we balance the competing needs of the employment areas in the Borough, between retaining land and buildings providing land for the business industry, commercial and distribution sectors and allowing new community orientated uses?

24. How can the Local Plan improve the quality of the existing employment areas?

25. Should the Local Plan respond to the fact that half of people who live in the Borough work elsewhere?

There is the potential to establish the Borough as a centre for specific sectors such as

²⁹ Oadby and Wigston Economic Development Strategy; 2009

³⁰ Oadby and Wigston Local Economic Plan; 2014

³¹ Nomis 2013

the food, construction and distribution sectors by expanding the clusters of such businesses that currently exist in the Borough. For example, 10% of the Borough's employment is in the food and drink sector.

26. How can the Local Plan attract inward investment, for example from sectors such as the food, construction and distribution sectors?

TOWN AND LOCAL CENTRES AND REGENERATION

What the Government say:

The Local Plan “should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period”

“Local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their vitality and viability”

“Local planning authorities should allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres”³²

“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. They should set appropriate parking charges that do not undermine the vitality of town centres”³³

What the Borough’s Local Plan needs to do:

The Local Plan needs to define town, district and local centres and their boundaries and set out the required level of development for a variety of uses, including residential, retail, leisure and office.

The Local Plan will need to identify and protect the main shopping areas so that they continue to include mainly shopping and associated uses.

The Local Plan will need to reflect the individual characteristics of each town, district and local centre and identify the amount and type of new development required that will enhance those characteristics.

The Local Plan will need to consider the required level of car parking within each centre.

Regeneration of the centres should also include improvement of existing or creation of new public spaces. An attractive and inviting environment is important to the success of a centre. It is important that the improvements to the public spaces that have recently taken place within the Oadby and Wigston town centres is complemented in the future.

The current situation:

We have set out the amount of development that is required within each town and district centre up to 2026 and we have shown how this amount of development could be provided³⁴. The main aim has to be to regenerate the centres by improving their image and the services and facilities that they offer so that local people use them more often.

We have identified town centre boundaries and are able to ensure that the main shopping areas in the town and district centres remain mainly in a shopping use³⁵.

³² National Planning Policy Framework (paragraph 23); March 2012

³³ National Planning Policy Framework (paragraph 40); March 2012

³⁴ Oadby and Wigston Town Centres Area Action Plan; September 2013

We have begun to implement town centre plans and during 2014 improvements to the public spaces on Bell Street, Wigston and The Parade, Oadby were completed. New homes have been built in the centres of Oadby, Wigston and South Wigston. We are continuing to identify and promote opportunities to increase the amount of development in the town and district centres³⁶. This will help to ensure that the centres remain successful in the future.

Our Town Centre Manager and local retailers have worked together to the benefit of each of the centres and it is encouraging that despite the recent shift in consumer spending habits on the high street the number of empty units remains low.

There are nine local centres in the Borough. These include a range of small shops and related facilities of a local nature serving a small catchment³⁷.

The Challenges for the Future:

Quick Questions:

27. What types of new development do you think should be provided in the centres of Oadby, Wigston and South Wigston?

28. What are the individual characteristics of each centre that should be protected and enhanced?

Detailed Questions:

The Local Plan needs to ensure that policies relating to town and district centres promote the appropriate level of development required to meet local needs; that reflects the individual characteristics of each centre; and, which is viable for developers to build.

29. Is there anything in relation to the town, district and local centres that the Local Plan should seek to change, particularly to respond to the changes in the way people buy products and services?

30. How can we ensure that local centres remain successful and continue to fulfil their purpose at a local level?

Being able to access the centres easily is important to ensure their continued success and the success of the businesses that are based there. Given the relatively small size of the Borough the centres are accessible by foot, bicycle, bus and car. Car parking serves a valuable role in support of the centres and the ability to easily access and park in the car parks are important considerations.

31. What improvements can be made to make access to the centres by foot, bicycle and bus easier?

32. What are your views with regard to car parking in the centres?

³⁵ Oadby and Wigston Town Centres Area Action Plan Policies 2 and 3; September 2013

³⁶ Oadby, Wigston and South Wigston Investor Prospectus; March 2015

³⁷ Oadby and Wigston Core Strategy Policy 2; September 2010

Good quality building design and public spaces encourages people to spend more time in the centres and as a result can boost economic activity.

33. What views do you have on design of buildings and public spaces in the centres and the way in which these spaces are used?

INFRASTRUCTURE, TRANSPORT AND ACCESSIBILITY

What the Government say:

Local planning authorities “should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities”³⁸

“For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work..... key facilities such as primary schools and local shops should be located within walking distance of most properties”³⁹

“Planning policies should plan positively for the provision of shared space, community facilities (such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services”⁴⁰

“The Government attaches great importance to ensuring that a sufficient choice of school places is available....Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement”⁴¹

“The Community Infrastructure Levy is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area”⁴².

What the Borough’s Local Plan needs to do:

The Local Plan will need to ensure that development takes place so as to minimise the impact upon the highway network in the Borough and in surrounding areas.

The Local Plan will need to consider what, where and how infrastructure in the Borough can be improved to help facilitate sustainable development and growth.

The Local Plan will need to establish the demand that new development will place upon infrastructure and any funding gap that may prevent the delivery of additional infrastructure to support new development. The Local Plan will need to consider how to overcome any funding gap in order to enable the delivery of new development.

The Local Plan will need to ensure that sufficient provision is made for community facilities and places of worship in particular to meet the level of need of the faith communities residing in the Borough⁴³.

The Current Situation:

Geographically, the Borough has relatively strong road and rail connectivity to the rest of the East Midlands and further afield. However, its location to the south east of Leicester where the road network is constrained means that the east - west routes

³⁸ National Planning Policy Framework (paragraphs 37); March 2012

³⁹ National Planning Policy Framework (paragraphs 38); March 2012

⁴⁰ National Planning Policy Framework (paragraphs 70); March 2012

⁴¹ National Planning Policy Framework (paragraphs 72); March 2012

⁴² National Planning Policy Guidance (Paragraph: 001 Reference ID: 25-001-20140612) June 2014

⁴³ Faith Communities Profile and Places of Worship Needs Assessment; (2008)

towards the M69 and M1 motorways necessary to access the wider road network are frequently congested, particularly at peak times. Similarly the north – south routes between the Borough and Leicester city centre are frequently congested at peak times.

There are reasonable public transport links from Oadby, Wigston and South Wigston into Leicester but limited opportunities to use public transport links between South Wigston, Wigston and Oadby.

We have identified the amount and type of infrastructure that is required in the Borough to support new development⁴⁴ and we seek financial contributions from developers in order to ensure that the necessary infrastructure is put in place to mitigate the impact of new development. This infrastructure can either be provided on site, such as sports grounds or community buildings, or off site, such as contributions to invest in providing school places or to provide additional children’s playspace.

The Council considered introducing a Community Infrastructure Levy in the Borough but opted to continue solely with the negotiation of planning obligations via Section 106 Agreements because these were considered to be the most appropriate in the context of the Borough.

We seek to ensure that sufficient provision is made for community facilities and places of worship by setting out the considerations that need to be taken into account in identifying land for such uses and by protecting the uses of community buildings in order to meet these needs.

The Challenges for the Future:

Quick Questions:

34. How can the Local Plan increase walking, cycling and the use of public transport in the Borough?

35. Are there any particular items of infrastructure or community facilities that you consider will be required in order to support new development in the future?

Detailed Questions:

It is likely that any new development in the Borough, as well as in the surrounding areas of Leicester City, Harborough District and Blaby District, will have a impact upon the level of congestion and therefore place greater pressure on the Borough’s infrastructure capability to handle the peak traffic flows.

The Local Plan will need to ensure that new development does not significantly increase the level of congestion on the road network within and adjoining the Borough. Where possible, the Local Plan will need to promote measures that minimise the amount of congestion on the roads.

36. How can the Local Plan ensure that the necessary amount of new development is provided in the Borough, whilst minimising the amount of congestion on the roads within and adjoining the Borough?

The Local Plan will need to ensure that the appropriate infrastructure (such as schools,

⁴⁴ Oadby and Wigston Local Infrastructure Plan; 2009

meeting places, sports venues, cultural buildings, public houses and places of worship) is provided in the Borough to support new development. The Council will need to consider how best to seek financial contributions from developers towards the provision of infrastructure.

37. Do you have any view on how the Council should seek financial contributions from developers to pay for new infrastructure.

38. Should the Local Plan seek to make provision for burial facilities in the Borough?

DELIVERING HIGH QUALITY PLACES – DESIGN, LANDSCAPE, CHARACTER AND HERITAGE

What the Government say:

“Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”⁴⁵

“The government attaches great importance to the design of the built environment”⁴⁶

“Local Plans should develop robust and comprehensive policies that set out the quality of development that will be expected”⁴⁷

“The Planning System should.....protect and enhance valued landscapes”⁴⁸

“Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment”⁴⁹

What the Borough’s Local Plan needs to do:

The Local Plan needs to seek to conserve and enhance the built, natural and historic environment. The Local Plan will also need to promote high quality and sustainable design and use of materials.

The Local Plan will need to identify and seek the enhancement of the Conservation Areas and important buildings within the Borough.

The Borough has an array of different landscape and urban character areas, some of which are very unique. The Local Plan will need to ensure that new development reflects the particular character of the areas.

The current situation:

We have identified the boundaries of nine Conservation Areas (listed below) and set out why these areas are of special architectural and historic importance to the Borough.⁵⁰ Additionally, there is a Conservation Area that has been designated by Leicestershire County Council which relates to the Grand Union Canal.

Oadby	Wigston and South Wigston
London Road and Saint Peters Church Conservation Area	All Saints Conservation Area
North Memorial Homes and Framework Knitters Conservation Area	Midland Cottages Conservation Area
Oadby Court Conservation Area	South Wigston Conservation Area
Oadby Hill Top and Meadowcourt Conservation Area	Spa Lane Conservation Area
	The Lanes Conservation Area

⁴⁵ National Planning Policy Framework (paragraphs 17); March 2012

⁴⁶ National Planning Policy Framework (paragraphs 56); March 2012

⁴⁷ National Planning Policy Framework (paragraphs 58); March 2012

⁴⁸ National Planning Policy Framework (paragraphs 109); March 2012

⁴⁹ National Planning Policy Framework (paragraphs 126); March 2012

⁵⁰ Conservation Area Appraisals; 2007

We seek to protect the statutory Listed Buildings in the Borough and have worked with the local civic societies to identify other buildings that, although not listed, are of significance to the Borough. These are listed in [Appendix 1](#).

We have identified Landscape Character Areas and use these to ensure that a high quality of design is incorporated into new buildings that are built in the Borough. In particular we aim to ensure that new buildings fit well into their surroundings and reflect the existing scale and nature of the area. We have also identified green infrastructure corridors in order to ensure that wildlife can move freely through the Borough and to protect important habitats.

The Challenges for the Future:

Quick Questions:

39. How can the Local Plan encourage high quality design of new development?

40. What are the main characteristics of the Borough, or particular parts of the Borough, that the design, type, layout and location of new development should take into account?

Detailed Questions:

High quality and sustainable design is a key component of current national guidance. It will be important to ensure that buildings are designed to a high standard in the future as an attractive environment will encourage inward investment and the use of town centres and other facilities by local people.

41. How can the Council balance the need for high quality design and viability?

42. Are there any design issues or concepts that should receive particular consideration in the Local Plan?

The Local Plan will need to protect landscapes and buildings that add true value to the Borough whilst at the same time allowing for their enhancement and enabling development without causing harm to the special characteristics.

43. Do you think that the Council needs to consider designating new, or making amendments to existing Conservation Areas?

44. Do you think that the Council needs to consider designating new, or making amendments to the existing list of Significant Local Buildings?

The Local Plan will need to ensure that new development reflects the character of the Borough.

45. How can we best ensure that new development responds appropriately and effectively to the character and appearance of its surroundings?

PLANNING FOR THE NATURAL ENVIRONMENT, PLAY AND OPEN SPACE AND GREEN SPACES

What the Government say:

“The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological conservation interests and soils”⁵¹

“Plans should allocate land with the least environmental or amenity value”⁵²

“Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged”⁵³

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Planning policies should be based upon robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision”⁵⁴

“Take account of the different roles and character of different areas....recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it” and “recognise that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)”⁵⁵

“Local communities should be able to identify for special protection green areas of particular importance to them”⁵⁶

What the Borough’s Local Plan needs to do:

The Local Plan will identify natural and local environment and green infrastructure assets and where appropriate, aim to protect and enhance these assets.

The Local Plan will set out the purpose and functions of the Green Wedge designation and identify the boundaries of these areas.

The Local Plan will identify the need for additional areas for play, open space and recreation when planning for new development and ensure that green spaces are identified and protected to support sustainable and healthy environments for residents to enjoy.

Where appropriate, the Local Plan will need to designate land as Local Green Space where local people have identified that it is of particular importance to them. This will afford particular protection against development to such areas, provided that the land is not extensive, is local in character and reasonably close to the community; and, is demonstrably special, for example because of its beauty, historic significance,

⁵¹ National Planning Policy Framework (paragraph 109), March 2012

⁵² National Planning Policy Framework (paragraph 110), March 2012

⁵³ National Planning Policy Framework (paragraph 113), March 2012

⁵⁴ National Planning Policy Framework (paragraph 73), March 2012

⁵⁵ National Planning Policy Framework (paragraph 17), March 2012

⁵⁶ National Planning Policy Framework (paragraphs 76); March 2012

recreational value, tranquillity or richness of its wildlife.

The current situation:

We have assessed the natural and local environment assets that exist in the Borough, identified their location and considered how they may be protected and enhanced in the future⁵⁷. We have identified a number of Local Wildlife Sites that may warrant special consideration when considering proposals for new development.

Green Infrastructure is made up of a range of green resources which can form a network of open spaces including parks, open spaces, woodlands, gardens, river corridors, allotments, open countryside and landscaping around buildings. We have identified the connections between these resources and how these connections are of benefit to both local wildlife and people within the Borough.⁵⁸

We have a good understanding of the amount, location and quality of open space, sports and recreation facilities in the Borough⁵⁹ and we have set standards that ensure a sufficient amount of open space is provided in relation to new development.⁶⁰

We carefully manage development so as to maintain the integrity of the two Green Wedges within the Borough between Oadby and Wigston and Oadby, Thurnby and Stoughton. We have also worked with partners to develop a strategy to ensure that the green wedges are effectively managed to ensure that they continue to serve their purpose.⁶¹

The Green Wedges within the Borough form part of the wider Green Wedge network around Leicester City. We have worked with other Councils in Leicester and Leicestershire to ensure a consistent approach to management and reviews of Green Wedge boundaries and to demonstrate the consistency of the Green Wedge designation with the National Planning Policy Framework.⁶²

We have defined land designated as countryside in the Borough and set out the types of development that may be acceptable taking account of opportunities to mitigate any impact of development on the countryside.

The Challenges for the Future:

Quick Question:

46. Which areas of the Borough should the Local Plan seek to protect – and why?

⁵⁷ Phase 1 Biodiversity Audit and Habitats Assessment; 2005

⁵⁸ Oadby and Wigston Green Infrastructure Plan; 2010

⁵⁹ Open Space, Sport and Recreational Facilities Assessment; 2009

⁶⁰ Oadby and Wigston Core Strategy Policy 17; September 2010

⁶¹ Oadby and Wigston Green Wedge Management Strategy and Oadby, Thurnby and Stoughton Green Wedge Management Strategy; 2005

⁶² Statement on the consistency of the Green Wedge designation with the National Planning Policy Framework; 2012

Detailed Questions:

Given the nature of the Borough, with the pressures associated with being predominantly urban and located immediately adjacent to Leicester City, opportunities to protect and enhance the natural and local environment assets can be limited. Similarly, despite recognition of the intrinsic character and beauty of the countryside, development pressure can require the need to balance this with benefits created by the growth of the Borough.

47. In this context, how should the Local Plan seek to protect and enhance the natural and local environment assets in the Borough?

48. How should the Local Plan respond to the Green Infrastructure that exists in the Borough?

49. How should the Local Plan balance the intrinsic character and beauty of the countryside with the benefits that can be created by new development?

There are opportunities to access open space, sports and recreation facilities in the Borough, however, there is not always an adequate amount of provision or its quality may not be of a sufficient standard. Additional development can put increased pressure on these resources.

50. How should the Local Plan maintain the quantity and quality of open space, sports and recreation facilities in the light of the continued growth of the Borough?

Green Wedges seek to retain the open and undeveloped character as well as retain and enhance public access to a particular area of land. Green Wedges also create green networks linking the countryside and open spaces within urban areas.

51. How can the Local Plan ensure that the purpose and objectives of green wedges marries with the continued growth of the Borough?

The Local Green Space designation allows local communities to seek to protect green areas that are of special importance to them.

52. Are there any particular green areas that are of particular importance to you or your community? Why do you consider that these areas should be given special protection?

SUSTAINABLE DEVELOPMENT, CLIMATE CHANGE, WATER AND FLOOD RISK

What the Government say:

“Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk and water supply and demand considerations”⁶³

“To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources”⁶⁴

“Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape”⁶⁵

“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere”⁶⁶

What the Borough’ Local Plan needs to do:

The Local Plan needs to plan for new development in locations and ways which reduce greenhouse gas emissions; support energy efficient improvements to existing buildings; and, ensure that any local requirement for a building’s sustainability is consistent with Government requirements.

The Local Plan needs to promote energy from renewable and low carbon sources and include policies to maximise these forms of development subject to satisfactorily addressing any negative impacts.

The Local Plan must take account of climate change over the longer term, including flood risk, water supply and changes to biodiversity and landscape, and plan new development so as to avoid increased vulnerability to impacts arising from climate change.

The Local Plan needs to contribute towards meeting the Government target of reducing greenhouse gas emissions.

The Current Situation:

Since 2010, national policy and guidance on sustainable development and climate change has moved on. Whilst we currently set polices on climate change, sustainable construction, flood risk and carbon reduction changes to legislation and new evidence will require these to be updated.

We currently require all new development to demonstrate how it reflects nationally prescribed sustainable building standards for energy efficiency and that a Sustainability Statement is submitted alongside planning applications to demonstrate how potential

⁶³ National Planning Policy Framework (paragraph 94), March 2012

⁶⁴ National Planning Policy Framework (paragraph 97), March 2012

⁶⁵ National Planning Policy Framework (paragraph 99), March 2012

⁶⁶ National Planning Policy Framework (paragraph 100), March 2012

carbon dioxide emissions will be reduced and by how much. We also requires that construction methods contribute towards the aims of sustainable development.

The Core Strategy seeks to avoid development in areas at risk of flooding or ensure that appropriate mitigation is put in place. It requires a detailed flood risk assessment for larger developments and that surface water run-off is proactively managed.

The Challenges for the Future:

Quick Question:

53. How should the Local Plan protect the Borough from the effects of climate change?

54 How should the Local Plan promote the use of energy efficiency and sustainable construction?

Detailed Questions:

We need to reduce greenhouse gas emissions produced from the use of energy to provide the heating, cooling, lighting and other building services that keep occupiers comfortable and healthy.

55. How can the Local Plan encourage sufficiently high standards in new development to limit greenhouse gas emissions?

It is important to ensure that new development is designed and constructed to minimise the impact on climate change.

56. How can the Local Plan ensure that buildings are designed so as to have a longer useful life (eg to evolve with changing lifestyles and home occupation patterns)?

Climate change is expected to lead to warmer temperate and increased quantity and intensity of rainfall which is likely to increase the risk of flooding in the borough from rivers, sewers and surface water run-off.

57. Is there any scope to enhance and extend the Borough's network of green spaces in order to manage flood risk and address other climate challenges?

58. How can we encourage the use of adaptations like shading, natural and passive ventilation, and better drainage systems in new development?

59. Commercial and small scale wind, solar photovoltaic, solar thermal, ground source heat, hydro electric and biomass technologies enable more sustainable energy to be generated. How should the Local Plan make provision for such technologies in the Borough?

Frequently Asked Questions

What is the new Local Plan?

The new Local Plan will set out the policies and proposals to guide future growth and development in the Borough of Oadby and Wigston. Our new plan will set out the development needs of the Borough and where these will be located.

Why do we need a Local Plan?

National legislation (namely Section 13, 15 and 62 of the Planning and Compulsory Purchase Act 2004 (as amended)) requires councils to prepare a local development plan in order to shape future development and the use of land in their area. The Local Planning Regulations 2012 sets out the process by which councils must prepare, consult, submit for examination and adopt such plans. The local development plan must set out the general policies to deliver the development strategy for an area and any specific policies relating to particular land uses or areas in the Borough.

What happens if we don't have a Local Plan?

If we don't prepare a Local Plan we will not be able to manage and plan for change and growth in the Borough. Planning applications need to be determined in accordance with an up to date development plan. If the Borough Council were to reject development proposals without good reason and without reference to up to date planning policies we could be open to challenge through appeal. The National Planning Policy Framework says that if we don't have a local plan or our plan is out of date then we should grant planning permission for sustainable development. The definition of whether a development is sustainable is open to interpretation so without a Local Plan there is the risk of development taking place in locations we would not want to see built on, for example, valuable Greenfield land or open spaces.

What will the new Local Plan cover?

The new Local Plan will contain the strategic vision, objectives and spatial strategy for the Borough. It will also update the Borough's development needs in terms of housing and employment development as well as allocation of other land designations such as green wedges, countryside and local green space. The new Local Plan will also review and update the development control policies currently set out in the saved Local Plan 1999.

Why do the current local planning documents such as the Core Strategy need updating?

All plans and strategies require regular updating to take account of legislative changes, respond to change and ensure that the evidence that underpins them is still correct and relevant. The Borough Council continually monitors its adopted plans and policies to check they are working, are still 'fit for purpose', whether legislation updates require changes to be made and is the evidence base still robust and sound.

We are updating our local planning documents because there has been legislative changes since the Core Strategy and Town Centres Area Action Plan were adopted and also we have been updating our evidence base in relation to areas such as housing needs, climate change, green infrastructure and flood risk.

What are the Key Challenges consultation?

This Key Challenges consultation is the first stage in the review and revision of our currently adopted local planning document.

It is likely that this document does not identify all of the key challenges that are relevant

to the Borough and this is why we are consulting with residents, stakeholders, developers and anyone else with an interest in the Borough to find out what their views are. The representations that we receive from this stage of consultation will be used to help develop the next stage of the preparation of a new Local Plan. This will be consulted on at a later date in the process.

What is the duty to co-operate and how are cross-boundary issues dealt with?

The duty to co-operate 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 Plan preparation in the context of strategic cross boundary matters. The duty to co-operate is not a duty to agree. But local planning authorities must make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. At the examination, Local planning authorities are required to demonstrate how they have complied with the duty in preparing their Local Plan.

The duty to co-operate seeks to ensure that local planning authorities lead strategic planning effectively through their Local Plans, addressing social, environmental and economic issues that can only be addressed effectively by working with other local planning authorities beyond their own administrative boundaries. The aim is to encourage positive, continuous partnership working on issues that go beyond a single local planning authority's area. Areas that will require good cross-boundary discussion are for example, housing market and travel to work areas, river catchments and ecological networks, transport, infrastructure, flood risk management, climate change mitigation and adaptation, and biodiversity.

Oadby and Wigston Borough Council currently works closely with the other local planning authorities in Leicestershire to gather pertinent robust evidence on cross-boundary issues and develop ways of addressing such issues strategically. For example, the Borough Council, as part of the Leicestershire Housing Market Area, is currently engaged in agreeing the distribution of housing numbers between all Leicester and Leicestershire authorities.

At the time we submit our plan for Independent Examination by the Planning Inspectorate, we intend to prepare a duty to co-operate statement to demonstrate who we have cooperated with, the matters we have discussed and how the conclusions of these discussions have informed the development of the new Local Plan.

Has a Sustainability Appraisal been carried out of the Key Challenges document?

The Local Plan has to be accompanied by a Sustainability Appraisal which considers the environmental, economic and social impacts of the Plan.

The Key Challenges document is not accompanied by a Sustainability Appraisal because at this stage, reasonable options for the Plan have not been set out. Reasonable options will be considered based on the response to this consideration. From this, preferred options will emerge and be consulted upon. A Sustainability Appraisal report will be consulted upon alongside the preferred options consultation. The Sustainability Appraisal report will record the process of considering the reasonable options and selecting the preferred options.



Policy, Finance and Development Committee	22 September 2015	Matter for Decision
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Title: Draft Planning Obligations Supplementary Planning Document

**Author: Anne Court (Director of Services)
Adrian Thorpe (Planning Policy and Regeneration Manager)**

1. Introduction

- 1.1 The purpose of this Supplementary Planning Document (SPD) is to refresh the Borough Council’s approach with regards to securing planning obligations in accordance with national planning policy as part of legal agreement’s that are drafted to accompany planning applications for all significant development.
- 1.2 Planning Obligations are an integral part of the Borough Council’s approach towards delivering sustainable growth. Once adopted, this document will supersede the existing Developer Contributions Supplementary Planning Document (2011).

2. Recommendations

- 2.1 It is recommended that Members approve the Draft Planning Obligations Supplementary Planning Document and the Draft Planning Obligations Supporting Evidence Base Document for Open Space, Sport and Recreation for a period of six weeks public consultation, commencing on Monday 12 October 2015 (documents attached).

3. Information

- 3.1 This Supplementary Planning Document has been drafted in line with national planning policy, including the Community Infrastructure Levy Regulations (2010). The Council does not have a Community Infrastructure Levy in place because current evidence does not support the viability of such in this Borough. Should there be any significant changes resulting in the need for the Council to review its position in the future, the appropriate procedures to review the need for a Community Infrastructure Levy in this Borough will be followed.
- 3.2 However, there has been numerous changes to national policy impacting upon local planning authorities and the way in which they can seek and pool planning obligations since the Council last adopted the Developer Contributions Supplementary Planning Document (2011) and therefore, the emerging document fully accounts for those key alterations in planning policy.
- 3.3 This document aims to update the Council’s approach to the negotiation and agreement of planning obligations that will aid the delivery of infrastructure to support growth in the Borough from the following categories:

Oadby and Wigston Borough Council:

- Affordable Housing;
- Community and Sports Provision;

- Open Space, Sport and Recreation;
- Public Realm;

Leicestershire County Council:

- Civic Amenity – Waste Management;
- Education;
- Highways and Transportation;

External Service Delivery Partners

- Leicestershire Constabulary;
- Leicestershire Fire and Rescue Service; and,
- Leicestershire Partnership NHS Trust

- 3.4 This document has been written in a manner that accounts for all of the key service delivery providers and their interests in this Borough. The document has been written to ensure it is both consistent and robust in its approach.
- 3.5 This document is still in draft form and is likely to be amended following public consultation for six weeks between October and November 2015. Once finalised, the document will be reported to Policy, Finance Committee for approval for publication.

Email: ed.morgan@oadby-wigston.gov.uk

Implications	
Legal	The Planning Obligations Supplementary Planning Document will comply with the requirements of the National Planning Policy Framework, National Planning Practice Guidance and the Community Infrastructure Levy Regulations.
Financial (CR)	The Council can seek to secure planning obligations towards the costs of delivering and maintaining key infrastructure within the Borough, for example, for areas of open space, sport and recreation.
Equalities	An Equalities Impact Assessment has been carried out on this document.
Risk (AT)	<p>CR1 Decreasing Financial Resources – The Council will need to commit time and finance to the negotiation of Section 106 Agreements in the future.</p> <p>CR3 Political Dynamics – The Council is required to ensure that planning obligations sought are consistent with national policy. The content of this document may have an impact on the Borough’s key service providers and therefore, where applicable, the approach we take should to be generally consistent with that of other councils in Leicester and Leicestershire.</p> <p>CR9 – Economy – This document will update the Council’s approach to negotiating infrastructure contributions towards key areas of expenditure, including Affordable Housing and Open Space, Sport and Recreation Facilities.</p>

**DRAFT PLANNING OBLIGATIONS
SUPPLEMENTARY PLANNING DOCUMENT**

September 2015



PROPOSED TITLE

Draft Planning Obligations Supplementary Planning Document (October 2015)

PROPOSED SUBJECT MATTER

This document provides an up to date account of planning obligations that will be sought by Oadby and Wigston Borough Council and relevant service delivery partners to mitigate the impact of new development in the Borough and to ensure sustainable growth.

This document is written in association with the Draft Supporting evidence base document for Open Space, Sport and Recreation (October 2015).

PERIOD FOR REPRESENTATIONS

Representations to be received by Oadby and Wigston Borough Council by 17:00 on Monday 23 November 2015.

ADDRESS TO SEND REPRESENTATIONS TO

Mailed written representations to:

Planning Policy and Regeneration Team
Oadby and Wigston Borough Council
Bushloe House
Station Road
Wigston
Leicestershire
LE18 2DR

E-MAILED REPRESENTATIONS TO

Planning Policy and Regeneration Team
planningpolicy@oadby-wigston.gov.uk

Please advise within your representation whether you wish to be informed of the next stage in the adoption of the Supplementary Planning Document and its supporting evidence based document.

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EXECUTIVE SUMMARY

It is imperative that Oadby and Wigston Borough Council's Local Plan and its supporting policies are both robust and up to date in order to ensure sustainable new growth in the future.

Therefore, the purpose of the Planning Obligations Supplementary Planning Document (SPD) is to assist developers, landowners and other stakeholders in understanding what types of planning obligations may be required of them in this Borough in order to mitigate the potential impact of new development upon the wider area and surrounding community.

Based upon existing viability assessment, at this time, Community Infrastructure Levy (CIL) is not deemed to be the most cost-effective approach to securing planning obligations to deliver new infrastructure in the Borough of Oadby and Wigston.

The Council will endeavour to regularly review its position on this matter, but for the purposes of fulfilling its statutory responsibility, the Borough Council will apply up to date nationally recognised planning policies in this document to ensure that all planning obligations sought are compliant.

Once adopted, together with the Supporting Evidence Base Document for Open Space, Sport and Recreation (2015), these documents will replace the Borough Council's existing Developer Contributions Supplementary Planning Document and associated Addendum Evidence Based Document (2011).

1. INTRODUCTION

- 1.1** Most new development will have a direct or cumulative impact upon the environment and place pressure on local infrastructure and services. Therefore, the Planning Obligation Supplementary Planning Document (SPD) is to be the Borough Council's tool for ensuring that developers, landowners and all stakeholders are fully versed on the types of planning obligations that may be required of them to mitigate the impact of a new development in the local area.
- 1.2** The content of this document is written with the intention of being transparent and robust. Therefore, all sections have been prepared in accordance with national and local planning policy, as well as in collaboration with the Council's key service delivery partners.

What is a Planning Obligation?

- 1.3** In Oadby and Wigston, legal agreements (known as 'planning obligations') are typically entered into with developers to help secure essential infrastructure, or other benefits. Planning obligations are usually sought through the negotiation of a Section 106 Agreement or via another legally binding agreement such as a Section 278 of the Highways Act 1980 (as amended) or a unilateral undertaking.
- 1.4** Unilateral undertakings are only signed by the developer and set out what planning obligations the developer is willing to undertake in relation to the proposed development. These legal agreements may be entered into at any point in the application process.
- 1.5** Planning obligations may be subject to conditions or unconditional; they can impose restrictions or requirements against the developer (both the original and any subsequent person acquiring interest in the land); and, all planning obligations must be registered as a land charge and as such, these will form part of the planning register and will be available for public inspection.
- 1.6** All agreements for planning obligations are usually time bound and often, particularly for larger obligations, there may be specific phasing or trigger points that will be negotiated and written into the legally binding agreement. Responsibility for ensuring that the agreed phasing programme is adhered to falls within the Borough Council's remit and is therefore adhered to via its internal monitoring procedures.
- 1.7** In the same vein, if an agreement makes provision for a commuted sum to be paid to the local authority, the money must be spent within a reasonable time frame, as agreed by all parties as part of the legal agreement.

2. POLICY BACKGROUND

National Planning Policy

- 2.1** The 1990 Town and Country Planning Act (as amended by the Planning and Compensation Act 1991 and Planning Act 2008) established the statutory framework for seeking planning obligations in the form of a Section 106 Agreement.
- 2.2** The Community Infrastructure Levy (CIL) Regulations introduced by Government in 2010 were designed to streamline procedures and provide greater certainty on the costs to development generated through the planning process. Regulation 122 in the Community Infrastructure Levy Regulations 2010 (as amended) and Paragraph 204 within the National Planning Policy Framework 2012 state that planning obligations should only be sought where they meet the following tests:
- (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and,
 - (c) Fairly and reasonably related in scale and kind to the development.
- 2.3** These, known as the “CIL Tests” after the Community Infrastructure Levy (CIL) Regulations, made it a statutory requirement to hinge all negotiations over planning obligations on these three tests as part of legally binding agreements.
- 2.4** However, from 1 April 2015, Regulation 123 has placed a limit on the ability of Local Planning Authorities to pool more than five S106 contributions towards a single item or infrastructure ‘pot’. The Regulation excludes affordable housing and contributions that are directly required to make the development acceptable in planning terms (in accordance with the tests set out in Regulation 122). Otherwise, the limitation will apply retrospectively to all obligations entered into since 6 April 2010.
- 2.5** Based upon the Council’s existing viability assessment however, at this time, Community Infrastructure Levy (CIL) is not deemed to be the most cost-effective approach to securing planning obligations to deliver new infrastructure in the Borough of Oadby and Wigston, and therefore, the Council will continue to seek planning obligations via legal agreements.
- 2.6** In addition to this, the Government also uses National Planning Practice Guidance to update its position on various elements concerning planning obligations. The section relating to this document can be read via the link below:
- <http://planningguidance.planningportal.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>
- 2.7** At the point of writing this document, the Council is satisfied that it has met the requirements of the National Planning Practice Guidance. However, in light of a recent appeal decision at the High Court on an application made by West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (31.07.15), it is important to note that Paragraphs 012-023 of the guidance have been removed.

- 2.8** All applicants should please note that any subsequent changes to the National Planning Practice Guidance on Planning Obligations or other nationally significant regulatory updates from the Government will result in the Borough Council's policy approach effectively changing to adhere to those changes.

Local Planning Policy

- 2.9** Although the Council is now preparing a Local Plan with its adoption expected in 2017, the adopted Core Strategy (2010), alongside the Saved Local Plan (1999, re-issued 2010 and 2013) and the Town Centres Area Action Plan (2013), remain as the relevant development plan documents for the Borough.
- 2.10** The Core Strategy sets out the vision, spatial objectives and planning strategy for the Borough up to 2026. It also provides the basic principles and policies that steers built development and the use of land; establishes the overall general scale and location of development; and, sets out the approach to the key issues facing the Borough over the Plan period.
- 2.11** There is a direct link between *Core Strategy Policy 10: Community Infrastructure* and this Supplementary Planning Document because each compliments the other to facilitate necessary infrastructure to support the growth of the Borough.
- 2.12** Other policies from the Core Strategy that are also relevant to this document are *Core Strategy Policy 11: Affordable Housing* and *Core Strategy Policy 17: Open Space and Facilities for Leisure, Recreation and Tourism*. All policies should be read in conjunction with the relevant supporting text.
- 2.13** Other documents and guidance available to the Borough Council in relation to the negotiation of planning obligations include:
- Saved Oadby and Wigston Local Plan (1999, reissued 2010 and 2013);
 - Oadby and Wigston Public Realm Strategy (2012)
 - Adopted Oadby and Wigston Town Centres Area Action Plan (2013).
- 2.14** Emerging guidance that will also have a strong link to this document include:
- Oadby and Wigston Infrastructure Delivery Plan (expected 2016);
 - Oadby and Wigston New Local Plan (expected 2017).

Strategic Environmental Assessment

- 2.15** It has been necessary to screen this Supplementary Planning Document's proposals for adverse impacts on the environment and habitats to determine whether it is necessary to undertake Strategic Environmental Assessment in accordance with the EU Strategic Environmental Assessment (SEA) Directive.
- 2.16** On the basis of the screening assessments, it is considered that there will not be any likely significant effects environmental effects arising from this document and as such, it does not require a full SEA to be undertaken.

2.17 This Supplementary Planning Document is linked to the policies contained within the adopted Core Strategy (2010) and the Town Centres Area Action Plan (2013). Both documents were also subject to a full Sustainability Appraisal, which included SEA.

3. SECURING PLANNING OBLIGATIONS

- 3.1** This section sets out the Council's approach towards seeking and securing planning obligations from development schemes in the Borough. With regards to residential development, planning obligations can only be applied to new developments where there is a net gain in the number of dwellings on the site.
- 3.2** In all cases where planning permission is required, it will be necessary to assess the potential impact that the proposal will have upon the surrounding area and therefore, what scope there may be to mitigate that impact through the securing planning obligations.
- 3.3** When a planning application received by the Borough Council triggers the need to negotiate on planning obligations, if the applicant has not already done so, the Borough Council will notify the applicant about the requirement to enter into negotiations for a legal agreement.
- 3.4** The Borough Council will always seek to engage with the applicant at an early stage so that planning obligations to be sought as part of a proposal can be set out from the outset and negotiated transparently throughout the application process.
- 3.5** This approach ensures that developers are fully informed and can therefore assist their decision making by enabling them to factor such costs into the overall viability assessment for proposals put forward.
- 3.6** When appropriate, the relevant service provider will be included as a signatory to the legal agreement. Developer contributions for other service delivery partners are normally paid directly to that service.
- 3.7** During negotiations with developers, it will be made clear that the preparation of the agreement is usually done via the Borough Council's Legal team (or one of its partner authority's Legal teams). This is not a statutory requirement and it is open for developers to draft an agreement through their own solicitors. However, the Borough Council's Legal team must be satisfied that any legal documentation prepared and submitted by a third party fully complies with the Borough Council's legislative requirements.
- 3.8** Applicants must also assume responsibility for meeting all reasonable legal costs incurred by the Borough Council whilst preparing or checking a legal agreement, as well as the costs accrued when overseeing the transfer of land from the developer to the Council.
- 3.9** The trigger points for payments or off site work is dependent upon the nature of the development and therefore the timing of payments / development will be at an appropriate time that will be negotiated and agreed as part of negotiations over the legal agreement on a site by site basis.
- 3.10** However, applicants are encouraged to proactively seek to complete an agreement prior to the expiry date of the planning decision, with failure to do so usually resulting in a refusal of a planning permission.

Cumulative Impact

- 3.11** In the interests of promoting sustainable development in the Borough, the Council will assess the cumulative impacts of the development on adjacent sites (including sites that have been split) where the combined total of units on those sites exceeds the recognised thresholds for seeking planning obligations to mitigate the impact of development upon services and resources.

Development Viability

- 3.12** Sustainable development is at the heart of the purpose of planning and the Borough Council has a responsibility to its local community to secure developments which improve the economic, social and environmental conditions of an area.

- 3.13** Since the economic downturn in 2008, economic viability for new development, coupled with reduced public sector funding for local infrastructure to support sustainable local communities and growth has become a key consideration in the negotiation of legal agreements.

- 3.14** Under circumstances where the developer claims that meeting the obligations will make the development unviable, the Borough Council would expect the developer to submit clear, transparent and independent evidence of the financial viability of the scheme on an open book basis. Any such claims will need to be confidentially validated by an independent third party in advance of the planning application being submitted. All subsequent reasonable costs incurred by the Borough Council to analyse and assess this additional evidence will be met by the developer.

Fees for Planning Obligations

- 3.15** The Borough Council will seek a payment towards administration fees for the implementation of the Section 106 Planning Obligations where it is essential for planning purposes to secure the obligations in accordance with the terms of the agreement. This is only likely to be required in relation to large, strategic developments. Where payment of a fee is required, this will be 2% of the total value of the planning obligations sought within the legal agreement.

- 3.16** In circumstances where administration fees are deemed to be necessary, they will be sought to cover the Borough Council's costs, maintenance of databases, attendance at necessary Section 106 monitoring meetings, and for additional requirements placed upon the Enforcement Officer, Legal Officers and Planning Officers who provide advice and guidance during the implementation process.

Chargeable Planning Obligations in the Borough of Oadby and Wigston

- 3.17** Although the list below is not exhaustive, Oadby and Wigston Borough Council and its delivery partners have identified a number of service areas or types of infrastructure that are considered to be important considerations when a developer engages with the Council to negotiate via a legal agreement in association with a new development. The agreed infrastructure items to be considered are:

Oadby and Wigston Borough Council:

- Affordable Housing;
- Community and Sports Provision;
- Open Space, Sport and Recreation;
- Public Realm;

Leicestershire County Council:

- Civic Amenity – Waste Management;
- Education;
- Highways and Transportation;

External Service Delivery Partners

- Leicestershire Constabulary;
- Leicestershire Fire and Rescue Service; and,
- Leicestershire Partnership NHS Trust

- 3.18** Should the development proposal trigger a need for other forms of additional infrastructure in its locality, the Borough Council will advise the applicant to contact the appropriate service provider directly. These service areas or providers may include:

Leicestershire County Council

- Adult Social Care and Health;
- Library Services; and,
- Sustainable Drainage.

- 3.19** More detailed information about each service area or infrastructure typology identified in paragraph 3.18 is provided in sections 4 – 13 of this document.

- 3.20** The planning obligations set out in this Supplementary Planning Document are included to guide developers on the type and where applicable, the level of contribution that is likely to be expected as part of their planning permission (excluding VAT). All financial contributions contained in an agreement or unilateral undertaking will be index linked (using the most appropriate index for each contribution, as set by the Borough Council in consultation with the relevant service provider as part of the agreement) from the date of the agreement or unilateral undertaking to the date of the payment.

4. AFFORDABLE HOUSING

1	Name of Service / Infrastructure Typology	Affordable Housing
2	Service provider(s)	Oadby and Wigston Borough Council
3	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 11: Affordable Housing and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) test.</p>
4	Form of contributions	<p>The Council will expect the affordable housing to be provided on-site, as part of the planned development.</p> <p>Off-site contributions in lieu of on-site provision will only be supported where there is clear evidence that the site is not suitable or viable. In such circumstances an open book approach must be adopted and the claim substantiated by detailed evidence that allows viability to be tested.</p> <p>The detailed evidence required must be verified by an independent valuer and that assessment will be paid for by the developer.</p>
5	Types of development which might trigger need	Residential developments within the Borough of 10 dwellings or more.
6	Threshold for size of development for which contributions are appropriate	<p>The Borough Council will negotiate with developers with a view to securing the appropriate minimum threshold percentages as set out in Core Strategy Policy 11: Affordable Housing.</p> <p>Core Strategy Policy 11 states that:</p> <p>Affordable housing will be sought to meet identified local needs on all developments of 10 dwellings or more.</p> <p>Affordable Housing is sought to support the creation of balanced and sustainable communities. There is no upper limit to the level of affordable housing that can be delivered on a site. In line with the current Affordable Housing Viability Assessment, the following targets apply:</p>

		<ul style="list-style-type: none"> • Oadby – 30% • Wigston – 20% • South Wigston – 10% <p>Proposals for development which would not provide affordable housing in line with or in excess of the targets should be accompanied by an individual site viability assessment to justify the level of provision.</p> <p>However, contributions may be sought from smaller sized developments where they form part of an overall development in an area or where sites would have a cumulative impact on services and resources.</p>
7	Payment of contributions	For off-site contributions, if a financial contribution is to be supplied by the developer, this will be agreed with the Borough Council as part of the legal agreement.
8	Additional considerations	<p>The Borough Council accepts that each site is different and it will take into account specific circumstances in its negotiations to optimise the affordable housing contribution and will consider any innovative solutions for the provision of affordable housing in the Borough.</p> <p>Developers should fully consider the financial implications of affordable housing provision before acquiring land. Failure to do so will not be accepted as justification for departing from Core Strategy Policy 11.</p> <p>Developers should be aware that public subsidy is very unlikely to be available to help meet the cost of providing affordable housing.</p> <p>On sites where 100% affordable housing is being provided by a Registered Social Landlord, consideration will be given by the Borough Council to reducing or removing other planning obligations. However, securing sustainable development will always be the Council's primary objective.</p>
9	Contact	<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
10	Last updated	October 2015

5. COMMUNITY AND SPORTS PROVISION

1	Name of Service / Infrastructure Typology	Community Facilities
2	Service provider	Oadby and Wigston Borough Council Leicestershire County Council Leicestershire and Rutland Sport
3	Current guidance on the issue	National Planning Policy Guidance National Planning Policy Framework (2012) Leicester and Leicestershire Local Authorities S106 Protocol (May 2015) Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and supporting text. Core Strategy Policy 16: Community Facilities and Places of Worship and supporting text. Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).
4	Contributions to capital costs or revenue costs	Either financial contribution for an off-site scheme or on-site provision equivalent to costs required, on a site by site basis, as agreed with the Borough Council and service delivery partners through the negotiation of the legal agreement.
5	Threshold for size of development from which contributions are appropriate	Due to the nature of this contribution, need arising for contributions for this typology of infrastructure from new development will be assessed on a site-by-site basis and will be dependent upon local need.
6	Geographic areas where there is no spare capacity	Capacity issues are dependent on the nature of the development and existing facilities in the area.
7	Types of development which might trigger need	Residential or in appropriate circumstances, non-residential development. Contributions may be sought on the basis of the scale and likely impact that a proposed development will have upon the existing available capacity of local facilities. Specialist residential or day care institutions may be required to provide their own recreation facilities or contribute to public facilities as appropriate.

8	Types of facilities for which provision may be needed	<p>A contribution to the extension and / or improvement of existing halls, pavilions, changing rooms or sporting facilities would be expected.</p> <p>If existing facilities are at full capacity, a new or an extension of the existing community or sporting facility should be provided. Developers should contact the Borough Council early in the development process to ascertain whether this is required and to agree on the required specification for the new facilities.</p>
9	Forms in which contributions should be made	<p>Capacity issues are dependent on existing community and sporting facilities and the nature of the development.</p> <p>Contributions can either be through provision of facilities or via a commuted sum, as determined through negotiation of the legal agreement with the developer.</p> <p>All off-site financial contributions will be based upon current prices at the date of negotiation.</p> <p>Timing of payment will be required at an appropriate time and will be negotiated on a site-by-site basis.</p>
10	Contact	<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
11	Last updated	October 2015

6. OPEN SPACE, SPORT AND RECREATION

1	Name of Service / Infrastructure Typology	Open Space, Sport and Recreation
2	Category of service provider	Oadby and Wigston Borough Council
3	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 5: Green infrastructure and supporting text.</p> <p>Core Strategy Policy 10: Community Infrastructure and supporting text.</p> <p>Core Strategy Policy 17: Open Space, Sport and Facilities for Leisure, Recreation and Tourism and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p> <p>For a full explanation of the Borough Council's methodology supporting this planning obligation, please refer to the Supporting Evidence Base Document for Open Space, Sport and Recreation (October 2015) which is written as supporting evidence to this Supplementary Planning Document.</p>
4	Contributions to capital costs or revenue costs	Where on-site provision is not possible, capital contributions towards initial development costs with a commuted sum to deal with long-term maintenance, usually over a period of 20 years will be sought.
5	Threshold for size of development for which contributions are appropriate	<p>Developments of 3 or more dwellings¹.</p> <p>However, contributions may be sought from smaller sized developments where they form part of an overall</p>

¹ This threshold is locally derived. This threshold may be subject to changes in the National Planning Practice Guidance that may or may not be re-instated relating to Paragraphs 012-023 of the guidance following a recent appeal decision by the High Court on an application made by West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (31.07.15).

		development in an area or where sites would have an accumulative impact on resources.
6	Types of development which might trigger need	Residential development.
7	Types of facilities for which provision may be needed	New or extended public open space including amenity land, water facilities and pathways for the use of the public play facilities for children and young people's play (including equipment), sports pitches (grass or artificial), indoor or outdoor sports facilities, allotment gardens, local nature reserves and land of biodiversity / wildlife potential (Green and Environmental Infrastructure).
8	Forms in which payments must be made	<p>On-site provision: Where possible, facilities should be provided on-site. For the Borough Council's requirements for on-site provision, please refer to the Supporting Evidence Base Document for Open Space, Sport and Recreation (October 2015) which is written as an addendum to this Supplementary Planning Document.</p> <p>When applicable, in order to mitigate the effects of a development upon the loss of the Borough's Green infrastructure Assets, it may sometimes be necessary for the developer to fund such work off-site, in addition to the on-site provision.</p> <p>The need for allotment land in the Borough is underlined in the Council's PPG17 Study (2014). This need will be considered on a site by site basis.</p> <p>Off-site financial contribution: Where on-site provision is not possible, a financial contribution will be sought.</p> <p>For a full explanation of the methodology supporting this obligation, please refer to the Supporting Evidence Base Document for Open Space, Sport and Recreation (October 2015) which is written as a supporting evidence document to this Supplementary Planning Document.</p> <p>There will be separate contributions sought per settlement for:</p> <ul style="list-style-type: none"> ● Oadby ● Wigston (includes Kilby Bridge) ● South Wigston <p>Using the Council's latest PPG17 Study (2014) to</p>

support this methodology, in the settlement where the development proposal is located, if there is a sufficient supply of a typology of open space, this aspect shall be discounted from the formula that is set out in the Supporting Evidence Base Document for Open Space, Sport and Recreation (October 2015). For example, in Oadby there is currently a sufficient supply of Parks and Recreation Grounds, and therefore, categories C and F in the formula will be discounted from the financial contribution for developments in Oadby.

Where a development comes forward on the edge of a settlement boundary and crosses into another settlement, each site will be considered on a site-by-site basis in order to consider the impacts it may have upon open space supply in the surrounding community.

For category B (Children and Young People’s Space) and category E (Maintenance of Children and Young Person’s Space), there will be discounts as follows:

- 1 Bed dwelling / Studio – 100% discount
- 2 Bed dwelling – 50% discount
- 3+ Bed dwelling – 0% discount

The table below provides a summary of the contributions that will be sought per dwelling in each of the three settlements in the Borough (please note that the figures for Wigston will also apply to Kilby Bridge). The reduced figures for smaller properties apply a discount with regards to contributions sought towards Children and Young People’s Space.

Settlement	Dwelling Size		
	3+ Bedrooms	2 Bedrooms	1 Bedroom
Oadby	£4,250.10	£2,557.65	£865.20
Wigston	£3,552.66	£2,236.31	£919.96
South Wigston	£3,296.02	£1,979.67	£663.32

All planning obligations included within a legal agreement or unilateral undertaking will be index linked (using the most appropriate index for each contribution, as set by the Borough Council in consultation with the relevant service provider for that obligation) from the date of the legal agreement through to the date of payment. Financial contributions will be required at an appropriate time and will be negotiated on a site-by-site basis as part of

		the legal agreement.
9	Contact	Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk
10	Last updated	October 2015

7. PUBLIC REALM

1	Name of Service / Infrastructure Typology	Public Realm
2	Service provider(s)	Oadby and Wigston Borough Council Leicestershire County Council
3	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and supporting text.</p> <p>Oadby and Wigston Core Strategy Policy 15: Landscape and Character and the supporting text.</p> <p>Oadby and Wigston Town Centres Area Action Plan (2013) Policy 12: Public Realm and supporting text.</p> <p>Oadby and Wigston Public Realm Strategy (2012). This document should be referred to for all schemes that will require street furniture or permanent landscaping features as part of a wider scheme.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
4	Contributions to capital costs or revenue costs	All capital costs of implementation and maintenance costs for an agreed period.
5	Threshold for size of development for which contributions are appropriate	Due to the nature of this contribution, need arising for contributions for this typology of infrastructure from new development will be assessed on a site-by-site basis and will be dependent upon local need.
6	Types of development which might trigger need	<p>It may be applied to all new developments within reasonable proximity to the Borough's town, district or local centres that may have an impact upon civic and publicly accessible spaces within and adjoining those areas.</p> <p>In such cases, planning obligations to improve public realm may be negotiated as part of a legal agreement.</p>

7	Types of facilities for which provision may be needed	<p>Public realm improvement could include all open space and hard landscaping of public value, such as those areas included as part of town centre master plans, including:</p> <ul style="list-style-type: none"> • Landscaping; • Site management; • Public art; • Public lighting • Civic spaces or structures, including civic and public squares, pocket parks and other hard surfaced areas designed for pedestrians; and • Site interpretation. <p>Please refer to the Borough Council’s Public Realm Strategy (2012).</p>
8	Forms in which payments must be made	<p>On-site contribution or an off-site financial contribution to spend on appropriate improvements or schemes in locations that conforms to the ‘CIL Tests’ (Regulation 122).</p> <p>All financial contributions will be based upon current / known costs at the date of negotiation and will be based, where possible, on recent projects that have been carried out in the Borough.</p> <p>Payments will be required at an appropriate time and will be negotiated on a site by site basis as part of a legal agreement.</p>
9	Contact	<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
10	Last updated	October 2015

8. CIVIC AMENITY / WASTE MANAGEMENT

1	Name of Service / Infrastructure Typology	Civic Amenity / Waste Management
2	Service provider(s)	Leicestershire County Council – Waste Disposal Authority
3	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Leicestershire County Council’s Planning Obligations Policy (2014) Appendix 2: Civic Amenity / Waste Management</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
4	Contributions to capital costs or revenue costs	Financial contributions for capital costs.
5	Threshold for size of development for which contributions are appropriate	<p>Please refer to Leicestershire County Council Planning Obligations Policy Appendix 2: Civic Amenity / Waste Management.</p> <p>In the latest version of the document (3 December 2014):</p> <p>Contributions will be sought where:</p> <p>(i) The number of new additional dwellings on a development would amount to 10 or more;</p> <p>(ii) The total contribution sum would amount to greater than or equal to £200.</p> <p>Each additional dwelling is claimed at the same rate per dwelling and the total number of additional dwellings is net of any demolition of existing residential dwellings.</p> <p>However, contributions may be sought from smaller sized developments where they form part of an overall</p>

		<p>development in an area or where sites would have an accumulative impact on services and resources.</p> <p>Where adequate storage capacity for containers for recycling and disposal for residents has not been provided, an additional 15% will be added on the Civic Amenity site contribution rate to reflect the potential for increased usage of these facilities by residents of a new development.</p>
6	Types of development which might trigger need	<p>New residential development in Leicestershire will generate an increase in household waste, and depending on the size of the development this can have a varying impact on the existing local waste management facilities.</p> <p>Where a new development increases the number of residential households in an area there will be increased patronage / use of the local Civic Amenity site/s. This can lead to a lack of capacity at the local Civic Amenity site.</p> <p>Contributions will not normally be sought for other types of development for example commercial, industrial, leisure / recreational, student halls of residence, nursing homes and retirement homes.</p>
7	Types of facilities for which provision may be needed	<p>Where a new development is expected to generate a need for additional provision at most likely used Civic Amenity site, site contributions will primarily be used towards:</p> <ul style="list-style-type: none"> • Alterations; • New equipment such as compactors extensions and / or redevelopment of the existing site; • Construction of a new site at a new location as appropriate).
8	Forms in which payments must be made	<p>Contributions will be made in accordance with the latest content of the Leicestershire Planning Obligations Policy (last updated 2014) Appendix 2: Civic Amenity / Waste Management. The contribution rates for all Civic Amenity sites will be reviewed and updated on an annual basis after 1st April each year.</p> <p>The latest figure available for Civic Amenity – Waste Management for the Borough of Oadby and Wigston at the time of writing this document is £45.92 per additional dwelling.</p> <p>Please contact Leicestershire County Council to obtain the most up to date figure.</p>

		<p>All financial contributions contained in an agreement or unilateral undertaking will be index linked (using the most appropriate index for each contribution, as set by the Borough Council in consultation with the relevant service provider as part of the agreement) from the date of the agreement or unilateral undertaking to the date of payment.</p> <p>Developer contribution payments will be required at an appropriate time and will be negotiated on a site by site basis.</p>
9	Contact	<p>Developer Contributions Officer Room 400 Planning Historic and Natural Environment Leicestershire County Council County Hall Glenfield Leicester LE3 8RA T 0116 305 8223 E andrew.tyrer@leics.gov.uk</p>
		<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
10	Last updated	October 2015

9. EDUCATION

1	Name of Service / Infrastructure Typology	Education
2	Service provider(s)	Leicestershire County Council
3	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Leicestershire County Council's Planning Obligations Policy (2014) Appendix 3: Education</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
4	Contributions to capital costs or revenue costs	Capital only.
5	Threshold for size of development for which contributions are appropriate	Residential developments of 10 or more dwellings with 2 or more bedrooms, which are likely to result in the need for additional education provision. Applications for less than 10 dwellings will be exempt unless their co-location with other sites requires examination of their cumulative impact.
6	Types of facilities for which provision may be needed	<p>Facilities could include:</p> <ul style="list-style-type: none"> • Sites for new schools; • Construction costs of new schools; • Contributions towards additional classrooms / other building provision of existing schools (including additional grass / artificial turf sports pitches and nature areas); • Funding transitional issues arising from new development, including costs of providing temporary school places in advance of the completion of a new school required as part of a housing development. <p>For a full explanation, please refer to Leicestershire County Council's Planning Obligations Policy (2014) Appendix 3: Education.</p>

7	Types of development which might trigger need	<p>For a full explanation, please refer to Leicestershire County Council's Planning Obligations Policy (2014) Appendix 3: Education. According to that document (updated 3 December 2014):</p> <p>In the Oadby and Wigston Borough Council area contributions will be required for existing schools towards the cost of additional primary and secondary school places where there is a need. Contributions will be calculated on the basis of 24 primary places and 10 secondary places (11-14 years) and 10 secondary places (14-19 years) per 100 houses. For flats / apartments the current figures are 4.3 primary places and 1 secondary place (11-14 years) and 1 secondary place (14-19 years) per 100 units. Information about local pupil yields will be taken into account in setting the precise requirements.</p> <p>The costs per pupil place based on Department for Education (DfE) cost multipliers (January 2009) are £12,099.01 for primary, £17,876.17 for high schools (10 - 14 year olds) and £18,290.95 for upper schools (14 - 19 year olds).</p> <p>On a 'per house built basis' this equates to £2,903.76 per house for primary; £1,787.62 per house for 10 - 14 years high schools; and, £1829.10 per house for 14 - 19 years upper schools. On a 'per flat / apartment built basis' this equates to £520.26 per flat / apartment for primary; £178.76 per flat/apartment for 10 - 14 high schools and £182.91 per flat 14 - 19 upper schools. These cost multipliers are normally updated on April 1st each year.</p> <p>Developers are advised to contact Leicestershire County Council to obtain the most up to date figures.</p>
8	Forms in which payments must be made	<p>Land where required and either the costs of construction of buildings or work in kind to the County Council's specification.</p> <p>Developers are advised to contact Leicestershire County Council to engage in open discussion about this.</p>
9	Payment of contributions	<p>Contributions will be made as follows:</p> <p>All financial contributions contained in an agreement or unilateral undertaking will be index linked (using the most appropriate index for each contribution, as set by the Borough Council in consultation with the relevant service provider as part of the agreement) from the date of the agreement or unilateral undertaking to the</p>

		<p>date of payment.</p> <p>Developer contribution payments will be required at an appropriate time and will be negotiated on a site by site basis.</p>
10	Contact	<p>Developer Contributions Officer Room 400 Planning Historic and Natural Environment Leicestershire County Council County Hall Glenfield Leicester LE3 8RA T 0116 305 8223 E andrew.tyrer@leics.gov.uk</p>
		<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
11	Last updated	October 2015

10. HIGHWAYS AND TRANSPORTATION

1	Name of Service / Infrastructure Typology	Highways and Transportation
2	Service provider(s)	Leicestershire County Council
3	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Leicestershire County Council's Planning Obligations Policy (2014) Appendix 5: Highways and Transportation.</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 4: Sustainable Transport and Accessibility and the supporting text.</p> <p>Core Strategy Policy 10: Community Infrastructure and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
4	Contributions to capital costs or revenue costs	Generally capital but some revenue.
5	Threshold for size of development for which contributions are appropriate	No minimum level as need for contribution will depend on local circumstances and therefore will be determined on a site-by-site basis.
6	Types of development which might trigger need	<p>Any type of development which leads to a material increase in traffic on the road network. Other considerations may be if the development is detrimental to road safety; has inadequate access (including walking, cycling and public transport); has inadequate parking provision; creates an on-street parking problem; or, affects a public right of way.</p> <p>Requirements will depend upon the particular circumstances of a development proposal.</p> <p>A scoping study or Transport Assessment / Statement will often assist in assessing the requirements of a particular development.</p>

7	Types of facilities for which provision may be needed	<p>Pedestrian and cycle facilities; Public transport improvements; Public transport facilities and services; Travel plans (workplace, residential, school or mixed use); Road and rights of way improvements; Traffic management schemes; Car parking and means of control; Traffic regulation orders; Support for car sharing scheme; Facilities for charging or refuelling vehicles using new forms of energy (e.g. electricity, fuel cells, hydrogen); Associated landscaping includes planting and hard surfaces.</p>
8	Forms in which payments must be made	<p>Required infrastructure generally will be provided by the developer as part of the development, however some requirements (particularly those required 'off-site' or where a continuing management or maintenance) might be covered through financial contributions, bond or commuted sums, secured by legal agreements or undertakings made under the planning and/or highways acts.</p> <p>All financial contributions will be based upon current prices at the date of negotiation.</p> <p>Planning obligations will be required at an appropriate time and will be negotiated on a site by site basis.</p>
9	Contact	<p>Developer Contributions Officer Room 400 Planning Historic and Natural Environment Leicestershire County Council County Hall Glenfield Leicester LE3 8RA T 0116 305 8223 E andrew.tyrer@leics.gov.uk</p>
		<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
10	Last updated	October 2015

11. LEICESTERSHIRE CONSTABULARY

1	Name of Service / Infrastructure Typology	Leicestershire Constabulary
2	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Crime and Disorder Act (1998)</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and the supporting text.</p> <p>Core Strategy Policy 14: Design and Sustainable Construction and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
3	Contributions to capital costs or revenue costs	Capital only.
4	Threshold for size of development for which contributions are appropriate	<p>For residential developments, contributions will be assessed on a site by site basis but as a minimum will be sought on developments 10 units or more.</p> <p>For commercial developments, the need for contributions will also be assessed on an individual site by site basis.</p>
5	Types of development which might trigger need	Contributions are likely to be required from residential or commercial developments, but each contribution will be assessed on an individual site-by-site basis as part of the legal agreement.
6	Types of facilities for which provision may be needed	Capital spend infrastructure that relates to the capacity of service delivery in accordance with the CIL Tests. Planning obligations may be sought to increase existing capacity or to provide additional facilities within or within a reasonable distance of the proposed development.
7	Forms in which contributions should be made	Sufficient evidence in respect of need in relation to existing or planned capacity will be required to justify a planning obligation. Where there is clear evidence that indicates that a contribution sought satisfies the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests in relation to the particular

		<p>development, off-site financial contribution or on-site provision will need to be discussed and agreed through negotiation between the relevant parties and the Borough Council.</p> <p>All financial contributions contained in an agreement or unilateral undertaking will be index linked (using the most appropriate index for each contribution, as set by the Borough Council in consultation with the relevant service provider as part of the agreement) from the date of the agreement or unilateral undertaking to the date of payment.</p> <p>Developer contribution payments will be required at an appropriate time and will be negotiated on a site-by-site basis.</p>
8	Person contact	<p>Force Architectural Liaison Officer Community Safety Bureau Colin Grundy Drive (Off Keyham Lane) Leicester LE5 1FY Tel: 0116 248 2201 Email: michael.lambert@leicestershire.pnn.police.uk</p>
		<p>Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk</p>
9	Last updated	October 2015

12. LEICESTERSHIRE FIRE AND RESCUE SERVICE

1	Name of Service / Infrastructure Typology	Leicestershire Fire and Rescue Service
2	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Fire and Rescue Services Act (2004)</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and the supporting text.</p> <p>Core Strategy Policy 14: Design and Sustainable Construction and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
3	Contributions to capital costs or revenue costs	Capital only.
4	Threshold for size of development for which contributions are appropriate	<p>For residential developments, contributions will be assessed on a site by site basis but as a minimum will be sought on developments 10 units or more.</p> <p>For commercial developments, the need for contributions will also be assessed on an individual site by site basis.</p>
5	Types of development which might trigger need	Contributions are likely to be required from residential or commercial developments, but each contribution will be assessed on an individual site-by-site basis as part of the legal agreement.
6	Types of facilities for which provision may be needed	<p>The Fire Service is required to secure water from either portable or open water services to effectively fight fires under normal circumstances, in line with the Code of Practice between all Fire Authorities and all Water Companies.</p> <p>Hydrants and appropriate water mains with adequate pressure to supply them. Possible alternative sources of water for fire fighting include balancing lakes and underground tanks.</p>
7	Forms in which	Land where required and the costs of construction of

	contributions should be made	buildings / infrastructure to an agreed specification. Justification for contributions sought must satisfy the CIL Tests and be provided by Leicestershire Fire and Rescue Service to the Borough Council. Payments will be required at an appropriate time and will be agreed as part of the negotiation of the legal agreement.
8	Person contact	Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk
9	Last updated	October 2015

13. LEICESTERSHIRE PARTNERSHIP NHS TRUST

1	Name of Service / Infrastructure Typology	Leicestershire Partnership NHS Trust
2	Current guidance on the issue	<p>National Planning Policy Guidance</p> <p>National Planning Policy Framework (2012)</p> <p>Health and Social Care Act (2012)</p> <p>Leicester and Leicestershire Local Authorities S106 Protocol (May 2015)</p> <p>Oadby and Wigston Core Strategy (2010) Policy 10: Community Infrastructure and the supporting text.</p> <p>Core Strategy Policy 14: Design and Sustainable Construction and the supporting text.</p> <p>Any contribution sought as part of a legal agreement must satisfy the Community Infrastructure Levy Regulation 122(2) (2010) (as amended) tests and a maximum of five obligations can be pooled towards a specific item of infrastructure in accordance with Community Infrastructure Levy Regulation 123 (2010) (as amended).</p>
3	Contributions to capital costs or revenue costs	Capital only.
4	Threshold for size of development for which contributions are appropriate	<p>For residential developments, contributions will be assessed on a site by site basis but as a minimum will be sought on developments 10 units or more.</p> <p>For commercial developments, the need for contributions will also be assessed on an individual site by site basis.</p>
5	Types of development which might trigger need	Contributions are likely to be required from residential or commercial developments, but each contribution will be assessed on an individual site-by-site basis as part of the legal agreement.
6	Types of facilities for which provision may be needed	Capital spend infrastructure that relates to the capacity of service delivery in accordance with the CIL Tests. Planning obligations may be sought to increase existing capacity or to provide additional facilities within or within a reasonable distance of the proposed development.
7	Forms in which contributions should be made	<p>Land where required and the costs of construction of buildings / infrastructure to an agreed specification.</p> <p>Justification for contributions sought must satisfy the CIL Tests and be provided by the NHS to the Borough</p>

		Council. Payments will be required at an appropriate time and will be agreed as part of the negotiation of the legal agreement.
8	Person contact	Planning Control Manager Development Management Oadby and Wigston Borough Council Bushloe House Station Road Wigston Leicestershire LE18 2DR Tel: 0116 2572 636 Email: planning@oadby-wigston.gov.uk
9	Last updated	October 2015

**DRAFT PLANNING OBLIGATIONS
SUPPLEMENTARY PLANNING DOCUMENT**

October 2015

**Draft supporting evidence base document for Open Space, Sport and
Recreation**



PROPOSED TITLE

Draft Planning Obligations Supplementary Planning Document (October 2015)

Draft Supporting evidence base document for Open Space, Sport and Recreation

PROPOSED SUBJECT MATTER

Additional information to support the inclusion of a planning obligation sought by Oadby and Wigston Borough Council to support the delivery of quality Open, Sport and Recreation to mitigate the impact of new development in the Borough and to ensure sustainable growth.

This document is written in association with the Draft Planning Obligations Supplementary Planning Document (October 2015).

PERIOD FOR REPRESENTATIONS

Representations to be received by Oadby and Wigston Borough Council by 17:00 on Monday 23 November 2015.

ADDRESS TO SEND REPRESENTATIONS TO

Mailed written representations to:

Planning Policy and Regeneration Team
Oadby and Wigston Borough Council
Bushloe House
Station Road
Wigston
Leicestershire
LE18 2DR

E-MAILED REPRESENTATIONS TO

Planning Policy and Regeneration Team
planningpolicy@oadby-wigston.gov.uk

Please advise within your representation whether you wish to be informed of the next stage in the adoption of the Supplementary Planning Document and its supporting evidence based document.

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1. INTRODUCTION

- 1.1** This supporting document provides greater clarity for developers and applicants on interpreting the Borough Council's Planning Obligations Supplementary Planning Document (SPD), and in particular, the section that relates to Open Space, Sport and Recreation.
- 1.2** The Supplementary Planning Document has been written to support the Council in its approach to negotiate planning obligations as part of Section 106 Agreements or other legal negotiating tools to mitigate the impact of a development upon the local community by enabling improvements to the local area to make the impact of developing the site acceptable in planning terms.

PPG 17 Open Space, Sport and Recreational Facilities Study (2014 Update)

Standards for Open Space, Sport and Recreation in the Borough

- 1.3** Oadby and Wigston Borough Council's Open Space, Sport and Recreational Facilities Study (2014 Update) lists and monitors nine typologies of land and facilities. In the context of the Council's planning obligations formula to calculate contributions towards Open Space, Sport and Recreation, the three relevant typologies are:
- Outdoor Sports Space;
 - Children and Young People's Space; and,
 - Parks and Recreation Grounds.
- 1.4** Table 1 indicates the open space provision standards that the Borough Council uses as the basis for justifying the quantity and access standards for open space, sport and recreation in each of the Borough's three main settlements.

Table 1. Open Space Provision per Additional Dwelling

Typology	Quantity Standard	Population*	No. Of Dwellings*	Provision per dwelling (sqm)
Oadby				
Outdoor Sports Space	1.0 ha / 1,000 ppl	23,849	7,948	30
Children and Young People's Space	0.30 ha / 1,000 ppl			9
Parks and Recreation Grounds	0.5 ha / 1,000 ppl			15
Wigston				
Outdoor Sports Space	1.0 ha / 1,000 ppl	24,831	10,135	25
Children and Young People's Space	0.30 ha / 1,000 ppl			7
Parks and Recreation Grounds	0.5 ha / 1,000 ppl			12
South Wigston				
Outdoor Sports Space	1.0 ha / 1,000 ppl	7,490	3,256	23
Children and Young People's Space	0.30 ha / 1,000 ppl			7
Parks and Recreation Grounds	0.5 ha / 1,000 ppl			12

* 2011 Census Data, Office of National Statistics (ONS)

- 1.5** Outdoor sports space includes seasonal and fixed sports spaces that are openly accessible to the public, including sports pitches for cricket, football and rugby. They also include fixed sports spaces such as tennis courts and bowling greens. Very often, these facilities are located within Parks and Recreation Grounds, and as such, many of the sports pitches are multi-functional. This means they can be used for sport one day, and for the rest of the week, the area can function as a space to walk and play.
- 1.6** Children and Young People's Space includes equipped children's space (for pre-teens); and, provision for teenagers. The latter comprises informal recreation opportunities for broadly 13-16/17 year olds. Facilities for this age group can include skateboard parks, basketball courts and 'free access' Multi Use Games Areas. In practical terms, there will always be blurred lines regarding younger children using equipment aimed at older children and vice-versa. Fields in Trust, formerly the National Playing Fields Association (NPFA) breaks Children and Young People's Playing Space down into three distinct categories:

- Local Areas for Play (LAPs)
- Local Equipped Areas for Play (LEAPs)
- Neighbourhood Equipped Areas for Play (NEAPs)

1.7 Parks and Recreation Grounds, as well as formal gardens, fall under this category of open space. They take on many forms and may embrace or incorporate a wide range of functions, including informal recreation and outdoor space; play space of many kinds (including for sport and children’s play); pathways and walkways; landscaped areas; areas of formal planting; areas for events; and, they may provide habitats for wildlife.

Thresholds for Planning Obligations in relation to Open Space, Sport and Recreation

1.8 Planning obligations sought to contribute towards the necessary on-site and off-site infrastructure and facilities to service developments commensurate to the scale and nature of a proposed scheme are necessary for the granting of planning consent. Contributions will be expected according to the following development thresholds in Table 2.

1.9 The Borough Council will seek planning obligations from all developments that deliver a net increase of three (3) or more dwellings².

Table 2. Thresholds for Open Space, Sport and Recreation Planning Obligations

Typology of Open Space	Development Size Threshold for seeking Planning Obligations
Outdoor Sports Space	<p>Developments of 3 to 100 qualifying dwellings:</p> <ul style="list-style-type: none"> • A financial contribution would normally be sought to contribute towards the provision of new or upgrading of existing facilities available locally as long as they have sufficient capacity and so long as a scheme is identified that conforms to the Community Infrastructure Levy Regulation 122(2) (2010) tests. <p>Development exceeding 100 qualifying dwellings:</p> <ul style="list-style-type: none"> • On-site provision of outdoor sports space will normally be required. The size of this should be commensurate to the number of dwellings being built. Tennis, Netball, Basketball courts and Bowling Green’s are all suitable options on smaller sites. • Where there is a demand for a particular facility that is

² This threshold is locally derived. This threshold may be subject to changes in the National Planning Practice Guidance that may or may not be re-instated relating to Paragraphs 012-023 of the guidance following a recent appeal decision by the High Court on an application made by West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2222 (31.07.15).

Typology of Open Space	Development Size Threshold for seeking Planning Obligations
	<p>too large for the land available, a financial contribution towards off-site provision will be acceptable, as long as land is available that conforms to the Community Infrastructure Levy Regulation 122(2) (2010) tests.</p> <ul style="list-style-type: none"> • A financial contribution towards outdoor sports space off-site may also be acceptable where it is not possible or desirable to make provision on site and as long as a scheme is identified that conforms to the Community Infrastructure Levy Regulation 122(2) (2010) tests.
<p>Children and Young People's Space</p>	<p>Developments of 3 to 25 qualifying dwellings:</p> <ul style="list-style-type: none"> • Given that the size of the site is likely to be less than 1 hectare and the high costs of maintaining small areas of open space, on-site provision will not normally be acceptable. As long as a scheme identified is in accordance with the Community Infrastructure Levy Regulation 122(2) (2010) tests, a financial contribution towards the provision of new, or an enhancement of existing areas of children and young people's space off-site will be sought. The financial contribution will be based on a per dwelling basis, as per the Council's formula. • In some locations however, it may still be necessary to provide small areas of amenity open space as part of the development, on-site. To ensure that the local authority are accepting of this approach, discussions regarding such with the Council should be agreed and incorporated into development proposals. <p>Developments of 26 to 50 qualifying dwellings:</p> <ul style="list-style-type: none"> • 1 LEAP will normally be required on site; or where on-site provision would not be appropriate (e.g. A high density scheme and / or a development that is well related to a town centre), a financial contribution towards the provision and maintenance of a new, or enhancement of an existing area of children and young people's space off-site will be sought. Any off-site contributions sought must be spent on a scheme identified in accordance with the Community Infrastructure Levy Regulation 122(2) (2010) tests. • The financial contribution will be on a per dwelling basis (as per the Council's formula); or, where some on site provision is appropriate, but space does not permit the provision of a full scale LEAP, the provision of an area of

Typology of Open Space	Development Size Threshold for seeking Planning Obligations
	<p>children and young people’s space will be required on-site, proportional to the scale of development. The remainder of the provision that cannot be accommodated on-site should be provided through a financial contribution towards the provision and maintenance of a new, or enhancement of an existing, off-site area of children and young people’s space. Any off-site contributions sought must be spent on a scheme identified in accordance with the Community Infrastructure Levy Regulation 122(2) (2010) tests.</p> <p>Developments of 51 to 100 qualifying dwellings:</p> <ul style="list-style-type: none"> • One NEAP will normally be required on-site; or, where on site provision would not be appropriate (e.g. a high density scheme and / or a development that is well related to a town centre), a financial contribution towards off-site provision and maintenance of a new, or enhancement of an existing, children and young people’s space will be sought. The financial contribution will be on a per dwelling basis and any off-site contributions sought must be spent on a scheme identified in accordance with the Community Infrastructure Levy Regulation 122(2) (2010) tests. Or, • Where some on-site provision is appropriate, but space does not permit the provision of a full scale NEAP, provision of children and young people’s space will be required on-site, proportional to the scale of the development. The remainder of the provision that cannot be accommodated on-site should be provided through a financial contribution towards the provision and maintenance of a new, or enhancement of an existing, children and young people’s space, off-site and in conformity with Community Infrastructure Levy Regulation 122(2) (2010). The financial contribution for this will be on a per dwelling basis. <p>Developments exceeding 100 qualifying dwellings:</p> <ul style="list-style-type: none"> • A range of children and young people’s space and open space will be required on-site. This will include at least one NEAP. The remainder of the provision should be made up of NEAPs, LEAPs and other forms of open space that can be used for play by children and teenagers. This could include off-site contributions to be spent on schemes in conformity with the Community Infrastructure Levy Regulations (2010) such as on the creation or enhancement of country parks and informal

Typology of Open Space	Development Size Threshold for seeking Planning Obligations
	<p>areas of open space that might contribute to the enhancement and protection of local biodiversity.</p> <p>Exemptions</p> <ul style="list-style-type: none"> Specialist institutions such as Residential Care Homes will be exempt from paying contributions towards Children and Young People’s Space. Negotiation of such exemptions will be accounted for as part of a Section 106 Agreement on a site-by-site basis.
<p>Parks and Recreation Grounds</p>	<p>For developments of 3 to 99 qualifying dwellings or when a development exceeding 100 qualifying dwellings does not have sufficient land to provide on-site provision, an off-site financial contribution in conformity with the Community Infrastructure Levy Regulations (2010) will be sought.</p> <p>Due to the size and nature of this form of open space provision, the Borough Council will only seek on-site provision for parks and recreation grounds from developments exceeding 100 qualifying dwellings. This need shall be determined on a site-by-site basis based upon local need.</p>

Landscaping and Design

- 1.10 Good landscaping and design of schemes to enhance open space, sport and recreation can significantly enhance the experience for those using and visiting such locations in the future. Well designed and maintained landscaping can also add long-term nature and biodiversity value to a scheme.
- 1.11 Therefore, it is essential that all schemes that are implemented are designed to incorporate a range of species that will provide interest throughout the year and planting schemes will need to be submitted to the Council for approval prior to the commencement of development.
- 1.12 In 2012, the Borough Council adopted a Public Realm Strategy and this should be referred to for all schemes that will require street furniture or permanent landscaping features as part of a wider scheme to improve open space, sport and recreation facilities in the Borough.

Play and Sporting Equipment

- 1.13 Appropriate play and sporting equipment should also be sourced by the developer and details submitted to the Borough Council for approval prior to development commencing. Any play equipment must comply with the relevant regulations current at the time of installation e.g. BS EN 1176 and BS EN 1177 and to provide an exciting, challenging but safe environment for the appropriate age group it is intended for. The Borough Council must agree the design and equipment which should be robust and easy to maintain. Signage, benches and bins included must be to the Borough

Council's appropriate corporate style and must have the Council's approval prior to commencing the development.

- 1.14 Upon completion of an open space, an independent post-installation inspection should be carried out by a registered play inspector and any defects remedied at the expense of the developer. Risk assessment for the play equipment will be required. The area will then be put onto a 12 month period of maintenance during which time the Borough Council would expect the developer to be responsible for all maintenance including inspection of play equipment, litter and graffiti removal etc. to an agreed standard.
- 1.15 As illustrated in table 3, the Borough Council will be guided by the Fields in Trust, formerly National Playing Fields Association (NPFA), standards for equipped play provision.

Table 3. Fields in Trust Standards for Equipped Play Provision

Equipped provision type	Age-group	Minimum size of activity area	Characteristics
Local Equipped Area of Play	Pre-Teens	400 m ² (0.04 ha)	5 types of play equipment, small games area, seating
Neighbourhood Equipped Area for Play	Older pre-teens and teens	1,000 m ² (0.1 ha)	8 types of play equipment, opportunities for ball games or wheeled activities, seating

Commuted Sums for Future Maintenance

- 1.16 All schemes that necessitate open space provision will require the developer to maintain the area or pay for the maintenance costs incurred by the scheme for the first 20 years. The contributions will be in the form of a commuted sum payment, which relates to the size and context of the site. In line with the Community Infrastructure Levy Regulation 122(2) (2010), the open space provision must fairly relate to the scale of development and specifically relate to the growth that each new development creates. In addition to that, a restriction of up to five planning obligations can be pooled to fund the development and maintenance of any single item of infrastructure (Community Infrastructure Levy Regulation 123 (3)). All developments should be carried out in conjunction with the Council's Grounds Maintenance Supervisor.
- 1.17 The frequency of operations is in line with current grounds maintenance schedules but may be adjusted according to each site, on a site-by-site basis.
- 1.18 **Appendix 1** provides an explanation of how the Borough Council's Open Space, Sport and Recreation planning obligation requirements will be calculated. Contributions sought are locally justified by accounting for population, quantity of open space required per new dwelling and the number of dwellings in each settlement.

1.19 Table 4 provides a summary of the contributions that will be sought per dwelling in each of the three settlements in the Borough (please note that the figures for Wigston will also apply to Kilby Bridge). The reduced figures for smaller properties apply a discount with regards to contributions sought towards Children and Young People’s Space.

Table 4. Planning Obligations Sought per Additional Dwelling

Settlement	Dwelling Size		
	3+ Bedrooms	2 Bedrooms	1 Bedroom
Oadby	£4,250.10	£2,557.65	£865.20
Wigston	£3,552.66	£2,236.31	£919.96
South Wigston	£3,296.02	£1,979.67	£663.32

APPENDIX 1

Unit Costs for Off-Site Financial Contributions

The following sections provide a detailed explanation of the calculations used to determine the level of planning obligations that will be sought by the Council (per addition dwelling) in the settlements of Oadby, Wigston and South Wigston. (All figures are in £'s unless otherwise stated):

- A – Outdoor Sports Space
- B – Children and Young People's Space
- C – Parks and Recreation Grounds Space
- D – Maintenance of Outdoor Sports Space
- E – Maintenance of Children and Young People's Space
- F – Maintenance of Parks and Recreation Grounds Space

A – Outdoor Sports Space Requirement – cost per hectare for establishment

1 football pitch including cultivation and grass surround (Senior Pitch: 106m x 70m = 7420m ²)	76,000
1 Multi Use Games Area (MUGA) (36.60m x 21.35m = 782m ²)	130,000
1 Supply and install youth shelter inc. hard standing	15,271
Supply and install Litter Bin x 3	1,170
Total per hectare	222,441
Cost per m²	22.24

B – Children and Young People's Space Requirement – establishment of 400m² play area (LEAP standard)

LEAP Standard 400m ² Play Space (including minimum of 5 items of play equipment, safety surfacing, grassed area and safety surfacing)	60,000
Dog proof fencing and gates 100lm	12,308
Supply and install Litter Bin x 1	390
Supply and install Dog Bin x 1	191
Supply and install (OWBC) Bench x1	750
Total for 400m²	73,639
Cost per m²	184.10

C – Parks and Recreation Grounds Space Requirement – establishment of 1 hectare

Hard surface/pathways 800, x 1.2m = 960 linear m	64,800
Establishment of grass 9,000m ²	8,101
Plant trees - 10 heavy standards	1,200
- 50 whips	85
Shrub planting 100m ²	1,555
Supply and install OWBC Benches x 3	2,250
Supply and install Litter Bin x 3	1,170

Supply and install Dog Bin x 1	191
Total per hectare	79,352
Cost per m2	7.94

D – Maintenance of Outdoor Sports Space Requirement – cost per hectare

Cutting of pitch and surround	480
Additional maintenance (e.g. Fertilizer, harrow etc)	720
Multi Use Games Area (MUGA)	600
Teenage shelter	300
Litter collection and emptying (3 bins)	420
Weekly litter picking	480
Sweeping of hard surfaces	300
Total per annum	3,300
Total over 20 years	66,000
Total over 20 years per m ²	6.60

E – Maintenance of Children and Young People’s Space Requirement – cost per 400m²

Grass cutting	600
Risk Assessment Annual	150
Quarterly Check	150
Weekly inspection of LEAP	720
Maintenance of equipment – 5 pieces at £300 each	1,500
Fence / bench / bin maintenance	180
Litter/Dog bin collection and emptying (2 bins)	300
Weekly litter picking	240
Total per annum (400m ²)	3,840
Total over 20 years (400m ²)	76,800
Total over 20 years per m ²	192.00

F – Maintenance of Parks and Recreation Grounds Space Requirement – cost per hectare

Hard surface cleaning	120
Grass cutting - 7,000 gang	330
- 2,000 pedestrian	1,920
Litter/Dog bin collection and emptying (4 bins)	570
Weekly litter picking	480
Sweeping of hard surfaces	300
Shrub bed maintenance	450
Bench / bin maintenance	150
Total per annum	4,320
Total over 20 years	86,400
Total over 20 years per m ²	8.64

Open Space Quantity per New Dwelling - Oadby

Open Space quantity per new dwelling is calculated using the following formulae:

$$((A \times B / 1000) / C) \times D$$

Where:

- A Quantity Standard (ha per 1,000 population)
- B Population of settlement
- C Total number of households in the settlement
- D Conversion from hectares to square metres (10,000)

1,000 is the constant population used when calculating the PPG17 Standard (per hectare) per population (as prescribed within the Borough's PPG17 Play, Open Space, Sport and Recreation Facilities Study 2014).

Outdoor Sports Space

Outdoor Sports Spaces require a provision of 1 hectare per 1000 population. Oadby has a total population of 23,849, with a total number of 7,948 dwellings.

$$((1 \times 23,849 / 1,000) / 7,948) \times 10,000$$

$$23.849 / 7,948 \times 10,000 = 30.01$$

= 30 square metres of Outdoor Sports Space requirement per dwelling in Oadby.

Children and Young People's Space

Children and Young People's Space requires a provision of 0.3 hectares per 1000 population. Oadby has a total population of 23,849, with a total number of 7,948 dwellings.

$$((0.3 \times 23,849 / 1,000) / 7,948) \times 10,000$$

$$7.155 / 7,948 \times 10,000 = 9.01$$

= 9 square metres of Children and Young People's Space requirement per dwelling.

Parks and Recreation Grounds

Parks and Recreation Grounds require a provision of 0.5 hectares per 1,000 population. Oadby has a total population of 23,849, with a total number of 7,948 dwellings.

$$((0.5 \times 23,849 / 1,000) / 7,948) \times 10,000$$

$$11.925 / 7,948 \times 10,000 = 15.01$$

= 15 square metres of Parks and Recreation Grounds requirement per dwelling.

Source: (Sources: ONS, 2011 Census)

The following equation indicates how financial contributions in lieu of open space are calculated in **Oadby**. If an amount of open space is provided on-site, this is discounted from the overall sum.

Developers will be required to meet the following:

- Each dwelling requires the equivalent provision of 30m² of Outdoor Sports Space.
- Each dwelling requires the equivalent provision of 9m² of Children and Young People's

Space.

- Each dwelling requires the equivalent provision of 15m² of Park and Recreation Ground Space.

The categories of financial contribution listed below (A-F) correspond with those indicated in the calculations above:

A Number of proposed dwellings x 30 (total square metre area of Outdoor Sports Space required per dwelling) x area cost per square metre = total Outdoor Sports Space contributions

B Number of proposed dwellings x 9 (area of Children and Young People's Space per dwelling) x area cost per square metre = total contribution towards Children and Young People's Space

C Number of proposed dwellings x 15 (area of Parks and Recreation Grounds Space per dwelling) x area cost per square metre = total contribution towards Parks and Recreation Grounds Space

D Number of proposed dwellings x 30 (total square metre area of Outdoor Sports Space required per dwelling) x 20 year maintenance cost per square metre = total maintenance of Outdoor Sports Space contributions

E Number of proposed dwellings x 9 (area of Children and Young People's Space per dwelling) x 20 year maintenance cost per square metre = total maintenance contributions for Children and Young People's Space

F Number of proposed dwellings x 15 (area of Parks and Recreation Grounds Space per dwelling) x 20 year maintenance cost per square metre = total maintenance contributions for unequipped Parks and Recreation Grounds Space

Using the Formula

$$A. 1 \times 30 \times 22.24 = 667.20$$

- B. $1 \times 9 \times 184.10 = 1,656.90$
- C. $1 \times 15 \times 7.94 = 119.10$
- D. $1 \times 30 \times 6.60 = 198.00$
- E. $1 \times 9 \times 192.00 = 1,728.00$
- F. $1 \times 15 \times 8.64 = 129.60$

For category B (Children and Young People’s Space) and category E (Maintenance of Children and Young Person’s Space), there will be discounts as follows:

- 1 Bed / Studio – 100% discount
- 2 Bed – 50% discount
- 3+ Bed – 0% discount

Oadby	100% Contribution (No Discount for B and E)	50% Contribution for B & E (50% Discount Incorporated)	0% Contribution for B & E (100% Discount Incorporated)
3+ Bed Dwelling	£3,384.90		
2 Bed Dwelling		£1,692.45	
1 Bed Dwelling			£0.00

Summary of Provision of Open Space by Settlement

Sufficient supply

Under supply

	Outdoor Sports Space	Children & Young People’s Space	Parks & Recreation Grounds
Oadby			

Surplus/Deficient Supply – settlement by settlement breakdown, PPG17 Study, 2014.

Open Space Typology	Contribution (£)
A – 100%	667.20
A – 0%	0.00
B – 100%	1,656.90
B – 50%	828.45
B – 0%	0.00
C – 100%	119.10
C – 0%	0.00
D – 100%	198.00
D – 0%	0.00
E – 100%	1,728.00
E – 50%	864.00
E – 0%	0.00
F – 100%	129.60
F – 0%	0.00
TOTAL	4,498.80
A+D	865.20
B+E	3,384.90
C+F	248.70

For 1
Oadby, the
be
as follows:

dwelling in
formula will
calculated

However, it should be noted that in the PPG17 Open Space, Sport and Recreational Facilities Study (2014), there is a sufficient supply of Parks and Recreation Grounds in Oadby, and therefore, C & F will be fully discounted for all calculations for development in that settlement, unless an under supply is highlighted in future reviews of the Council's PPG17 Study.

Therefore, the total financial contribution required per dwelling in Oadby is currently **A+D +B+E = £4,250.10** per 3+ bed dwelling in lieu of on-site open space provision (2015).

Please note that a discount would be applied to smaller dwellings for Children and Young People's Space. Therefore, the contribution per dwelling in Oadby will be:

Settlement	Dwelling Size		
	3+ Bedrooms	2 Bedrooms	1 Bedroom
Oadby	£4,250.10	£2,557.65	£865.20

Open Space Quantity per New Dwelling - Wigston

Open Space quantity per new dwelling is calculated using the following formulae:

$$((A \times B / 1000) / C) \times D$$

Where:

- A Quantity Standard (ha per 1,000 population)
- B Population of settlement
- C Total number of households in the settlement
- D Conversion from hectares to square metres (10,000)

1,000 is the constant population used when calculating the PPG17 Standard (per hectare) per population (as prescribed within the Borough's PPG17 Play, Open Space, Sport and Recreation Facilities Study 2014).

Outdoor Sports Space

Outdoor Sports Spaces require a provision of 1 hectare per 1000 population. Wigston has a total population of 24,831, with a total number of 10,135 dwellings.

$$((1 \times 24,831 / 1,000) / 10,135) \times 10,000$$

$$24.831 / 10,135 \times 10,000 = 24.50$$

= 25 square metres of Outdoor Sports Space requirement per dwelling in Wigston.

Children and Young People's Space

Children and Young People's Space requires a provision of 0.3 hectares per 1000 population. Wigston has a total population of 24,831, with a total number of 10,135 dwellings.

$$((0.3 \times 24,831 / 1,000) / 10,135) \times 10,000$$

$$7.449 / 10,135 \times 10,000 = 7.35$$

= 7 square metres of Children and Young People's Space requirement per dwelling.

Parks and Recreation Grounds

Parks and Recreation Grounds require a provision of 0.5 hectares per 1,000 population. Wigston has a total population of 24,831, with a total number of 10,135 dwellings.

$$((0.5 \times 24,831 / 1,000) / 10,135) \times 10,000$$

$$12.416 / 10,135 \times 10,000 = 12.25$$

= 12 square metres of Parks and Recreation Grounds requirement per dwelling.

Source: (Source: ONS, 2011 Census)

The following equation indicates how financial contributions in lieu of open space are calculated in **Wigston**. If an element of open space is provided on site, this is discounted from the overall sum.

Developers will be required to meet the following:

- Each dwelling requires the equivalent provision of 25m² of Outdoor Sports Space.
- Each dwelling requires the equivalent provision of 7m² of Children and Young People's Space.
- Each dwelling requires the equivalent provision of 12m² of Park and Recreation Ground Space.

The categories of financial contribution listed below (A-F) correspond with those indicated in the calculations above:

A Number of proposed dwellings x 25 (total square metre area of Outdoor Sports Space required per dwelling) x area cost per square metre = total Outdoor Sports Space contributions

B Number of proposed dwellings x 7 (area of Children and Young People's Space per dwelling) x area cost per square metre = total contribution towards Children and Young People's Space

C Number of proposed dwellings x 12 (area of Parks and Recreation Grounds Space per dwelling) x area cost per square metre = total contribution towards Parks and Recreation Grounds Space

D Number of proposed dwellings x 25 (total square metre area of Outdoor Sports Space required per dwelling) x 20 year maintenance cost per square metre = total maintenance of Outdoor Sports Space contributions

E Number of proposed dwellings x 7 (area of Children and Young People's Space per dwelling) x 20 year maintenance cost per square metre = total maintenance contributions for Children and Young People's Space

F Number of proposed dwellings x 12 (area of Parks and Recreation Grounds Space per dwelling) x 20 year maintenance cost per square metre = total maintenance contributions for unequipped Parks and Recreation Grounds Space

Using the Formula

- A. $1 \times 25 \times 22.24 = 556.00$
- B. $1 \times 7 \times 184.10 = 1,288.70$
- C. $1 \times 12 \times 7.94 = 95.28$
- D. $1 \times 25 \times 6.60 = 165.00$
- E. $1 \times 7 \times 192.00 = 1,344.00$
- F. $1 \times 12 \times 8.64 = 103.68$

For category B (Children and Young People's Space) and category E (Maintenance of Children and Young Person's Space), there will be discounts as follows:

- 1 Bed / Studio – 100% discount
- 2 Bed – 50% discount
- 3+ Bed – 0% discount

Wigston	100% Contribution (No Discount for B and E)	50% Contribution for B & E (50% Discount Incorporated)	0% Contribution for B & E (100% Discount Incorporated)
3+ Bed Dwelling	£2,632.70		
2 Bed Dwelling		£1,316.35	
1 Bed Dwelling			£0.00

Summary of Provision of Open Space by Settlement

Sufficient supply

Under supply

	Outdoor Sports Space	Children & Young People's Space	Parks & Recreation Grounds
Wigston			

Surplus/Deficient Supply – settlement by settlement breakdown, PPG17 Study, 2014.

For 1 dwelling in Wigston, the formula will be calculated as follows:

Open Space Typology	Contribution (£)
A – 100%	556.00
A – 0%	0.00
B – 100%	1,288.70
B – 50%	644.35
B – 0%	0.00
C – 100%	95.28
C – 0%	0.00
D – 100%	165.00
D – 0%	0.00
E – 100%	1,344.00
E – 50%	672.00
E – 0%	0.00
F – 100%	103.68
F – 0%	0.00
TOTAL	3,552.66
A+D	721.00
B+E	2,632.70
C+F	198.96

It should be noted that in the PPG17 Open Space, Sport and Recreational Facilities Study (2014), all typologies of the formula are deficient in supply. Therefore, there are no discounts applied to development in Wigston, unless a sufficient supply is highlighted in future reviews of the Council's PPG17 Study.

Therefore, the total financial contribution required per dwelling in Wigston is currently **A+B+C+D+E+F = £3,552.66** per 3+ bed dwelling in lieu of on-site open space provision (2015).

Please note that a discount would be applied to smaller dwellings for Children and Young People's Space. Therefore, the contribution per dwelling in Wigston will be:

Settlement	Dwelling Size		
	3+ Bedrooms	2 Bedrooms	1 Bedroom
Wigston	£3,552.66	£2,236.31	£919.96

Open Space Quantity per New Dwelling – South Wigston

Open Space quantity per new dwelling is calculated using the following formulae:

$$((A \times B / 1000) / C) \times D$$

Where:

- A Quantity Standard (ha per 1,000 population)
- B Population of settlement
- C Total number of households in the settlement
- D Conversion from hectares to square metres (10,000)

1,000 is the constant population used when calculating the PPG17 Standard (per hectare) per population (as prescribed within the Borough's PPG17 Play, Open Space, Sport and Recreation Facilities Study 2014).

Outdoor Sports Space

Outdoor Sports Spaces require a provision of 1 hectare per 1000 population. South Wigston has a total population of 7,490, with a total number of 3,256 dwellings.

$$((1 \times 7,490 / 1,000) / 3,256) \times 10,000$$

$$7.490 / 3,256 \times 10,000 = 23.01$$

= 23 square metres of Outdoor Sports Space requirement per dwelling in South Wigston.

Children and Young People's Space

Children and Young People's Space requires a provision of 0.3 hectares per 1000 population. South Wigston has a total population of 7,490 with a total number of 3,256 dwellings.

$$((0.3 \times 7,490 / 1,000) / 3,256) \times 10,000$$

$$2.247 / 3,256 \times 10,000 = 6.90$$

= 7 square metres of Children and Young People's Space requirement per dwelling.

Parks and Recreation Grounds

Parks and Recreation Grounds require a provision of 0.5 hectares per 1,000 population. Wigston has a total population of 7,490, with a total number of 3,256 dwellings.

$$((0.5 \times 7,490 / 1,000) / 3,256) \times 10,000$$

$$3.745 / 3,256 \times 10,000 = 11.50$$

= 12 square metres of Parks and Recreation Grounds requirement per dwelling.

Source: (Source: ONS, 2011 Census)

The following equation indicates how financial contributions in lieu of open space are calculated in **South Wigston**. If an element of open space is provided on site, this is discounted from the overall sum.

Developers will be required to meet the following:

- Each dwelling requires the equivalent provision of 23m² of Outdoor Sports Space.
- Each dwelling requires the equivalent provision of 7m² of Children and Young People's Space.
- Each dwelling requires the equivalent provision of 12m² of Park and Recreation Ground Space.

The categories of financial contribution listed below (A-F) correspond with those indicated in the calculations above:

A Number of proposed dwellings x 23 (total square metre area of Outdoor Sports Space required per dwelling) x area cost per square metre = total Outdoor Sports Space contributions

B Number of proposed dwellings x 7 (area of Children and Young People's Space per dwelling) x area cost per square metre = total contribution towards Children and Young People's Space

C Number of proposed dwellings x 12 (area of Parks and Recreation Grounds Space per dwelling) x area cost per square metre = total contribution towards Parks and Recreation Grounds Space

D Number of proposed dwellings x 23 (total square metre area of Outdoor Sports Space required per dwelling) x 20 year maintenance cost per square metre = total maintenance of Outdoor Sports Space contributions

E Number of proposed dwellings x 7 (area of Children and Young People's Space per dwelling) x 20 year maintenance cost per square metre = total maintenance contributions for Children and Young People's Space

F Number of proposed dwellings x 12 (area of Parks and Recreation Grounds Space per dwelling) x 20 year maintenance cost per square metre = total maintenance contributions for unequipped Parks and Recreation Grounds Space

Using the Formula

- A. $1 \times 23 \times 22.24 = 511.52$
- B. $1 \times 7 \times 184.10 = 1,288.70$
- C. $1 \times 12 \times 7.94 = 95.28$
- D. $1 \times 23 \times 6.60 = 151.80$
- E. $1 \times 7 \times 192.00 = 1,344.00$
- F. $1 \times 12 \times 8.64 = 103.68$

For category B (Children and Young People's Space) and category E (Maintenance of Children and Young Person's Space), there will be discounts as follows:

- 1 Bed / Studio – 100% discount
- 2 Bed – 50% discount
- 3+ Bed – 0% discount

South Wigston	100% Contribution (No Discount for B and E)	50% Contribution for B & E (50% Discount Incorporated)	0% Contribution for B & E (100% Discount Incorporated)
3+ Bed Dwelling	£2,632.70		
2 Bed Dwelling		£1,316.35	
1 Bed Dwelling			£0.00

Summary of Provision of Open Space by Settlement

Sufficient supply

Under supply

	Outdoor Sports Space	Children & Young People's Space	Parks & Recreation Grounds
South Wigston			

Surplus/Deficient Supply – settlement by settlement breakdown, PPG17 Study, 2014.

For 1 dwelling in South Wigston, the formula will be calculated as follows:

Open Space Typology	Contribution (£)
A – 100%	511.52
A – 0%	0.00
B – 100%	1,288.70
B – 50%	644.35
B – 0%	0.00
C – 100%	95.28
C – 0%	0.00
D – 100%	151.80
D – 0%	0.00
E – 100%	1,344.00
E – 50%	672.00
E – 0%	0.00
F – 100%	103.68
F – 0%	0.00
TOTAL	3,494.98
A+D	663.32
B+E	2,632.70
C+F	198.96

However, it should be noted that in the PPG17 Open Space, Sport and Recreational Facilities Study (2014), there is a sufficient supply of Parks and Recreation Grounds in South Wigston, and therefore, C & F will be fully discounted for all calculations for development in that settlement, unless an under supply is highlighted in future reviews of the Council’s PPG17 Study.

Therefore, the total financial contribution required per dwelling in South Wigston is currently **A+D+B+E = £3,296.02** per 3+ bed dwelling in lieu of on-site open space provision.

Please note that a discount would be applied to smaller dwellings for Children and Young People’s Space. Therefore, the contribution per dwelling in South Wigston will be:

Settlement	Dwelling Size		
	3+ Bedrooms	2 Bedrooms	1 Bedroom
South Wigston	£3,296.02	£1,979.67	£663.32