



Oadby and Wigston Borough Council

TO COUNCILLOR:

G S Atwal
L A Bentley
Miss A R Bond
G A Boulter (Chair)
J W Boyce

Mrs L M Broadley
F S Broadley (Vice-Chair)
D M Carter
Ms K M Chalk
Mrs L Eaton

Mrs S Z Haq
Dr T K Khong
K J Loydall
R H Thakor

Dear Councillor et al

I hereby summon you to attend a meeting of the **SERVICE DELIVERY COMMITTEE** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **TUESDAY, 17 JANUARY 2017** at **7.00 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
09 January 2017

Mark Hall
Chief Executive

AGENDA

PAGE NO'S

1. **Apologies for Absence**
2. **Appointment of Substitutes**
To appoint substitute Members in accordance with Rule 4 of Part 4 of the Constitution.
3. **Declarations of Interest**
Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.
4. **Minutes of the Previous Meeting held on 11 October 2016** 1 - 8
To read, confirm and sign the minutes of the previous meeting in accordance with Rule 17 of Part 4 of the Constitution.
5. **Action List Arising from the Meeting held on 11 October 2016** 9
6. **Petitions and Deputations**
To receive any Petitions and, or, Deputations in accordance with Rule 24 of Part 4 of the Constitution.
 - a) **Modernise the Hill Field Play-Area in Oadby Grange e-Petition** 10 - 13

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MINUTES OF A MEETING OF THE SERVICE DELIVERY COMMITTEE HELD AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON TUESDAY, 11 OCTOBER 2016 COMMENCING AT 7.00 PM

<u>IN ATTENDANCE:</u>		
Chair - Councillor G A Boulter Vice-Chair - Councillor F S Broadley		
COUNCILLORS (9):		
G S Atwal Miss A R Bond J W Boyce	Mrs L M Broadley D M Carter Mrs L Eaton	R E Fahey Mrs S Z Haq K J Loydall
OFFICERS IN ATTENDANCE (5):		
S J Ball Mrs A E Court	S Glazebrook Mrs A Lennox MBE	C Raymakers

Min Ref.	Narrative	Officer Resp.
17.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>An apology for absence was received from Councillors L A Bentley, Ms M K Chalk, Dr T K Khong and R H Thakor.</p>	
18.	<p><u>APPOINTMENT OF SUBSTITUTES</u></p> <p>Councillor R E Fahey substituted for Councillor R H Thakor.</p>	
19.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>None.</p>	
20.	<p><u>MINUTES OF THE PREVIOUS MEETING HELD ON 05 JULY 2016</u></p> <p>RESOLVED THAT:</p> <p>The minutes of the previous meeting of the Committee held on 05 July 2016 be taken as read, confirmed and signed.</p>	
21.	<p><u>ACTION LIST ARISING FROM THE MEETING HELD ON 05 JULY 2016</u></p> <p>The Interim Community Services Manager informed the Committee that:</p> <ul style="list-style-type: none"> (i) an update regarding terrace-house refurbishment grants featured in the report at agenda item 9 (at page 34) and that a separate report was to be brought to the next meeting of this Committee to be held on 17 January 2017; (ii) an update regarding fair rent regulations featured in the report at agenda item 9 (at page 33); (iii) discussions with Leicestershire County Council (LCC) regarding the distribution of Disabled Facility Grants (DFG's) were ongoing and that a report was to be brought to a subsequent meeting of this Committee once a resolution had been agreed; and (iv) no response had been received from the Ministry of Defence (MoD) 	

	<p>and, therefore, it was to be assumed that the MoD's has no interest in the short-term letting of its void properties on Namur Road, South Wigston.</p> <p>RESOLVED THAT:</p> <p>The Action List be noted by Members.</p>	
22.	<p><u>PETITIONS AND DEPUTATIONS</u></p> <p>None.</p>	
23.	<p><u>COMMITTEE BUDGET REVIEW (APRIL - AUGUST 2016)</u></p> <p>The Committee gave consideration to the report and appendices (at pages 14 - 17) as delivered and summarised by the Interim Finance and Accountancy Manager which should be read together with these minutes as a composite document.</p> <p>Councillor K J Loydall enquired as to whether there was any evidence to suggest additional financial hardship suffered by Borough residents as result of the 1% decrease in dwelling rents.</p> <p>The Interim Community Services Manager and Interim Finance and Accountancy Manager jointly-advised that no additional hardship had been found.</p> <p>Councillor J W Boyce expressed concern in respect of the worsening volatility of void properties and its impact upon overall deficit of the Housing Revenue Account (HRA).</p> <p>The Interim Community Services Manager advised that the impact referred to long-term void properties only which were due to be removed from the system for recording purposes. He noted that voids performance in respect of "day-to-day" property voids had improved since the introduction of measures at the start of the calendar year.</p> <p>Councillor J W Boyce moved the recommendation as set out at paragraph 2 of the report (at page 14).</p> <p>Councillor K J Loydall seconded the recommendation.</p> <p>RESOLVED THAT:</p> <p>The current position(s) be noted by Members.</p>	
24.	<p><u>PROPOSED SCALE OF FEES AND CHARGES 2017/18</u></p> <p>The Committee gave consideration to the report and appendices (at pages 18 – 30) as delivered and summarised by the Interim Finance and Accountancy Manager which should be read together with these minutes as a composite document.</p> <p>Councillor J W Boyce commended the sensibility of the Proposed Scale.</p> <p>The Chair moved the recommendation as set out at paragraph 2 of the report (at page 18).</p>	

	<p>Councillor K J Loydall seconded the recommendation.</p> <p>RESOLVED THAT:</p> <p>The Proposed Scale of Fees and Charges for 2017/18 be considered and recommended to the Policy, Finance and Development Committee.</p>	
<p>25.</p>	<p><u>COMMUNITY SERVICE UPDATE</u></p> <p>The Committee gave consideration to the report and appendices (at pages 31 - 43) as delivered and summarised by the Interim Community Services Manager which should be read together with these minutes as a composite document.</p> <p>The Interim Community Services Manager added that:</p> <ul style="list-style-type: none"> (i) The switchover of the call monitoring service to Charnwood Borough Council had been delayed due to issues regarding the reprogramming of equipment. It was said that switchover was scheduled to start on Monday 17 October and would take approximately 2-3 weeks to complete; (ii) Another private-sector empty property of concern was 37 Newton Lane, Wigston. It was said that a rate of 150% Council Tax was being paid on the property and that the owner had been written to, to ascertain his intentions as to the future of the property; (iii) Works to clear the asbestos from the incident at Kenilworth Drive, South Wigston were now complete and awaiting the final completion certificate from the contractor. The Council's Environmental Health Team was said to be shortly undertaking monitoring tests to the individual properties affected; and (iv) The final business case for the Lightbulb Project (LbP) had since been received and was currently being assessed. <p>Councillor Mrs L M Broadley enquired as to whether tenants at William Peardon Court, Wigston (a sheltered accommodation) were required to maintain a telephone phone line to access the warden call monitoring service. She further requested an update regarding the external works at Junction Road, Wigston.</p> <p>The Interim Community Services Manager advised that only tenants in dispersed properties required a phone line and that, although no tenants were known not to have a phone line, measures in respect of tenants who did not would be taken to ensure the installation and maintenance of the same.</p> <p>The Chair advised that the external works at Junction Road were out to tender.</p> <p>Councillor D M Cater enquired as to whether the notice periods in respect of the Notice duly served on the property known as 114 Uplands Road, Oadby had since expired.</p> <p>With reference to the four items served in the Notice as set out at paragraph 3.11 of the report (at page 34), the Interim Community Services Manager advised that items one, two and three had since expired and item four was due to expire imminently.</p>	

	<p>Councillor J W Boyce enquired as to:</p> <ul style="list-style-type: none"> (a) whether the boiler system at Chartwell House, Oadby had been repaired; (b) if the Council remained statutorily-responsible for delivering DFG's; (c) if the LbP business case had been assessed as being comprehensive and genuine as a robust service-delivery mechanism. <p>The Member further stated that the LbP could not be progressed until discussions with LCC regarding the distribution of DFG's were satisfactorily concluded.</p> <p>The Interim Community Services Manager advised that the boiler system had been repaired. He advised that North West Leicestershire District Council had sought legal advice upon the matter of the distribution of DFG's which concluded that LCC had acted illegally. The matter was reported to be the subject of a meeting due to be held between the Chief Executives of the Leicestershire Districts and Boroughs. It was said that no opinion had yet been formed on the LbP business case ahead of a meeting with the Interim Finance and Accountancy Manager to review the same.</p> <p>The Chair moved the recommendations <i>en bloc</i> set out at paragraphs 2.1 to 2.4 of the report (at page 31).</p> <p>Councillor K J Loydall seconded the recommendations.</p> <p>UNANIMOUSLY RESOLVED THAT:</p> <ul style="list-style-type: none"> (i) The contents of the report be noted by Members; (ii) The Homelessness Strategy be adopted; (iii) The Chair of the Committee write to the Minister of State for Housing and Planning requesting the re-introduction of a fair rent scheme for new tenancies in the private sector; and (iv) Officers be given authority to negotiate a new Lease in respect of the telecommunications equipment at Chartwell House, Oadby. 	
26.	<p><u>CORPORATE ENFORCEMENT UPDATE</u></p> <p>The Committee gave consideration to the report (at pages 44 - 45) as delivered and summarised by the Interim Community Services Manager which should be read together with these minutes as a composite document.</p> <p>The Interim Community Services Manager added that a separate and further report regarding taxi-licensing enforcement exercises was to be brought before the next meeting of the Licensing and Regulatory Committee to be held on 12 January 2017.</p> <p>Councillor Mrs S Z Haq enquired as to whether any regulatory enforcement action had been taken against the drivers of Leicester City Council licensed vehicles as identified at the enforcement exercise held on 30 September 2016.</p> <p>The Interim Community Services Manager stated that the requested information was not immediately available at the meeting but would be provided to the Member in due course.</p>	

	<p>Councillor J W Boyce enquired as to whether there had been an increase in fly-tipping incidents within the Borough as a result of the itemised-charging at Oadby Waste Site introduced by Leicestershire County Council from May 2016.</p> <p>The Director of Services and Interim Community Services Manager jointly-advised that no increase in fly-tipping incidents in the Borough had been noted.</p> <p>RESOLVED THAT:</p> <p>The contents of the report be noted by Members.</p>	
27.	<p><u>LEISURE SERVICES UPDATE</u></p> <p>The Committee gave consideration to the report and appendices (at pages 46 - 55) as delivered and summarised by the Interim Health and Leisure Manager which should be read together with these minutes as a composite document.</p> <p>The Interim Health and Leisure Manager added that the combination alone of the smaller areas of land identified would not adequately future-proof the provision of car-parking at Brocks Hill Country Park (BHCP) / Parklands Leisure Centre (PLC). Although it was acknowledged that the open space at Wigston Road, Oadby was not Members' preferred proposal for consideration, the inclusion of this area was said to be sufficient to address any future-proofing concerns. The Interim Health and Leisure Manager further cited the promotion of increased participation in fitness and exercise activities by Borough residents under the Health and Wellbeing Board's strategy.</p> <p>The Interim Health and Leisure Manager further announced that Oadby and Wigston had secured a 'Gold Award' in the 'Small City' category in the 2016 East Midlands in Bloom (EMiB) competition.</p> <p>In respect of increasing car-parking capacity, the Chair stated that the adoption of any given area(s) would require the necessary planning permission and was to be given detailed consideration at that latter stage. With reference to the land left of Washbrook Lane (area 4 of Appendix A) he advocated the use of grasscrete to maintain the visual amenity of green space leading upto BHCP and PLC.</p> <p>With reference to Appendix A (at page 55), Councillor J W Boyce commended the adoption of areas 2, 3 and 5 for car parking provision. The Member shared the concern that the adoption of these areas alone would not future-proof the site. Areas 1 and 4 were noted for their respective green and spatial amenity value to the site.</p> <p>Councillor D M Carter stated that a longer term strategy was required and expressed reservations in developing area 4 for the reasons aforementioned by Councillor J W Boyce. He further enquired as to why there was a substantial cost differential between the quotes received between areas 1 and 3 per car space provided.</p> <p>The Interim Health and Leisure Manager advised that all quotes obtained were approximate estimates: most notably, it was said that area 1 required</p>	

	<p>more extensive works to be completed due to drainage systems being in situ on the area identified.</p> <p>Councillor Mrs L M Broadley stated that the inclusion of the open space at Wigston Road, in conjunction with improved vehicular and pedestrian entrance/exit arrangements, would adequately future-proof the site.</p> <p>Councillor J W Boyce warned that the open space in question may form part of Oadby's green wedge and therefore potentially undevelopable. He requested that further advice had been sought from Planning Policy and Control as to the feasibility of developing the open space.</p> <p>Councillor D M Carter enquired as to whether any alternative and sustainable travel plans for service-users to and from the site had been considered.</p> <p>The Interim Health and Leisure Manager advised such plans (viz. walking, cycling, and public transport) were actively encouraged to challenge a predominate "car-culture" however presented problems to larger user-groups such as families.</p> <p>Councillor Mrs L M Broadley raised a concern as to the lengthy call-handling times by the Borough's leisure facilities contractor Sports and Leisure Management Ltd (SLM).</p> <p>The Interim Health and Leisure Manager advised that SLM had increasingly limited call-handling resources to manage ever-higher call volumes as a result of increased participation. It was said that SLM continued to seek improvements to call-handling capacity and procedures by the better use of back-off personnel, allocating unanswered calls to a call-back facility and encouraging service-users to use self-service facilities (viz. online account, mobile application) to complete many enquires.</p> <p>With reference to a recently well-attended event at BHCP, Councillor Miss A R Bond raised a concern as to the poor highway access arrangements on Wigston Road, Oadby (B582) impacting on local ward residents. The Member was advised to relay her concern to the Highway Authority at Leicestershire County Council.</p> <p>The Interim Health and Leisure Manager reported that the event in question was an isolated incident and generated an unpredictable level of traffic to and from the site.</p> <p>Councillor J W Boyce congratulated the securing of the EMIb award.</p> <p>UNANIMOUSLY RESOLVED THAT:</p> <p>(i) The progress in relation to Leisure Services be noted by Members; and (ii) Planning permission be sought for areas 2, 3 and 5 (as set out in Appendix A) as approved additional car-parking provision at Brocks Hill Country Park and Parklands Leisure Centre.</p>	<p>AL AT TB</p>
<p>28.</p>	<p><u>CUSTOMER SERVICE TRANSFORMATION UPDATE</u></p> <p>The Committee gave consideration to the report (at pages 56 - 57) as delivered and summarised by the Director of Services which should be read together with these minutes as a composite document.</p>	

	<p>The Director of Services added that 12 October 2016 marked the Bell Street, Wigston Customer Service Centre's (CSC) first year anniversary.</p> <p>Councillor J W Boyce noted the high quality of service provision, improved efficiencies and savings provided through the CSC and commended all those involved in realising the marked success of the past year. He reiterated that the CSC project served as an excellent example of the transformational progress that was to be achieved in the years ahead in other service-areas of the Council.</p> <p>RESOLVED THAT:</p> <p>The contents of the report be noted by Members.</p>	
29.	<p><u>FACILITIES SERVICES UPDATE</u></p> <p>The Committee gave consideration to the report (at pages 58 - 61) as delivered and summarised by the Director of Services which should be read together with these minutes as a composite document.</p> <p>The Director of Services advised Members to note that recommendation 2.2 and paragraph 5.4 of the report (at pages 58 and 60, respectively) were to read '<i>...a maximum of two per applicant...</i>' as opposed to '<i>...a maximum of two per family...</i>'.</p> <p>Councillor J W Boyce stated that the objective behind the proposed policy change to restrict the number of burial and cremation plots sought to address whether it was reasonable for applicants to purchase plots in bulk. The Member raised a concern as to restricting plots to two per applicant <i>vis-a-vis</i> address, opining that an alternative solution was needed and a long-term decision should be taken in consultation with residents first. He emphasised that all parts of the Borough ought to be treated fairly.</p> <p>Councillor D M Cater enquired as to whether the same policy pertaining to Oadby Cemetery could be extended to Wigston Cemetery. He stated that increasing the price of plots above the RPI (at 1.9%) may cause speculative buying of the plots.</p> <p>The Chair advised that the circumstances at Wigston Cemetery (in respect of burial capacity) were materially different to that at Oadby Cemetery and therefore the same policies could not be applied. He suggested that the recommendation be piloted and for the policy change to be subsequently reviewed by the Committee in 12 months.</p> <p>The Chair moved the recommendations <i>en bloc</i> set out at paragraphs 2.1 to 2.2 of the report (at page 58).</p> <p>Councillor J W Boyce seconded the recommendations.</p> <p>RESOLVED THAT:</p> <p>(i) The information within the report be noted by Members; and (ii) The number of grave spaces that can be purchased in advance at Wigston Cemetery be restricted to a maximum of two per applicant for both burial and cremation plots.</p>	MS

	Votes For	10	
	Votes Against	1	
	Abstentions	0	

THE MEETING CLOSED AT 8.52 pm



.....
CHAIR
.....

TUESDAY, 17 JANUARY 2017
.....

SERVICE DELIVERY COMMITTEE**ACTION LIST****ARISING FROM A MEETING HELD ON TUESDAY, 11 OCTOBER 2016**

Min Ref.	Title	Action To Be Taken	Officer	Target Date	On Target
8.	Leisure Services Update	To seek further advice from Planning Policy and Control as to the feasibility of developing the open space at Wigston Road, Oadby for additional car-parking provision at BHCP/PLC.	AL AT TB	Jan-17	Yes
10.	Facilities Services Update	To review the policy change restricting the number of burial/cremation plots for advance purchase to two per applicant in 12 months.	MS	Oct-17	Yes

PAY

REPORT

REQUEST

A TO Z

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ePetition details

Modernise the Hill Field Play-Area in Oadby Grange

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We the undersigned petition the council to modernise the existing Hill Field play-area, located on corner of Florence Wragg Way and Hill Field, Oadby.

This essential play-area is the only such area within a mile for several thousand Oadby Grange residents. This play area serves local residents and hasn't been updated for approximately 20 years.

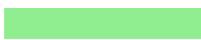
In particular, the replacement of outdated play equipment and the installation of rubber surfaces within the play-area is requested. The surfaces are currently grass.

Other suggestions include a larger play frame, a secure entry and a larger slide.

We cite the play areas in Evington near the General Hospital, Leicester as examples that have had significant investment.

This ePetition ran from 06/04/2016 to 02/11/2016 and has now finished.

Final results

Option	Count	Percentage
Agree	74	 100.0%
Disagree	0	0%

 ePetition results graph

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REPORT

REQUEST

A TO Z

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ePetition Responses

Modernise the Hill Field Play-Area in Oadby Grange

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ePetition responses

- Justyna Bielawska
- Hetal Doshi
- julie patel
- Jinyu Shan
- Ajay Behl
- R Kulkarni
- Ali Alghamdi
- lina varu
- Rashmi DeCosta
- Randeep Dhesi
- Imran Khan
- Kirandeep Gill
- Bhavin Thanki
- Amit Kanabar
- Adam Bielawski
- VASUDHA JEVEE
- Vimal Tailor
- J Gill
- Kirti Mittal
- Marta Polak
- Sadaf Saeed
- Fatima Osman
- Pratik Patel

- Samodh Decosta
- Radhika Ganesh
- Kalpa Patel
- MuhammadAyub Khan
- Hardeep Bagga
- Hardeep Mahal
- I Oraif
- Sukhvinder Virk
- Prashanthi Akkinepally
- Santokh Gangar
- Jonathan Angell
- Amit Champaneri
- Suzanna Dunkerton
- Jake Stanfield
- Emma Jackson
- Amita Champaneria
- Osama Ahmed
- Margaret Lam
- Sunny Lidhar
- sanjay mistry
- Nichelle Samani
- Kat Frater
- Dharmesh Patel
- Charlotte Holyoak
- Sara Weston
- Kandasamy BHARATHI
- Dheeraj Giri
- Darshana Rathod
- Naureen Abdulkhalid
- Pallavi Pokala
- Santhi Raguraman
- Thanthullu Vasu
- Arthi Lakshmanan
- Jagruti Kanabar
- Bhav Mehta
- Swati Tikare
- Kausar BHAYANI
- Bhandna Bagga

- Pam Rai
- P Obeja
- Atish Mehta
- Midhat Khan
- Rajesh Jobanputra
- Bhavit Raja
- Sanjay Mistry
- Rebecca Richardson
- Dhermini Patel
- Y Jia
- Jwellyn Machado
- Jaymini Mistry
- Preeya Kagdadia

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Agenda Item 7



**Service Delivery
Committee**

**Tuesday, 17 January
2017**

**Matter for Information
and Decision**

Title:

**Committee Revised Financial Position 2016/17
and Draft Budget 2017/18**

Author:

Martin Hone (Chief Finance Officer / Section 151 Officer)

1. Introduction

- 1.1 This report concentrates on the revised General Fund revenue budget for 2016/17 and the draft General Fund revenue budget for 2017/18 for this Committee.

Full details of the overall revised General fund revenue budget for 2016/17, the draft General Fund revenue budget for 2017/18 and the draft Capital Programme for 2017/18 will be reported at the Policy, Finance and Development Committee on 31 January 2017.

2. Recommendations

- 2.1 Consider the Committee revised General Fund revenue budget position for 2016/17 (section 4.1 of report).
- 2.2 Recommend to the Policy, Finance and Development Committee the Committee's draft General Fund Revenue budget for 2017/18 (section 4.2 of report).

3. Information

- 3.1 In February 2016 the Council set the Council Tax and the budget for the General Fund for 2016/17. In April 2016, the Council's forward forecast to 2017/18 was set out in the Medium Term Financial Strategy (MTFS) which was approved by the Policy, Finance and Development Committee
- 3.2 Further to this, the Policy, Finance and Development Committee approved the budget strategy for 2017/18 in September 2016. The strategy continued the approach adopted in previous years, where the base budget for the year in question is derived from the previous year's original budget less one-off growth items. The base budget was then further reduced by adjusting for items which had been consistently under spent in the previous three years. The MTFS highlighted the key issues that will impact on the 2017/18 budget:
- The current financial position of the Council including working balances and level of reserves
 - The local government financial settlement
 - The review and retention of the business rates pooling system
 - The review and revision of the Local Council Tax Support Scheme
 - The roll out of Universal Credit and other welfare reforms
 - Any changes to New Homes Bonus funding
 - The availability of capital resources and prudential indicators
 - The Housing Revenue Account and the impact of reductions in rent levels over the next four years

- Service transformation

3.3 The provisional settlement information for 2016/17 that has been released shows that the Council has seen a further reduction in Government funding.

	2016/17	2017/18	inc/(dec)
	£'000	£'000	£'000
SFA	2,129	1,801	(328)
New Homes Bonus	446	404	(42)
	<u>2,575</u>	<u>2,205</u>	<u>(370)</u>

3.4 It is clear from the current national economic position and consequential impact on local government resourcing that the Council needs to continue to reassess its costs, service provision, sources of income (including levels of Council Tax), and opportunities to deliver efficiencies. As central funding continues to decline the Council will increasingly need to take advantage of opportunities to increase resources that are primarily dependent on business and residential growth in the borough. However, recent announcements from Central Government regarding changes to the New Homes Bonus Scheme may make this approach more challenging in future years. A report will be presented to Council in February 2017 that updates the MTFS to reflect these changes.

4 Financial Position

4.1 Revised Budget 2016/17

For the current year of 2016/17 the Committee revised General Fund financial position shows a projected outturn position of £3,407,200 which gives a contribution to efficiency savings against the original budget of £185,900 or 5.2%.

Set out below is a table detailing how this saving has been achieved.

Original to Revised Budget 2016/17 Major Variances	Note	£'000	£'000
Additional Costs			
Transport Costs	1		20
Grants to Voluntary Organisations	2		32
Leisure Centre Consultancy Fees			5
			<u>57</u>
Reductions in Income			
Car Parking Income	3		21
Increases in Income			
Recycling Sales	4	(84)	
Brocks Hill Income		(7)	
			<u>(91)</u>
Savings			
Staffing		(125)	
Leisure Centre Management Fees		(29)	
Other Faith Burials		(5)	
Other Savings		(14)	
			<u>(173)</u>
Net Decrease in Budget for 2016/17			<u>(186)</u>

1) Transport costs have gone up this year due in part to the rise in petrol fuel prices

- and an increase in cost of running the workshop.
- 2) The savings targets built into the 2016/17 budget have not been attainable subsequent to the renewal of contracts with the Citizens Advice Bureau and Helping Hands.
 - 3) Car Parking Income has again declined along with the number of penalties for ticket avoidance and poor parking.
 - 4) This financial year has seen an upturn again in the market for recyclates and as a result income has performed very well against budget.

4.2 Budget for 2017/18

The draft committee budget for 2017/18 shows net expenditure for the year of £2,986,020 which is a net decrease against 2016/17 of £607,030.

The table below illustrates the main movements between the budgets for 2016/17 and 2017/18.

	Note	£'000	£'000
Additional Costs			
Grants to Voluntary Organisations			26
Homelessness Schemes	1		16
Increase in Central Costs			17
Other costs			32
			<u>91</u>
Reductions in Income			
Car Parking Income		21	
Pest Control Income		3	
			24
Increases in Income			
Recycling Sales		(84)	
Brocks Hill Income		(7)	
			(91)
Savings			
Staffing	2	(241)	
Transport	3	(54)	
Leisure Centre Management Fees	4	(328)	
Other Faith Burials		(8)	
			(631)
Net Increase in budget from 2016/17			<u>(607)</u>

- 1) This year see the introduction of new schemes to reduce homelessness.
- 2) Throughout 2016/17 staffing has been reviewed and efficiency savings sought. These savings are fully felt in 2017/18
- 3) Transport costs will reduce this year as new vehicles are purchased from capital rather than lease.
- 4) 2017/18 sees the first year that the management fee is reduced as repayments are made on the financing of the leisure complexes.

Background Documents:-

Working papers for the Budget Setting Process 2017/18

Email: Chris.raymakers@oadby-wigston.gov.uk

Tel: (0116) 257 2891

Implications	
Financial (CR)	Contained in the report
Legal (AC)	No Significant Implications
Risk (CR)	CR9: Economy CR1: Decreasing Financial Resources
Equalities (CR)	No significant implications
	Equality Assessment:-
	<input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

Agenda Item 8



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information and Decision
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Title: **Housing Finance Update**

Author: **Martin Hone (Chief Finance Officer / Section 151 Officer)**

1. Introduction

1.1 This report provides information relating to increases in rent and other Housing Revenue Account charges for 2017/18 together with any further developments in Government legislation.

2. Recommendations

2.1 That Members should note the report and recommend to Policy Finance and Development Committee the new levels of rent and service charges described in sections 4 and 5 below.

3. Information

3.1 The Council is about to enter the fifth year of the financial regime which the government introduced in 2013/14 which was intended to give Authorities more control over their housing stock and its associated finances.

3.2 However, since 2013 the government has made a number of changes to the framework which impacts directly on this authorities finances. These changes announced in July 2015 have been diluted slightly in recent months but the main thrust of them remains the same.

- 1) Rents on dwellings will once again be reduced by 1% for 2017/18
- 2) The High Value Voids Levy is still to come in but not until 2018/19
- 3) Pay to Stay has been abandoned but Council's will be required to move toward fixed term tenancies in the future thus ending the idea that you had a council house for life. A separate report regarding fixed term tenancies is included on this agenda.

4 Rent Levels 2017/18

4.1 As stated rent levels will decrease for 2017/18. Currently a 1% decrease in all households rent will move the average rent for a property from £77.86 to £77.08 which equates to a drop in annual rental income of around £50,000. It is important to remember that this is a year on year decrease which will continue for this and a further two years.

4.2 The range covered by the new rent levels are listed below.

	Weekly Rent 2016/17	Weekly Rent 2017/18	Decrease per week	Change	Property Type
	£	£	£	%	
Highest Rent	97.10	96.13	0.97	1%	3 Bedroom House
Lowest Rent	57.91	57.33	0.58	1%	Bedsit
Average Rent	77.86	77.08	0.78	1%	

5 Service Charges and Garage Rents

- 5.1 Non dwelling rents are not subject to the rent reduction described in part 4 of this report and as a result it is recommended that they are increased by RPI in line other Council charging policies.

6 Capital Programme

- 6.1 The Council will continue to bring its stock up to the Decent Homes Standard. At present it is expected that the 2016/17 capital programme will be largely completed in year. Due to the changes in government legislation and in particularly the Void Sales Levy there is pressure and doubt on the Council's ability to fund large programmes. There does not appear to be any relaxation on the upper limit of borrowing the Council is currently allowed and as a result for 2017/18 it is recommended that the programme should be able to be financed solely from the Council's in year Major Repairs Allowance which will be around £1.24million

Background Documents:-

None.

Email: chris.raymakers@oadby-wigston.gov.uk

Tel: (0116) 257 2891

Implications	
Financial (CR)	As set out in the report.
Legal (AC)	No significant implications
Risk (CR)	CR9: Economy CR1: Decreasing Financial Resources
Equalities (CR)	No significant implications.
	Equality Assessment:- <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

Agenda Item 9



**Service Delivery
Committee**

**Tuesday, 17 January
2017**

**Matter for Information
and Decision**

Title: Community Services Update

Author: Stephen Glazebrook (Interim Community Services Manager)

1. Introduction

1.1 This report is to provide an update to the Service Delivery Committee regarding the delivery of landlord services and related community activities.

2. Recommendations

- 2.1 Members are asked to note the contents of the report.
- 2.2 That a Compulsory Purchase Order in respect of 114 Uplands Road Oadby be pursued.
- 2.3 To approve the tendering of the proposed new Cleaning Contract.

3. Information

3.1 Current Tenant Arrears

The target is to reduce the gross arrears to 2.5% of the annual rent debit by the end of the current financial year. The table below shows the performance from September through to December.

September 2016	October 2016	November 2016	December 2016
£163,840	£153,551	£144,713	£131,614
3.29%	3.08%	2.90%	2.64%

The current arrears figure is on profile to meet the target despite the expected seasonal increase in the lead up to Christmas. It is confidently expected that we will meet and exceed the end of year target of 2.5%.

Arrears are being affected by the increase in Universal Credit cases which stood at 7 cases by the end of 2016. In all cases direct payments have been requested, however there is a built in minimum 6 week delay for payments.

The introduction of Universal Credit is likely to have an increasingly adverse impact on arrears and a brief summary of the implications is given in paragraph 3.2 below.

3.2

Universal Credit

Universal Credit is a major part of the Governments Welfare Reform Programme. It aims to simplify the system, get more people into work and save money. Universal Credit will ultimately replace other working age benefits (Jobseekers Allowance, Tax Credits, Employment and Support Allowance, Income Support and Housing Benefit) with one single claim.

Universal Credit will be paid as a single monthly payment in arrears to a single, nominated household account. A key aspect of Universal Credit is that it should mimic work and receipt of a salary.

Alternative Payment Arrangements (APAs) are available for claimants who cannot manage the standard Universal Credit payment. There are three types of APA available:

- Direct payment of the housing cost element to landlords (known as managed payments)
- Splitting of payment between members of a couple
- More frequent payment of benefit

Universal Credit for new claims for single claimants was rolled out in Oadby and Wigston from 25 January 2016. To date around 20 claims have been made.

Universal Credit for all claimant types will start in Oadby and Wigston from March 2018; after the rollout process has completed for new claims, the DWP will then begin moving all remaining existing benefit claimants to the full Universal Credit service.

This is expected to be completed by 2022 according to the DWP timetable.

Pensioner claims for Housing Benefit will not be part of the Universal Credit programme and will remain the responsibility of the Local Authority along with some working age claims that are currently not part of the migration plan.

Likely impacts – resulting in rising rent arrears *(there is some evidence of this from landlords whose tenants have already moved onto UC)*

- Tenants already having difficulty with money management before going on to UC and/or using UC to pay off other debts rather than their rent making rent collection more difficult and increasing rent arrears
- Delays in DWP processing UC applications; UC payments not being made on time and/or correctly

Support for residents

Claimants in receipt of UC with housing costs for rent are eligible to apply for a Discretionary Housing Payment. These are short term awards and are awarded based on a comparison of a claimant's income and outgoings. The claimant is usually required to demonstrate that they are taking some action to remedy their situation i.e. moving into work, seeking debt advice, moving to a cheaper property.

The DHP fund is cash limited

As more claimants in the borough migrate to Universal Credit this is likely to increase the demand for support with debt management

(Continued overleaf)

3.3 Former Tenant Arrears

The target for 2016/17 is to reduce former tenant arrears to 1.5% as a percentage of Annual Rent Debit – as agreed by this committee in July 2016.

Former tenant arrears as percentage of Annual Rent Debit				
August	September	October	November	December
£123,597	£123,319	£127,763	£128,966	£130,193
2.5%	2.49%	2.58%	2.61%	2.63%

The agreement has been signed with Medina the Council's selected collection agency and the first batch of cases has been prepared and despatched to the company to take appropriate action.

Cases that are deemed to be irrecoverable will be submitted for write off.

3.4 Gas Safety

99.8% compliance was achieved as of the end of December 2016. This reflects two properties where the safety check and service fell due during December 2016 but were not completed as we were unable to get access despite extensive efforts to arrange this over a number of weeks leading up to the due date. At the time of writing, letters warning of court action have been sent and Housing Officers are making further attempts to gain access. A verbal update on the position will be given at the meeting.

3.5 Void Performance

Empty Council Properties - excluding properties requiring major works		
Date	Number of normal voids	Average working days
Q3 2015/16	33	42
Q4 2015/16	18	23
Q1 2016/17	25	23
Q2 2016/17	22	20
Q3 2016/17	31	27

The target for voids requiring a normal amount of re-let works for 2016/17 was set at 20 working days.

Performance for Q3 has been skewed by 2 hard to let sheltered properties which has distorted the overall void turnaround time.

A concerted effort to let a further 3 hard to let flats in Oadby is now underway involving writing to around 180 housing applicants and arranging group viewing sessions after the first bidding cycle of 2017.

However overall, voids performance has continued to improve notwithstanding the difficulties in letting certain types of property as described above.

3.6 Disabled Facilities Grants (DFG's)

Members are reminded of the government's decision to increase funding for Disabled Facilities Grants for Leicestershire by £1.7 million for 2016-17 and the Leicestershire County Council decision to initially and arbitrarily assign this increased funding to the Better Care Fund to meet an unexpected shortfall elsewhere in the budget.

We have made further representations regarding this issue at a County wide level but have been informed that none of the Districts will receive the additional funding for 2016/17. None of the other Districts are prepared to pursue the matter further and in light of that it is felt that we have little option other than to reluctantly accept the decision.

However it has been confirmed that Districts will receive the full amount allocated by the Government for 2017/18.

3.7 Warden Call Monitoring and Housing Related Support

The transfer of the warden call monitoring to Charnwood Borough Council has now been completed and the arrangement with Service 24 has been terminated.

The warden call monitoring arrangement provides reassurance at nil cost to individual tenants with the cost being borne by the Housing Revenue Account. Tenants in dispersed properties will need to maintain a telephone landline in order to access this service.

3.8 Chartwell House – Expiry of Lease for Rooftop Telecommunications Site

Specialist agents have now been appointed to negotiate a new lease on behalf of the Council. We have been advised that it is not unusual for these negotiations to take six months or more. However, rent has continued to be paid and this will continue during negotiations.

The telecoms company have indicated they are likely to meet the reasonable costs of our agents. Independent specialist legal advice will also be obtained once we receive draft terms of the lease.

Early indications from our agent are that there appears to be outdated and potentially redundant equipment on the site and that we should seek to negotiate its removal. This would reduce the visual impact of the site and may go some way to addressing members and residents concerns.

The telecoms company have indicated they wish to negotiate installing a back-up generator on site as they are now responsible for communications in the event of civil emergencies. If this were to be agreed we would need to ensure it would have minimal impact on residents with limits on when it could be used / tested etc.

3.9 Empty Homes - Private Sector

114 Uplands Road Oadby

Members will recall that a Section 125 Notice was served on the owner of the property in July 2016 requiring a number of improvements be carried out.

There has been no response to the order and extensive efforts have been made by staff to establish contact with the owner but to no avail. A letter was therefore sent to the owner on 29 December 2016 advising that it is the Council's intention to impose a forced sale.

Subject to agreement by this committee a Compulsory Purchase Order report will now be submitted to the next meeting of the Policy Finance and Development Committee for approval.

3.10 Update on Capital Programme

Details of the capital programme are attached at Appendix 1 of this report.

Some of the key highlights of the programme are as follows.

Boulter Crescent: The works to Boulter Crescent is now complete and an end of contract report is included as a separate agenda item.

Chartwell House: Phase 1 of the concrete repairs and external painting contract has been completed and the remaining blocks will be started in the next financial year.

Junction Road, Maromme Square and Burgess Street: Reduction of screen walls and amendments to play area.

Following consultation with residents details of the proposed scheme were sent out for further comment. As the ground outside the walled areas slopes away quite steeply, whilst being level inside, it is not possible to simply reduce the walls to ground level as this would result in dangerous drops in level.

The proposal is therefore to reduce the wall height and put railings on top. There were only a small number of responses but a common theme was that the suggested design would encourage climbing as too much of the wall was to be retained. The design has therefore been changed so that the wall is removed completely except where it retains higher ground and everything above ground level will be railings.

Suitable contractors have been identified and tenders went out week commencing 3 January 2017 seeking to commence work on site as soon as possible to ensure works are completed within the current financial year.

External Wall Insulation to 152 solid wall properties. This contract is progressing well with excellent customer feedback. As well as improving thermal efficiency it has also transformed the external appearance of the properties.

The projected spend of the planned works for 2016/17 including carry over from previous year is £4.6 million.

3.11 **The Lightbulb Project**

Further to the Committee's decision on 5 July 2016 to approve in principle joining the Lightbulb Project, discussions are currently ongoing with the Lightbulb Finance Team regarding queries on the Business Plan and a further report will be submitted to the next meeting of this committee for further consideration.

3.12 **Borough Wide Cleaning Contract.**

The cleaning of Council buildings and the communal areas of its housing stock is a mixture of direct labour and external contractors. Many of the arrangements are ad hoc or a temporary nature which should ideally be consolidated into a single long term contract.

Due to the monetary value a contract for the cleaning of all Council owned buildings has been advertised through the Official Journal of the European Union (OJEU). Initial expressions of interest were received on 2 January 2017 and a shortlist of suitable companies is being compiled who may be invited to tender for the work.

A detailed specification of works for each building has been prepared and effective monitoring of the contract would be incorporated into the new arrangements to

ensure that the contract is delivered to a high standard and in accordance with the specification.

Members are asked to approve the tendering of a borough wide cleaning contract and to note that the feasibility of an in house bid is also being considered.

3.13 **Corporate Enforcement**

Asbestos Case - Marstown Avenue

Clearance of the site was organised by the Site Owner in regular dialogue with the Environmental Health Officer (EHO) leading on this case. This negated the need for formal action by the EH Team by virtue of the service of any statutory notices. The owner engaged the services of Aspect Solutions Limited to undertake the work as identified in the survey conducted by ICE Asbestos in July 2016.

The site clearance took place during week commencing 26th September 2016 under close supervision of the lead EHO. Since then we have been seeking a suitable site status report that confirms the site has been cleared to an acceptable level based on scientific analysis. This has not been forthcoming to date. Similarly we are also awaiting a site status report from Public Health England (PHE) so as to advise the residents on how they can use their outdoor garden areas following the clearance. Both pieces of information are actively being pursued by the EHTeam.

Residents were provided with a written update on Thursday 22nd December 2016 and will be advised of the feedback from the owner (or his contractors) and PHE once the relevant information has been provided.

The Lead officer has also helpfully provided a statement at the request of colleagues in the Health and Safety Executive who are taking their own formal action against the owner for breaches under the Control of Asbestos Regulations 2012.

Dog Fouling

Over the last three months the main focus of activity has been the provision of advice and proactively stencilling and placing additional signage where necessary across the Borough. Regular monitoring is still being done in the parks and open spaces across the Borough and in the Horsewell Lane area in particular.

There were 25 dog related cases initiated in this time. Over half were connected with advice, stencilling and signage. Five cases related to reports of dangerous dogs which were jointly responded to with the Police and progressed in line with the Anti-Social Behaviour, Crime and Policing Act 2014.

Pest Control

52 initial requests in respect of pest complaints in domestic settings were received in the period 30 September - 31 December 2016.

Pest Type	Numbers
Rats	31
Mice	15
Cockroaches	0
Squirrels	3
Fleas	3
Birds	0

TOTAL	52
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A report regarding the future of the Pest Control Service will be submitted to the next meeting of this committee.

Fly-Tipping

We received 18 reports of fly tipping which were investigated and progressed within the stipulated response times. In addition to this the Borough is regularly monitored for any nuisances in line with the requirements of the Environmental Protection Act 1990, section 79(1).

Three statutory notices were served:

Legislation	Type	Served on
Anti Social Behaviour Crime and Policing Act 2014 s.43-58	CPW	28/09/16
Anti Social Behaviour Crime and Policing Act 2014 s.43-58	CPW	19/10/16
Environmental Protection Act 1990 s.88 (as amended)*	FPN	14/11/16

CPW – Community Protection Warning

FPN – Fixed Penalty Notice

*Amended by The Clean Neighbourhoods and Environment Act 2005, section 19

Another two cases are being considered for the administration of a Formal Caution and advice and guidance is being sought from the legal team at North West Leicestershire DC.

Abandoned Vehicles

There have been 32 reports received of abandoned vehicles, all of which were investigated and progressed. In several cases, the reported vehicle did not meet the criteria for an abandoned vehicle so no formal action could be taken. In all such cases, the complainant was advised of the outcome of our investigation.

Background Documents:-

Appendix 1 – Capital Programme

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Implications	
Financial (CR)	Efficient housing void and debt management is essential to keeping income streams in this service on target.
Legal (AC)	CR 5 Effective utilisation of Assets/Buildings – Tackling the issue of empty homes in the Borough and the relevant enforcement action. .
Risk (SG)	CR1 Decreasing Financial Resources - The level of arrears and void turnaround times will affect both the Council's income streams and its net current assets position on its balance sheet. Both these areas need intensive management. Progress on the capital programme. CR4 Reputation Damage – . .
Equalities (SG)	No significant implications.
	Equality Assessment:- <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

Appendix 1

2016/17 Capital Programme Projects (including roll over projects from previous year)			
Scheme	Number of Homes	Description	Procurement Method & Update
Schemes on site or tendered <ul style="list-style-type: none"> • Boulter Crescent – whole home • King Street - external works • Queen Street– whole home • Queen St – external wall insulation • Kings Dr Gibson Close - Kitchens 	<p>30</p> <p>8</p> <p>3</p> <p>13</p> <p>26</p>	Whole home approach <ul style="list-style-type: none"> • Balance of 2 year contract for 143 homes • Retaining walls and landscape, affects 8 flats • Balance of contract for 13 homes • Now included in main EWI contract • Contract commences 14th March (All now in defects period)	Tendered by Ridge Consultants <ul style="list-style-type: none"> • Completed • Completed • Completed • Completed • Completed
Kitchens and Bathrooms <ul style="list-style-type: none"> • Kenilworth Dr – Kitchens /Bathrooms • William Peardon Ct – Bathrooms • Kings Dr Gibson Close – Bathroom only • Malham Way – Both • Countesthorpe Rd – Both • Bassett Street – Kitchens /Bathrooms (Significant access issues at Kenilworth Dr)	<p>4/5</p> <p>30</p> <p>19</p> <p>25</p> <p>3</p> <p>4/5</p>	To deliver balance of original ten year programme <ul style="list-style-type: none"> • Design and work schedules prepared in house • 25 low access showers, 5 replacement bathrooms • Low access showers to be fitted in most cases • Consultants have completed tender documents • Design and work schedules prepared in house • Design and work schedules prepared in house (All to be completed by 31.03 unless indicated later)	To be tendered using consultants <ul style="list-style-type: none"> • Tender return January • Contract let – works in progress • Deferred to 2017/18 • Tender in January, start March • Tender return January • Tender return January
Previously Refused Decent Homes Work	<p>15 to 20</p> <p>(estimate)</p>	At relet or by subsequent request of same tenant Examples: electrical upgrades or rewiring; DPC and re-plastering; heating upgrades, kitchens and bathrooms	By quotation, Schedule of Rates or priced against SOR book. <ul style="list-style-type: none"> • Progressing as estimated
Boiler Replacement Programme	<p>100</p>	End of life replacement/upgrade	Priced item in Gas Service

Appendix 1

		In two batches of fifty – traditional heat only boilers (typically 15 – 18 years old) with hot water cylinders. To be replaced with combi boilers and new controls. System upgrades will be added where radiators are in poor condition, need resizing or are badly silted up.	Contract Schedule of Rates awarded via NHC procurement framework. <ul style="list-style-type: none"> • First phase linked into External Wall Insulation work • Plus responsive replacements
Communal Heating Replacement Phase 1 – William Peardon Court	36	There are a number of possible options, replacement of commercial size boilers, complete replacement of communal heating system, provision of individual heating systems to each flat.	Consultants appointed to help identify best solution and tender. <ul style="list-style-type: none"> • Works now scheduled for spring / summer 2017
Replacement of Door Entry Systems	All door entry controlled blocks	Current systems becoming obsolete as spare parts and replacement fobs no longer available.	Unable to identify pre tendered framework or specialist consultant. Now working on in house procurement solution.
Chartwell House Concrete Repairs	41	Concrete repairs and repainting have now been completed. New paint was found to be peeling due to water getting behind steel edge covers. These have been sealed and will be monitored.	Tendered by new in house surveyor <ul style="list-style-type: none"> • Contract let, started 12.09.16 • 6 week contract • Now completed – see notes
Brabazon Road Concrete Repairs	Shops and leasehold maisonettes	Survey and make safe completed (Cost of works per leaseholder potentially high – terms of individual leases currently being checked to ensure correct legal processes followed)	To be tendered following receipt of indicative cost. <ul style="list-style-type: none"> • Leaseholder consultation and timescales yet to be agreed
External Doors	Phases of 50	Replacement of failed composite doors (original contractor went out of business)	Assessment of pre – tendered frameworks completed <ul style="list-style-type: none"> • Contract for 100 doors to be let and fitted by 31.03.17
External Insulation to Solid Wall Homes	152	Contract administrator, QS + H&S advisor appointed. Contract let & on site, to be completed by 31.03.17. Phase 1 – Oadby Phase 2 – Wigston	Tendered by consultants <ul style="list-style-type: none"> • 44 homes completed as at 23.12 • Planning applications submitted

Appendix 1

		Phase 3 – Sth. Wigston (planning permission needed)	
External Works - Junction Road, Maromme Square, Burgess Street	Estate Works	Reduce height of screen walls & replace with railings; improve play area and other estate works. All in consultation with residents.	Scheme modified following tenant feedback. <ul style="list-style-type: none"> • Quotes – January • Works – Feb / March
Fire Safety Upgrade Marriott House	27	<ul style="list-style-type: none"> • Improvements to roof space compartments • Detailed work to fire doors and closers in common areas 	To be tendered using consultants <ul style="list-style-type: none"> • Fire risk assessments completed • Immediate issues addressed • Deferred to 2017/18
Fire Safety Upgrade Junction, Maromme, Burgess	54	<ul style="list-style-type: none"> • Replacement of flat doors • Upgrading and new finishes to common areas 	To be tendered using consultants <ul style="list-style-type: none"> • Fire risk assessments completed • Deferred to 2017/18
Disabled Adaptations	30	Assuming a similar number of referrals to 2015/16. Delivery process commences as soon as referrals are received.	Quotation / Tender <ul style="list-style-type: none"> • Budget has been significantly overspent due to increased number of referrals
Car Hardstanding	15	Waiting list reviewed and updated. Phase 1 and 2 (plus 2 at relet) Phase 3 and 4 (5) New applications (2)	Quoted in four phases <ul style="list-style-type: none"> • Completed (10) • To be completed in Quarter 4 • 2017/18 bid
William Peardon Court CCTV	36	Upgrade security / CCTV	Quoted <ul style="list-style-type: none"> • Completed
Garages and Bungalow Porch Recesses (Cyclical not capital – but for information)	TBC	Re start of painting programme	Quotation <ul style="list-style-type: none"> • Surveys currently taking place • To be completed spring 2017
Elizabeth Court – Bin Stores	Common area works	Bin area conversion and refurbishment including running underground electrical supplies from main buildings for lighting	Quoted <ul style="list-style-type: none"> • Design completed • Quotes accepted

Appendix 1

			<ul style="list-style-type: none">• To be completed by March 2017
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Agenda Item 10



**Service Delivery
Committee**

**Tuesday, 17 January
2017**

Matter for Decision

Title: Proposed Works at Elizabeth Court, Wigston

Author: Stephen Glazebrook (Interim Community Services Manager)

1. Introduction

- 1.1 Elizabeth Court is a Council owned block of flats in Wigston town centre which has suffered from dampness and condensation problems over a prolonged period of time.
- 1.2 An inspection survey was recently carried out to identify the problems and recommend remedial solutions. A copy of the report is attached at Appendix 1.

2. Recommendations

- 2.1 It is recommended that the remedial solutions as outlined in Option 2 of the report be approved subject to carrying out a more detailed and in depth technical survey.
- 2.2 In addition it is also recommended that the existing windows be replaced which would be financed by bringing forward expenditure from future provision contained in the 30 year business plan.
- 2.3 That the cost of the works to be partly or wholly funded through the under spend on the External Wall Contract and the works to be procured by a variation to the existing EWI contract.

3. Information

- 3.1 Elizabeth Court is a general needs block of flats, constructed circa 1970 consisting of 80 units built over 2 and 3 storeys.
- 3.2 The building is a mixture of masonry cavity walls, with hung tile solid walls to window panels and solid wall decorative end elevation infill's.
- 3.3 Over 30 % of the flats have experienced issues with dampness, mould growth and condensation and we recently had to move one of the tenant's out due to health issues aggravated by the problems.
- 3.4 A sample survey was carried out in 5 flats which have been suffering with dampness issues together with an invasive investigation into the structure of the building.
- 3.5 The inspection report revealed that there are a number of failed fabric elements and poor ventilation issues which are having a significant impact on the thermal performance of the building. In order to fully address all of the issues it is proposed to carry out a full building survey to ascertain a comprehensive assessment of the all defects and to finalise the remedial solutions.
- 3.6 In summary the defects comprise of the following:
 - Faulty Cavity Wall Insulation
 - Cold bridging and mould growth

- Heat loss due to missing and poorly laid loft insulation
- Lack of adequate ventilation
- Poor condition of double glazing
- Heat loss due to partial solid wall construction
- High energy bills leading to fuel poverty
- Health risks due to excessive airborne moisture content.

- 3.7 A range of measures are recommended to address the issues listed above which include the following:
- Extraction of the failed cavity wall insulation and refilling with high performance thermal beads
 - Removal of debris and obstructions in the cavities
 - Partial External Wall insulation to solid wall areas
 - Improved ventilation
 - New loft insulation
 - New replacement double glazing
- 3.8 It is estimated that the cost of the works as shown in option 2 of the report will cost in the region of £290,000 plus professional fees of 2.5% which can be wholly or partly funded from savings in the current external wall contract. ECO (Energy Companies Obligation) funding of around £20,000 is likely to be available which will be used to offset the costs.
- 3.9 The existing windows are the older style double glazing which were installed some 12-15 years ago. They suffer from poor or failing seals with cracked frames and a lack of trickle vents to assist with ventilation. It would be advisable to replace the windows at the same time as the other recommended actions as it would reduce site set up costs, scaffolding etc. It is also felt that by not replacing the windows at the same time as the other work may prejudice the effectiveness of the other remedial solutions. It is estimated that the cost of replacing the windows is around £270,000 plus overhead and profit which would be separately tendered in order to achieve the best price and value for money.

Background Documents:-

See Appendix 1

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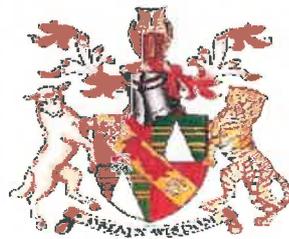
Tel: (0116) 257 2674

Implications	
Financial (CR)	CR1 Decreasing Financial Resources - Taking action now it will prolong the life expectancy of the building.
Legal (AC)	CR5 Effective utilisation of assets/buildings - There are 5 leaseholders who would be expected to contribute to the cost of the works and it will be necessary to serve Section 20 Notices in order that the Council can recover their share of the costs.
Risk (SG)	CR4 Reputational Damage - Failing to address the issues could lead to legal action by residents who are affected by the dampness and mould growth and also damage the Council's reputation.
Equalities (SG)	No significant implications.
	Equality Assessment:- <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable



LOW CARBON EXCHANGE

External Walls, Ventilation Inspection Report & Recommendations for Oadby Wigston Borough Council



*Oadby and Wigston
Borough Council*

Date: 14th December 2016



Property Address, Elizabeth Court, Wigston, Leicestershire, LE18 2AE

Property Details: Property Type: General Needs, 80 Individual Flats with communal areas spread across 4 No. 2 storey and 3 storey blocks

Construction Type: Masonry Cavity Walls (70%) With hung tile solid wall infill's to window panels (30%) and solid wall decorative end elevation infill's

Construction Year: Circa 1970

Inspection Report: Inspection of all external walls and all internal walls of a selected number of ground floor properties.

Date of Inspection 24th November 2016

Elevation Photos:

Front:



End Elevation:



Rear:



Executive Summary:

We have been instructed by Oadby Wigston Borough Council (OWBC) to undertake some investigations into condensation and mould growth problems within 4No. Ground Floor (GF) flat areas (No.s 3, 9, 25 & 43) & a 2nd floor flat No.17, within the four Elizabeth Court blocks.

These flats were initially selected as having the potential to be most problematic, given tenant complaints and evidence of mould growth within the flats. In addition the client had highlighted some other potential cold bridging issues at ceiling corners, which were investigated.

Upon closer inspection of these flats and other building areas, we found a number of problematic/failed fabric and poor ventilation items, which are making significant contributions to the poor thermal performance of the building and increased humidity levels, giving rise to mould growth and likely higher than average energy bills for these tenants.

We have summarised below the status of each of the building elements, likely to be having an impact on the poor thermal performance of the building and make recommendations with budget costs for OWBC's consideration to address these problems.

A wider building technical survey, is recommended to both habited and communal areas, to firm up potential specification solutions and costs.

Construction & Property Overview:

Construction Type: Brick Cavity (70%) With Solid Wall Hung Tile & Tile Infill's (30%) to end gables and beneath windows - causing cold bridging issues

Pointing & Brickwork Condition: Good

Heating: Gas Central Heating Worcester Bosch Gas Condensing Boilers – older style

Glazing: Older type double glazing with poor seals, 12mm glazing gap, and badly damaged frames and transoms, windows also poor quality, accelerating mould growth (see window section)

CWI Insulation: Mineral Wool, sparsely populated, extensive voids within cavity, presence of debris/obstructions - insulation failed leading to cold spots, damp/mould growth

Loft Spaces: No insulation in some properties and communal areas, poorly laid in others causing cold bridging spots at eaves

Ventilation: Single axial humidistat controlled fans, no presence of cavity sleeves in some flats, not cleaned or maintained, filters blocked, noisy and often switched off by tenants - leading to severe condensation and mould growth:

Humidity: Very high leading to severe condensation & mould growth

Heat Loss: High, due to failed insulation and un-insulated window and solid wall void infills

Energy Bills: Likely to be high or at risk of heating not being used by vulnerable tenants exacerbating problems

Health Risks: There may be an increased risk with excessive airborne moisture content

Visual Inspection of External Walls (Flats 1-24 3 Storey Block):

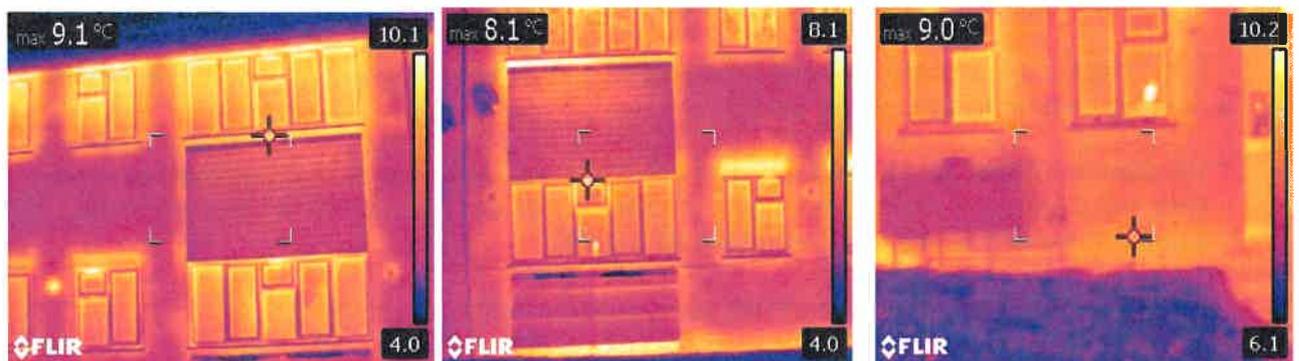
On visual inspection, the external walls are in good condition and show no signs of frost damage (spalling). The mortar between the external brickwork was found to be in a fairly healthy condition with 70% of walls of 80mm cavity construction and 30% hung tile solid wall construction, both of which have issues contributing to poor thermal performance of the overall building.



The remainder blocks (25-32, 2 storey block and 33-56 & 57-80 3 storey blocks) were all found to be in similar condition, having been constructed at the same time.

Hung Tile Solid Wall Infill's:

Upon inspection we found the hung tile areas, beneath window voids to be of solid block construction with no cavity. The thermal images below show the amount of heat loss from these areas, contributing to the poor thermal performance of the building. This combined with other building elements is giving rise to high humidity, excessive condensation and accelerated mould growth within the properties.



Ground Floor DPC:

DPC appeared to be in good condition, with no GF obstructions above the DPC level

Roof Verges:

Would benefit from closer inspection, initial inspection looked sound.

Cavity Wall Inspections Utilising Internal Borescope's:

We carried out an internal inspection of the cavity walls to assess the condition of the cavity wall insulation (CWI). The property has been insulated using a fibre insulation system (white mineral wool fibre), possibly installed late 80's early 90's, there are no CIGA guarantees.

We drilled a number of Borescope inspection holes at different heights around the property, it was clear to see that the CWI was sparse with very low density and voids were being created leading to cold spots on internal walls.

In addition there is evidence to suggest that remedial actions may have been undertaken to reduce damp and mould with the attempt to introduce airbricks. This has led to some debris sitting on top of the failed insulation, causing obstructions and preventing the cavity from doing its intended job, allowing moisture to penetrate internal brickwork above skirting levels.

There is evidence of this from the range of borescope and internal pictures below



Debris within cavity causing obstruction



Voids within cavity causing cold spots



Voids within cavity



Debris within cavity



Airbricks installed

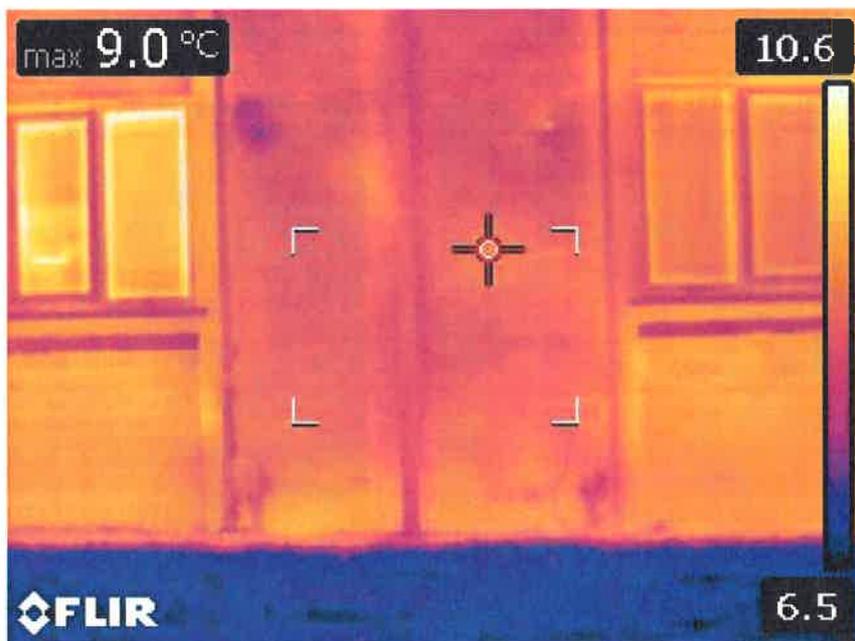


Moisture penetration of internal wall

Overall External Wall Observations:

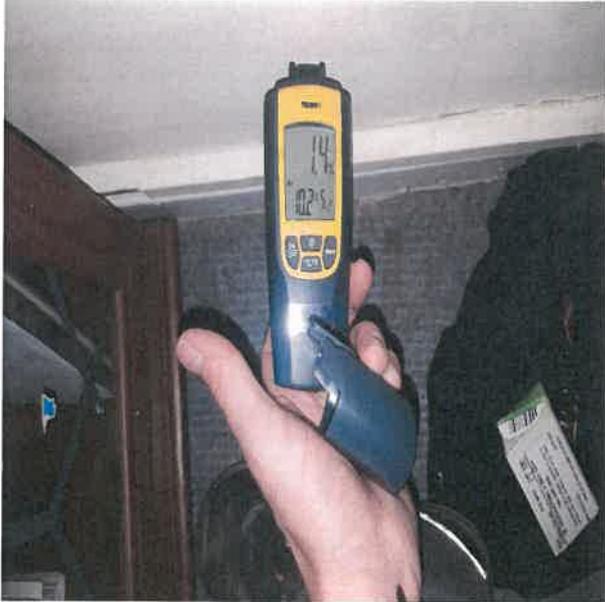
The construction of the fabric is unusual, in that the cavity wall is interspersed with a vertical band of solid wall strips, above and below the windows. The solid wall element makes up 30% of the overall building, the result of which is you have two completely different thermal efficient product types within the external wall elements, neither of which are currently effective.

The following thermal image highlights the heat loss at the junctions of cavity meeting solid wall and window reveals:



Cold Spots, Internal Condensation & Mould Growth:

The low density of the fibre insulation within the cavity, causes voids and cold spots within the building structure, damp patches on the inside walls (external) and low thermal performance of the building, encouraging mould growth on internal walls, particularly at the elevation junctions.



High moisture content of internal walls



High Humidity Readings



Accelerated mould growth high moisture



Excessive condensation on cold spots

Accepted wall moisture levels 0.4 - 0.6% and humidity 40-60%

Ventilation:

The ventilation within all properties visited, was found to be in a poor state of repair and inadequate for the existing building performance. The fans were old type axial fans, poorly sited, poorly serviced and maintained with cavity sleeves missing. Fan blades were blocked, fans were very noisy and energy inefficient and in some cases it would appear that tenants had turned them off, exacerbating the building condensation and mould growth problems.



Poorly sited, poorly maintained



inadequate ventilation for building

The condition of the ventilation equipment within these buildings is insufficient to cater with the existing building performance and is adding to the problem of high humidity, increased/excessive condensation, encouraging mould growth within the living and habitable areas.

The fans we witnessed were full of dust, lint and general long-term airborne pollutants, suggesting a complete lack of maintenance and even lack of use, which would have forced most of this outside. In one flat, the owner had recently had a shower and was using all of the ventilation methods available to her, the moisture readings were very high and would suggest that the current methods are inadequate and would benefit from a re-design.

We also observed the lack of drying areas for the tenants and the use of tumble drying equipment, inadequately ventilated to an outside wall, increasing the humidity levels and adding to the already poor living conditions. This needs to be addressed as part of the final building solution.

Existing Windows:

The existing windows are estimated to have been installed between 12-15 years ago, they are the older style double glazing, with 12mm glazing profile, poor or failing seals, cracked frames with the odd window sealed casement replaced in the larger units.

The cavity construction had a brick return at the windows, which are not thermally broken and leading mould problems at the window returns. The drop in temperature from the heated wall area to the window is causing high moisture content at the brick returns, rather than within the window zone, which is designed to accommodate the moisture build up (either by having surfaces that do not allow the water to be absorbed, or by having a purpose designed drainage systems).

The windows appeared to be of poor quality, with only a few having trickle vents, if it is within the clients budget, it would be advisable to replace these windows at the same time as the other recommended actions, to reduce costs on prelims such as scaffold and improve the overall thermal efficiency of the building and reduce future condensation and mould issues.

You could potentially re-site the windows closer to the outside, to help reduce the area of cold bridging, but given their condition it is likely that they would break up and this may prove counter productive.



Loft Insulation:

We managed to gain access to some of the loft areas above flats and within the communal areas. The communal areas were empty (no insulation) and we were able to observe poorly fitted insulation in 2 of the top floor flats, leading to cold bridging at the roof eaves, the following photographs depict the findings:



Summary of Main Building Fabric Issues

1. Two different thermal efficient product types within the external wall elements, neither of which are currently effective.
2. Poor and inadequate Insulation
3. Poor ventilation inadequately serviced and maintained
4. Poorly installed glazing and energy inefficient
5. Poor building design
6. Numerous cold bridging points accelerating mould growth
7. Lack of drying areas or facilities for tenants

Consequences of Building Issues:

1. High humidity
2. Severe condensation & mould growth
3. High energy bills
4. Increased potential for health hazards
5. Potential reduced life expectancy of building

Main Recommended Remedial Actions:

The building would benefit from a full extraction of the failed CWI and new External Wall Insulation (EWI) of all buildings, to provide the most thermally efficient solution and accommodate the other failed elements. However this is likely to be a very costly item and may be beyond the range of clients existing budgets, we have however indicated this as a separate budgetary cost.

As an alternative, the inclusion of solid wall insulation to the existing solid wall infill areas will make a big difference to the control of moisture movement within the structures and should aid in the issues with mould growth around the windows. These areas immediately above and below the worst affected windows currently have no insulation.

This will improve the overall thermal performance of the building and in addition, the removal of the hung tiles, replaced with a proprietary insulated panel, will reduce the future cyclical maintenance and repair costs. Planning details will need to be considered.

We would recommend that the existing old fibre insulation be extracted utilising an accredited extraction process, LCX are accredited to Stroma Cavity Clearance Scheme (CCS). This should be allowed to dry out during spring/summer months and then re-filled with a high quality bonded bead solution.

Remove any other loose debris from cavities likely to cause obstructions, providing an extract audit report. Replace the existing CWI with high performance bonded beads (Thermabead Carbon Saver) recommended.

Having checked with CIGA we are satisfied that there are no guarantees in place for the existing CWI and therefore LCX would be in a position to claim the carbon saving value on behalf of the client for any insulation improvement works, value to be confirmed.

Re-design and improve the ventilation with either Positive Input Ventilation (PIV) or Mechanical Ventilation Heat Recovery (MVHR)

Remove existing loft insulation where installed, re-install loft insulation to all roof void areas

Although maybe not practical for the client budgets, replacement of the windows would reduce the risk for future mould and condensation problems within these buildings. OWBC should at least review when the windows are due for replacement to consider duplication of future scaffold and preliminary costs.

In summary & Budgetary Costs Option 1:

<i>EWI to entire building budget sum</i>	£ 875,000 + VAT
<i>Extract the failed CWI insulation and remove debris budget sum</i>	£ 36,000 + VAT
<i>New ventilation systems and replace fans budget sum</i>	£ 94,000 + VAT
<i>Install and re-instate loft insulation*</i>	£ 21,500 + VAT

Option 1 Total Budget Sum:

In summary & Budgetary Costs Option 2:

<i>EWI infills to hung tile window areas all buildings budget sum</i>	£ 121,000 + VAT
<i>Extract the failed CWI insulation and remove debris budget sum</i>	£ 36,000 + VAT
<i>New CWI bonded bead</i>	£ 21,250 + VAT
<i>New PIV ventilation system and replace fans budget sum</i>	£ 92,000 + VAT
<i>Install and re-instate loft insulation*</i>	£ 21,500 + VAT
Option 2 Total Budget Sum:	£ 291,750 + VAT

It should be noted that both these options currently exclude works associated with the replacement windows. Replacing the older windows would significantly improve the overall thermal effectiveness of the building.

Option 1 would be the most thermally efficient method to deal with the failed building elements, improve the heat loss and overall thermal efficiency of the building.

Option 2 provides a suitable alternative solution to option 1, but may still give rise to some building heat loss, which will require the client to support a behavioural change and education process for the tenants.

All the above costs are budgetary and would be subject to further site surveys and formal discussions with the client. Items with an asterisk * are likely to attract carbon saving funding, which will offset some of the capital costs, value to be confirmed following detailed surveys.

Should you require further information about the inspection report please feel free to contact me.

Mark Reed (Business Manager)

Mark Reed

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Agenda Item 11



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information
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Title: **Contract Completion Report – Boulter Crescent, Wigston**

Author: **Stephen Glazebrook (Interim Community Services Manager)**

1. Introduction

This report is to provide members with the contract completion report for the whole home refurbishment programme at Boulter Crescent.

2. Recommendations

Members are asked to note the contents of this report.

3. Information

- 3.1. The project report from the consultants overseeing this project dated 16th December 2016 is attached as an appendix to this report.
- 3.2. This is self explanatory but some additional commentary has been provided below for your information.
- 3.3. This was a two year contract that had been due to end 25th April 2016 but was extended to 13 September 2016.
- 3.4. This did not result in penalties for the contractor or additional cost for the Council as the primary causes for delay were ambitious original targets to turn around each phase and the complexity of decanting block by block.
- 3.5. The project was overspent by £149,695.29 or 3.5%, however, £73,739.70 related to remodelling and refurbishment of the community flat which had not been included in the original contract sum. The net overspend was 1.8%.
- 3.6. The cost of works to the community flat were much higher than the residential properties as this included:
 - Structural alterations to a main supporting wall of the block
 - A commercial kitchen installation
 - Additional canopies to the front of the building
 - External ramp to comply with DDA
 - Automatic entrance doors
 - Internal security shutters
 - Fire and security alarms
 - Other features and fixtures relevant to a public building
- 3.7. This marks the end of a milestone project for the Council which has achieved high levels of customer satisfaction in the process of completely modernising

what were very tired homes, many of which suffered severe condensation and mould growth problems.

- 3.8. The appearance of the blocks has been improved by reducing floor to ceiling windows, adding new canopies and cladding. Inside a newly refurbished flat the impression is of being in a new building. Internal wall insulation has been installed along with whole home ventilation systems which have greatly improved comfort and running costs for customers as well as protecting the fabric of the building well into the future.

Background Documents:-

Project Report dated 16 December 2016

Email: Stephen.glazebrook@oadby-wigston.gov.uk

Tel: (0116) 257 2674

Implications	
Financial (CR)	As set out in the report.
Legal (AC)	No significant implications.
Risk (SG)	No significant implications.
Equalities (SG)	No significant implications.
	Equality Assessment:- <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

PROJECT REPORT



PROJECT: Refurbishment of Residential Accommodation

LOCATION: Boulter Crescent, Wigston, Leicester

DATE: 16th December 2016

CONTENTS

1. INTRODUCTION

2. CONTRACTOR DETAILS

3. PROJECT DURATION

4. PROJECT COSTS

5. ISSUES

6. HEALTH & SAFETY ISSUES

7. BUILDING CONTROL

8. COMMUNITY CENTRE FLAT 66

9. SATISFACTION SURVEY

10. CONCLUSIONS

1. INTRODUCTION

- 1.1** This report is provided as a summary of the works at the completion of a major scheme initiated by Oadby & Wigston Borough Council.
- 1.2** Site Address:
Flats numbered 1 to 142 Boulter Crescent
Wigston
Leicester
LE18 3WY
- 1.3** Not all of the flats were included in the scheme as a small number have owner/occupier status. In total, 126 flats have been improved under the main contract, plus the Community flat. Prior to this main contract, a small number of 'trial flats' were improved. Following this, certain modifications were made to the specification and implemented in the main works.

2. CONTRACTOR DETAILS

- 2.1** Oliveti Construction are the Main Contractor for this project. Since commencement of the works, Oliveti have relocated from Countesthorpe to Meridian Business Park in Leicester.
- 2.2** Their current address is:
Stonecroft House
Ervington Court
Meridian Business Park
Leicester LE19 1WL
- 2.2** The Main Contractor has employed a large number of sub-contractors and suppliers in order to carry out all the various trades required to achieve the objective. This was to fully modernising 29 blocks of 1, 2 and 3 bedroomed flats.

3. PROJECT DURATION

- 3.1** Oliveti established their site facilities on the original garage site at the western end of Boulter Crescent in the spring of 2014. Works were carried out on either a single or double block at a time depending on the ability to decant the residents to alternative accommodation.
- 3.2** The work enjoyed a continual flow from start to finish without any major disruption. Works commenced in April 2014 and were finally completed in September 2016. This amounted to an over-run of the contract period by about 6 months.
- 3.3** Contract 'completion' was set out in the contract document for the 25th April 2016. With delays occurring due to the relocation of tenants, the work extended beyond the due date and a formal 'Extension of Time' notice was

provided to Oliveti, extending the completion date to the 13th September 2016.

4. PROJECT COSTS

- 4.1** The contract figure was agreed and formalised at **£4,149, 846-55p**.
- 4.2** After a lengthy assessment of the final account details, the overall cost of the project has produced a figure of **£4, 299, 541-84p**. This result means the project overspend is **£149,695-29p**. This represents an overspend of 3.5% on the original contract figure.
- 4.3** An analysis of the project costs shows that savings on minor specification alterations and provisional sums were out-weighed by the extra works certified. The overspend includes a significant amount allocated to the Community Flat, number 66, as well as improved insulation and other items added to each flat, e.g. a tumble dryer, curtain battens and emergency cut-off valves.
- 4.4** Within the variations, extra removals and cleaning make up a significant cost. External work to fencing and the reconstruction of the steps to the blocks containing flats 135 to 142 have added to the additional expenditure.

5. ISSUES

- 5.1** Continual assessment of the work being carried out has been made by Oadby & Wigston Borough Council and Ridge (Contractor Administrator). Any matters arising from the inspections were immediately brought to the attention of the site manager or project administrator representing Oliveti Construction.
- 5.2** On completion of each flat 'snagging' visits were made so that rectification measures could be carried out prior to the tenant returning to the flat. Following the 12 month 'defects' period, another inspection has been made and relevant items listed and confirmed to Oliveti.
- 5.3** Due to the phasing of the completions, the 'End of Defects' inspections are on-going and will terminate in September 2017.
- 5.4** Oliveti are continuing to carry out 'making good' works and still have considerable work to do. One major item is the replacement of the lighting elements in a large number of the communal areas. 'D' filaments have been installed instead of LED lights as specified. Further works to door thresholds, decorations and mastic filling to frames have also been highlighted.

6. HEALTH AND SAFETY ISSUES

- 6.1** During the course of the works no serious incidents or major health concerns were recorded. The entire works have been completed without incident.

7. BUILDING CONTROL

- 7.1** Applications were submitted to Oadby & Wigston Borough Council on a regular basis for the alteration works to each block of flats. The method used was the Building Notice system and this included a separate application for the Community Centre.

8. COMMUNITY CENTRE - FLAT 66

- 8.1** Flat 66 was converted to the Community Centre with plans produced by Ridge and the works separately priced by Oliveti. The figure was added to the main contract works with a total expenditure of **£73,739-70p**.
- 8.2** The works consisted of the formation of a catering kitchen facility, meeting room, office, disabled toilet and general function room. To this was added a large external canopy and access path. The external glazing was also protected with internal shutters.
- 8.3** The outcome of this facility has proved successful and is in continual use during the week.

9. SATISFACTION SURVEY

- 9.1** Oliveti Construction have undertaken a limited survey to date, asking the returning tenants for their views on the improvement works. A survey sheet with 10 questions and scored from 1 to 5 to which the tenant was asked to circle was supplied
- 9.2** The first six phases of the project, comprising 17 blocks of flats with a total of 65 returning tenants, were provided with survey sheets. Of these only 17 were returned which represents a 26% sample. Further survey sheets will be delivered to the remaining 12 blocks in order to try and achieve a higher sample percentage and a more representative conclusion to the merits of the project.
- 9.3** Results from the limited returns, have provided an overall score between 3.9 and 4.7 to each question. This indicates general satisfaction of the contractor and the work undertaken as 5 is the top score for each question.

10. CONCLUSIONS

- 10.1** The quality of the residential units has been greatly improved with reconfiguration of the internal Space. There are new kitchens and bathrooms and a full replacement of the services installations. The interior has been redecorated and floor finishes applied throughout.
- 10.2** Upgrading the insulation of each dwelling has shown an improvement in the energy rating of the structure but will reduce the energy costs to the tenant from the pre-improved situation.

- 10.3** The average spend on each flat varies between **20** to **32** thousand pounds depending on the floor area.
- 10.4** All the communal entrances have been upgraded with new balustrading to the staircases, double glazed windows, lighting and redecoration. The timber doors to the rear storage cupboards have been replaced with composite doors and frames as a long term replacement in order to reduce maintenance costs. The internal part glazed timber doors have not been replaced.
- 10.5** Subject to attaining completion of all outstanding 'snagging' works the whole scheme will have been successful in achieving the required result. The dwellings and access areas have been upgraded to meet new standards and facilities to which Oadby & Wigston Borough Council subscribe to.

Agenda Item 12



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information and Decision
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Title: Fixed-Term Tenancies

Author: Steve Nash (Housing Services Manager)

1. Introduction

- 1.1 To update Members on the latest proposals and implementation of Fixed-Term Tenancy provisions in the Housing and Planning Act 2016.

2. Recommendations

- 2.1 Members are asked to note the latest position in terms of Fixed Term Tenancies
- 2.2 Members are invited to agree the maximum 10 year term for all lettings affected by the changes.

3. Information

- 3.1 The Housing and Planning Act 2016 contains provisions on the mandatory granting of fixed term secure tenancies.

It had been hoped to bring a full report to Members following the publication of the required regulations which had been promised for winter 2016. At the time of writing the government had not published the regulations.

Whilst the commencement regulations have not yet been published a decision must be made in advance to define the Council's policy in respect of the planned changes.

The latest position is as described below. However, draft regulations have not yet been issued and a further update report will be brought to this committee at a later date..

- 3.2 From 1 April 2017 secure or so called "life time" tenancies will be replaced with secure tenancies for a fixed period of time for all new tenants. The new provisions will not apply retrospectively to existing tenants before April 2017.

Councils have some discretion over the length of the fixed terms to be offered but there is a minimum of two years and maximum of ten years term except where there are children in the household.

Councils can issue different length tenancies to different groups so long as they identify this within their tenancy policy.

An individual may seek a review of the length of tenancy offered to them.

Where the Council receives written notification that there are children in the household under the age of 9 years when the tenancy starts, the fixed term can be extended so that it ends on the 19th birthday of the youngest child.

- 3.3 During the fixed term period tenants will have similar rights as current lifetime tenants, with the following exceptions:

They will not have the right to claim compensation for any improvements they have carried out at the property.

In relation to tenancies granted before 1 April 2012, Councils will have a discretion to grant family members succession rights (spouses, civil partners, and those living together have absolute succession rights), but those family members will be ineligible for a lifetime tenancy but instead will be offered a fixed term tenancy.

- 3.4 Between nine and six months before the end of the fixed term the Council must review the tenancy and determine one of the following:

- To offer a further fixed term tenancy in the same property;
- To offer a fixed term tenancy in an alternative property;
- To end the tenancy and offer advice on buying a property or other housing options

- 3.5 The Council will continue to issue Introductory tenancies – the fixed term tenancy will start immediately after the introductory tenancy, provided the introductory tenancy has not been extended or possession proceedings started.

- 3.6 Existing old style secure tenants who transfer to alternative properties will receive a new fixed term tenancy except in limited circumstances. Those circumstances will be provided in the Statutory Code of Guidance but are generally expected to include:

- people who are required to move by the Council (decants)
- where the move is due to domestic abuse
- moving via a mutual exchange

The Code of Guidance will also provide other limited grounds where discretion can be used to issue a further old style “life time” tenancies.

- 3.7 Criteria for determining the initial tenancy length and outcomes at the end of the fixed term must be contained within the council’s Tenancy Policy which is the subject of another paper before this committee.

4 The Case for a 10-Year Term

- 4.1 Granting the maximum 10 year term in all cases (save where young children are involved where it would be extended until the youngest child’s 19th birthday) will remove the need to undertake reviews of decisions.

- 4.2 The longer length of time will give tenants the best possible opportunity to contribute to their community and to value their property.

Background Documents:-

None

Email: steve.nash@oadby-wigston.gov.uk

Tel: (0116) 257 2662

Financial (CR)	CR1 Decreasing Financial Resources due to increased administration.
Legal (AC)	No significant implications as the Council is complying with the new legislation.
Risk (SG)	CR4 Reputation Damage - The new policy will impact on tenants as they reach the end of the fixed term.
Equalities (SG)	Initial Screening attached.
	Equality Assessment:-
	<input checked="" type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input type="checkbox"/> Not Applicable



EQUALITY ASSESSMENT

Part 1 - Initial Screening

Name of Policy/Function:	X	This is new
		This is a change to an existing policy
		This is an existing policy, Function, not previously assessed
Fixed-Term Tenancies		This is an existing policy/function for review

Date of screening	29/12/16
--------------------------	----------

1. Briefly describe its aims & objectives

The government is imposing fixed term tenancies on new Council tenancies from 2017

2. Are there external considerations? (Legislation/government directive etc)

This change is a statutory burden from the Housing and Planning Act 2016

3. Who are the stakeholders and what are their interests?

- Prospective Council tenants who from a date in 2017 will receive the grant of a fixed term tenancy upon completion of their introductory tenancy.
- Existing Council tenants where a change in circumstances results in them being granted a replacement fixed term tenancy.

4. What outcomes do we want to achieve and for whom?

Officers recommend applying the greatest length of fixed term tenancy possible to promote community cohesion against the backdrop of this change being imposed as a result of primary legislation

5. Has any consultation/research been carried out?

No, this is a new statutory burden

6. Are there any concerns at this stage which indicate the possibility of Inequalities/negative impacts? (Consider and identify any evidence you have -equality data relating to usage and satisfaction levels, complaints, comments, research, outcomes of review, issues raised at previous consultations, known inequalities) If so please provide details.

N/A - this is a new statutory burden where officers are advising the longest period to mitigate any issues.

7. Could a particular group be affected differently in either a negative or positive way?

(Positive – It could benefit, Negative – It could disadvantage, Neutral – neither positive nor negative impact or Not sure?)

	Type of impact, reason & any evidence
Disability	Neutral
Race (including Gypsy & Traveller)	Neutral
Age	Neutral
Gender Reassignment	Neutral
Sex	Neutral
Sexual Orientation	Neutral
Religion/Belief	Neutral
Marriage and Civil Partnership	Neutral
Pregnancy and Maternity	Neutral

8. Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes, homeless?

Yes, for example carers experiencing a change in circumstances meaning their fixed term tenancy may not be renewed on it's anniversary, however this change is a new burden imposed by primary legislation

9. Are there any human rights implications?

No (if yes please explain) – any human rights implications will have been considered in the drafting of the primary legislation subject to due legal process by way of future legal challenge.

10. Is there an opportunity to promote equality and/or good community relations?

Officers are recommending the maximum length of fixed term tenancy to promote community cohesion

11. If you have indicated a negative impact for any group is that impact legal (not discriminatory under anti-discrimination legislation)?

This is a statutory change.

12. Is any part of this policy/service to be carried out wholly or partly by contractors?

No

13. Is a Part 2 full Equality Assessment required?

No

14. Date by which a Part 2 full Equality Assessment is to be completed with actions.

n/a

We are satisfied that an initial screening has been carried out and a full equality assessment not required.

Completed by: S. Nash Date: 29/12/16
(Policy/Function/Report written)

Countersigned by: S Glazebrook Date: 29/12/16
(Head of Service)

Please forward an electronic copy to: veronika.quintyne@oadby-wigston.gov.uk
(*Community Engagement Officer*)

Equality Assessments shall be published on the Council website with the relevant and appropriate document upon which the equality assessment has been undertaken.



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information
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Title: Homelessness Reduction Bill Update

Author: Steve Nash (Housing Services Manager)

1. Introduction

- 1.1 To update Members on the Homelessness Reduction Bill which the Department of Communities and Local Government consider will receive royal assent by April 2017 and will be enacted by the end of 2017.

2. Recommendations

- 2.1 To note implications of the Homeless Reduction Bill
- 2.2 To note the impact on the Housing Options Team due to the increased level of homelessness as outlined in paragraph 4.

3. Information

The Homelessness Reduction Act started life as a private members bill which gained government support in October 2016. Subject to further Parliamentary progress it is likely to come into force after April 2017.

The main changes of the Bill areas follows:

Homelessness prevention duty

The Homelessness Reduction Bill will require local housing authorities (LHAs) to take reasonable steps to help prevent any eligible person who is at risk of homelessness from becoming homeless. This means either helping them to stay in their current accommodation or helping them to find a new place to live. The Bill extends the period for which people are considered threatened with homelessness from 28 days to 56 days before they are likely to become homeless, ensuring that LHAs can intervene earlier to avert a crisis.

This measure will extend homelessness prevention so that help is provided at an earlier stage to all eligible households, regardless of priority need status, intentionality and whether they have a local connection.

Comment: This change means that formal applications and assessments will take place much earlier than present which will increase caseloads for Officers.

Duty to assess all eligible applicants' cases and agree a plan

This measure will require local housing authorities (LHAs) to carry out an assessment of all cases where an eligible applicant is homeless, or at risk of becoming homeless. Following this assessment the LHA must work with the person who has applied for help, to agree the actions to be taken by both parties to ensure the person has and is able to retain suitable accommodation. Of these actions, there will be a small number of key steps the individual would be required to take. These steps would be tailored to their needs and be those most relevant to securing and keeping accommodation. These actions must be reasonable and

achievable.

Comment: This will mean Officers having to enter in detailed agreements with applicants, produce plans, monitor progress and review plans as necessary. The time spent on cases will inevitably increase.

Private tenants (subject to landlord notices to bring tenancies to an end) will have to be dealt with, in most cases, just before or upon expiry of the notice.

Comment: This reflects the good practice already issued by government and is something Officers already work towards.

A new duty to help secure accommodation for all eligible applicants regardless of their 'priority' and regardless of being 'intentionally' homeless over a 56 day period.

Homelessness relief is action taken to help resolve homelessness. If a person is already homeless, for example if they have sought help from the local housing authority (LHA) at a late stage or if homelessness prevention work has not been successful, they will be owed the relief duty.

The relief duty requires LHAs to take reasonable steps to help secure accommodation for any eligible person who is homeless. This help could be, for example, the provision of a rent deposit or debt advice.

The duty lasts for up to 56 days, and would be available to all those who are eligible. Those who have a priority need (for example they have dependent children or are vulnerable in some way) will be provided with interim accommodation whilst the LHA carries out the reasonable steps. Those not in priority need will receive help and assistance for 56 days.

Comment:

Cessation of this duty for applicants not afforded the 'main' homelessness duty will trigger the right of an additional statutory review which will increase Officer workloads.

For applicants in 'priority need' who are 'intentionally' homeless temporary accommodation will have to be provided for twice as long, this will increase temporary accommodation costs.

Local Connection for Care Leavers

This measure will ensure that a young homeless care leaver has a local connection to the area of the local authority that looked after them or, if it is different, the area where they normally live and have lived for at least 2 years including some time before they reached 16. This will make it easier for them to get help in whichever of these areas they feel most at home.

Comment: This will allow any care leaver from Leicestershire to apply to the Borough for assistance if homeless.

Successful Grant Funding

The Council with partners notably the other Leicestershire District and Borough Councils alongside Leicester City Council have been successful in securing nearly £700 000 of government grant funding to provide 1 new service and to improve a second service.

Working alongside Leicester City Council, Officers will be involved in a new Homeless Prevention Trailblazer project that will seek to provide a Universal Access Point for initial Homeless Prevention advice. In the case of borough residents the advice will be tailored to the Oadby & Wigston locality.

Working with Charnwood Borough Council, Officers will be looking to improve and extend the current 'No Second Night Out' scheme aimed at trying to prevent single homeless people from becoming entrenched and problematic rough sleepers. This will build upon the successes of both of the separate City and County 'No Second Night Out' schemes (the County scheme was potentially due to close in March 2017).

A Proposed New Family Hostel

Members are informed that it is intended to bring before a future Planning Committee a proposal to change Belmont House (a property adjacent the Council Offices on Station Road, Wigston) from residential use to use as a homeless hostel for families to help reduce the cost of temporary accommodation.

Implications for Housing Options Team

From October 2014 until September 2015 Housing Options dealt with 94 statutory homeless applications, accommodated 45 households in emergency accommodation and dealt with 282 approaches for housing advice.

In the following 12 months 2015-2016 statutory homeless applications increased by 47% to 138, households in temporary accommodation increased by 51% to 68 cases and approaches for advice by 15% to 323. The indications are that the trend will continue upwards.

Upon coming into force the changes will increase both workloads and the use of temporary accommodation.

This arises because of the additional steps that will have to be taken in every case. It is estimated that casework will increase threefold when the more detailed discussions, agreements and case monitoring and review are taken into account.

Temporary accommodation will see increased costs as the length of time which 'intentional' homeless households in priority need will have to be accommodated will double. It is estimated this will add approximately £21,000 to the costs.

Background Documents:-

None

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Implications	
Financial (CR)	CR1 Decreasing financial resources - Costs of new hostel, additional staffing costs.
Legal (AC)	CR5 Effective utilisation of assets/buildings - Adherence to Homeless Reduction Bill, Planning Permission required regarding change of use for Homeless Hostel
Risk (SG)	CR4 Reputation damage - If Council unable to fulfil its statutory obligations.
Equalities (SG)	Not relevant at this stage.
	Equality Assessment:-
	<input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

Agenda Item 14



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Decision
---------------------------------------	-------------------------------------	----------------------------

Title: Oadby and Wigston Tree Strategy – Public Consultation Draft

Author: Richard Redford (Planning Control Team Leader)
Adrian Thorpe (Planning, Development and Regeneration Team Manager)

1. Introduction

1.1 This report is to update the Committee on progress regarding the formerly titled “OWBC Tree Strategy” document, prior to commencing public consultation.

2. Recommendations

- 2.1
- 1) That this report be noted.
 - 2) That this Committee authorise a programme of public consultations regarding the current draft document. (This will be focussed on local residents’ groups; Civic Societies; Tree Wardens, and local educational establishments).
 - 3) That the Planning, Development and Regeneration Manager be authorised to make any further minor changes to the draft text that might arise from those intended consultations.
 - 4) That the Planning, Development and Regeneration Manager be instructed to report further to this Committee to authorise formal adoption of the finished document.

3. Information

3.1 Members will be aware that a draft of the emerging Tree Strategy document was produced by external consultants just prior to Christmas 2015. The text of that draft required some further work before undertaking any public consultation on its contents. When consulted, a number of points were also made about suggested improvements by Elected Members – notably members of the Greening of the Borough Working Group.

3.2 Work on modifying the text was delayed until the newly appointed Arboricultural Officer was well in place and he might then add usefully to the final text. Finally and when “tested” against real world events that were occurring within the Planning Control environment and typical questions that routinely arise from members of the public, it became apparent that a number of further changes and additions to the text could usefully be incorporated.

3.3 The original draft text was very much a proclamation of this Council’s aspirations for the management of trees and woodlands throughout the Borough. However, it was of limited use in answering typical questions that arise from members of the public and would be developers.

3.4 The alternative text has now been completed and the current draft text is attached.

3.5 The key changes are:

- a) The original text and photographs have been retained, subject only to minor updating and deletion of the original “glossary” (which occupied several pages of the original).
 - b) Several new Chapters have been added with titles such as – “Trees and your property”, along with a new “FAQ’s” section, which addresses routine questions such as – “Who is responsible for maintaining a tree with a TPO?”
- 3.6 The effect of these changes has been to make the document altogether more “operational” than previously, and so likely to be referred to more frequently. Although its text has grown slightly, a truncated “quick reference” version has also been produced for use by officers such as Planning Duty Officers and customer facing staff at the Council’s Customer Service Centre. “Policies” and policy objectives within the draft document are likely to be reflected within the text of the emerging Local Plan
- 3.7 The Committee are asked to approve the current draft document as the subject of a six week public consultation exercise, with a view to finalising its text and formal adoption within the Spring of this year. The completion of those public consultations prior to adoption will serve to give the document “weight” as a material planning consideration.

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Implications	
Financial (CR)	No significant implications at this stage.
Legal (AC)	No significant implications at this stage.
Risk (AT)	No significant implications at this stage.
Equalities (AT)	Initial Screening attached.
	Equality Assessment
	<input checked="" type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input type="checkbox"/> Not Applicable



Oadby and Wigston
Borough Council

Oadby and Wigston's Trees

And why we care.

For public consultation

Oadby and Wigston Borough Council

DATE: September 2016

Forward:

XXX

XXX.....

A particular thanks are extended to Sharon Hosegood, Chartered arboriculturist FICFor FArborA BSc (Hons) Tech Cert (Arbor A), who prepared the initial draft of this document.

DRAFT

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1.0 The Purpose of this Document

This document is about the best and most versatile product in the world; trees! They beautify, cleanse, nourish, and heal. They are useful, practical and renewable. They create landscapes, habitats and communities. They are an asset that gets more valuable with time. Everyone has seen and touched them. Oadby and Wigston Borough Council recognise the importance of trees and this strategy is for everyone, as trees touch all of our lives.

Oadby and Wigston Borough Council has three corporate priorities; to create:

- A good quality of life for all residents
- A clean, greener and safer environment
- A successful economy

Trees are an integral part of delivering these priorities; connecting commerce, recreation and public health. Information on the role of trees in your Borough, how to look after the treescape, and get involved with your local trees, is an important part of this strategy. This strategy sets out how the council will look after our own trees, how we will deal with protected trees, and how we will consider trees and development.

Getting involved

This is a draft for public consultation. Getting involved will refine this document, and make it the most effective it can be. You can comment by writing to us at Oadby and Wigston BC, Council Offices, Station Road, Wigston, LE18 2DR. Or by e-mail at planning@oadby-wigston.gov.uk.

This public consultation process will conclude on XXXXX.

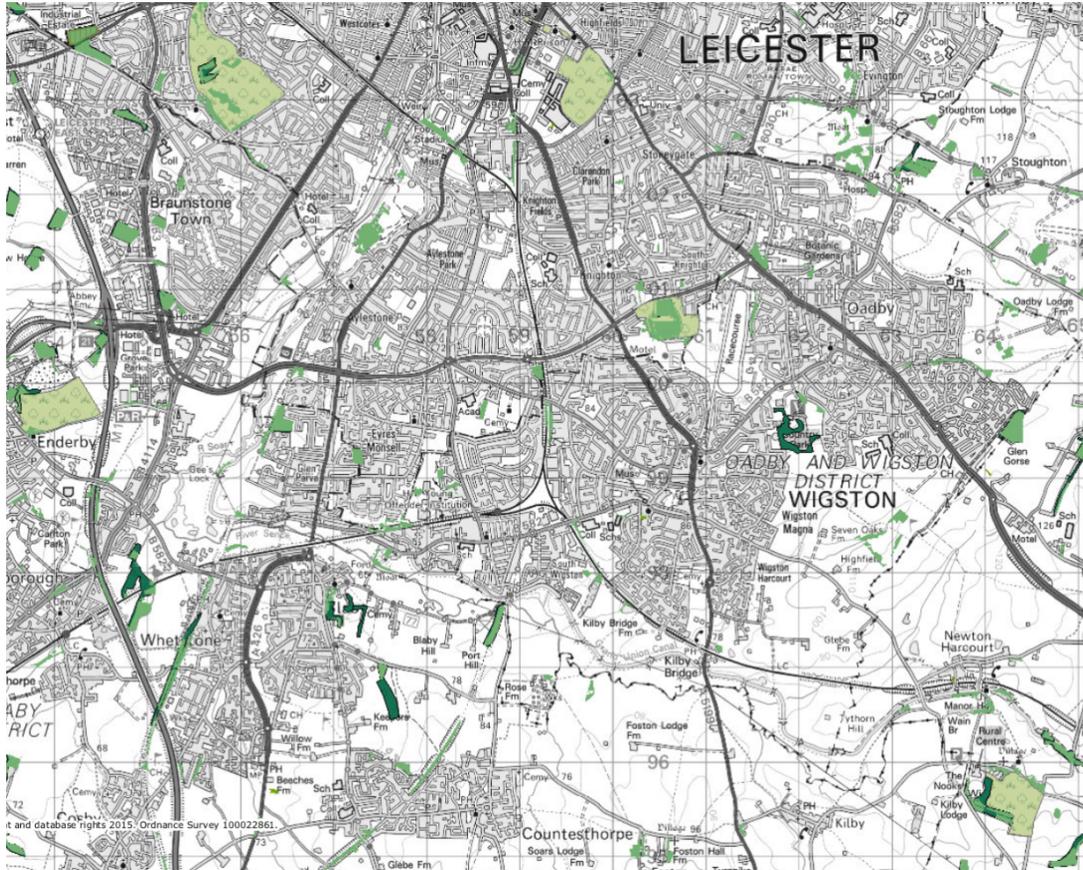
2.0 General assessment of the Borough's current tree stock

Woodland is a scarce resource in the Borough, well below the national average of 8%. None of the woodland is classified as ancient, but there is isolated semi-natural secondary woodland in the urban and rural areas. Substantial new woodland planting has taken place, in particular on Brocks Hill Country Park.

The ash tree is dominant in Leicestershire and is extensive throughout the Borough as hedgerow trees or mature woodland trees, and oak is predominant. There are opportunities for further tree planting within the towns, as identified by the Greening the Borough Strategy. There are a high proportion of veteran trees in the rural area and a network of hedgerows. The Council will be surveying trees on their own land over the next few years.

Hedgerows are a characteristic of the Borough, linking the town and countryside and creating wildlife corridors. The urban edge is well integrated into the landscape by hedgerows, trees and subtle changes in the landform which filter and limit views of the townscape from the open countryside.

Trees on Highway land are the responsibility of Leicestershire City Council and beyond the scope of this document.



3.0 The benefits of the current tree stock

Landscape

Trees are the largest living landscape feature and define the character, views and sense of place. They soften the visual impact of the edge of the towns when looking from the open countryside, which is particularly important on the southern edge of the Oadby and Wigston. Trees enhance the setting on the built environment (see photo 1), screen unattractive buildings and create 'vistas' to enhance an attractive view. Trees provide a sense of maturity for new developments and help blend new buildings into the landscape. They are an important component in creating a sense of place and many landscapes we admire and visit have a high tree population, and marking as they do, the passing of the seasons. However, not all trees are appropriate for their setting, and an understanding of the right tree, in the right place is important to make sure that tree has room to grow and does not cause a conflict.



Photo 1 of St Peter's Church, Oadby



Photo 2 trees marking the passing of the seasons

Ecological benefits

Trees individually provide significant ecological benefits and provide roosting, feeding and nesting for birds, food and habitat for insects, habitat and roosting for bats and hollow trees and provide a home for new mammals. Fungi, mosses, liverworts and lichens are a rich and complex part of our ecology. Many protected and rare insects and fungi are entirely dependent on old trees to survive. Dead wood (either fallen, standing or dead twigs) and general wood decay are essential for nutrient recycling which is important for soil health. Collectively, trees have added value as wildlife corridors for mammals, bats and birds. All trees provide ecological benefits, however some species have a higher ecological value than others. An oak tree, for example, can support over 270 different species. Generally, the older the tree, the more complex and diverse an ecological community it supports.

Ecosystem services

Trees intercept heavy rainfall and reduce flash flooding. They filter the air and removes various pollutants from the atmosphere. They cool buildings in summer and diffuse moisture loss and reduce wind speeds, therefore reducing heat loss in winter.



Photo 3 of woodland management and standing dead wood at Brocks Hill Country Park



Photo 4 of a yellow hammer at Brocks Hill Country Park

Our well-being

Walking outside amongst trees has been proven to make us feel better. This has been proved medically with research proving that blood pressure can be lowered, mild depression lifted and overall fitness improved. Trees can reduce the incidence of asthma as air is filtered. Stress-related illnesses are reduced not only by the calming effect of the looking at trees, but by the fact that attractive, well maintained public spaces with trees encourage walking, and, by association, incidental social interaction. Trees cast shade and may have a role to play in reducing skin cancer. Studies have shown that patients in hospital rooms with views of green space (in particular, trees), recover from surgery quicker than patients looking out onto buildings. A recent report from Faculty of Health states that:

‘Access to nature can significantly contribute to our mental capital and wellbeing’ and that ‘Safe, green spaces may be as effective as prescription drugs in treating some forms of mental illnesses’



Photo 5 of Brocks Hill Country Park

Cultural value

Trees – and in particular, veteran trees, are often linked to local events and customs.

Getting involved

Can you help us provide information on important local trees which are connected to a local story? We would love to publish stories and pictures here.

Putting a value on trees

Recently, a number of methods to value trees have been developed to quantify their diverse roles, and assess how important they are to our economy, ecology and wellbeing.

i-tree eco

i-tree eco measures the urban forest structure, environmental effects and value to communities. This is calculated by using specialized software which processes information from tree surveys (usually a number of plots within a town), together with meteorological data and air pollution. A number of studies have been carried out through the world. The largest study in the world was in London and was completed in early 2015. Preliminary findings are located at:- <http://www.forestry.gov.uk/london-itree>

Treezilla

Treezilla is a citizen science platform that aims to map every tree in Britain. Anyone can get involved, and the information will help populate the software on what 'ecosystem services' trees provide.

Getting involved

Take a photo, and provide details of a tree (with the owner's permission), and upload it to the map at:- <http://treezilla.org>

CAVAT

Aside from the cost of buying, planting and looking after a tree, there are a number of methods for working out the financial value of a tree. The most recently developed system is CAVAT. This provides a method for managing trees as public assets, and provides a financial value for the tree; not to replace it, but as its value to the local area. The final figure is calculated from a number of variables, but, to summarize, the bigger, healthier and more accessible the tree is, the higher its value.



Photo 6 of a Tree Warden training session, in November 2015, on CAVAT and Treezilla. The value of this mature Austrian pine in Peace Memorial Park is calculated under CAVAT as £116,142.

4.0 Tree Preservation Orders

Local Authorities have powers to make tree preservation orders (TPOs) to control work undertaken to trees that make an important contribution to the local area. Trees within conservation areas have a level of protection similar to trees which are covered by a TPO. If works to protected trees are needed, an application must be made to us on a standard tree works application form – which can be downloaded from the national Planning Portal website. You can download an application form [here](#) and guidance notes [here](#) and we strongly recommended that you use these. In line with best practice advice in the "British Standard 3998: tree work – recommendations" and TPO applications guidance notes, a full and clear specification (detailed description) of tree works will be required. We cannot validate applications that present crown reduction works specified in percentage terms. To avoid ambiguity, the specified end result should be stated either as the tree-height and branch-spread which are to remain or the average equivalent in branch length reduction (in metres) and maximum diameter of live pruning wounds. You should specify end results or individual branches if the growth pattern of the tree creates a need for this or where clearance from a specified object is required (see Para 7.7.2 of BS 3998:2010).

You can see a copy of the "British Standard 3998:2010 tree work – recommendations" online at the British Standards Institute. Once a valid application has been received and registered, adjoining land owners will be consulted. We may place public notices locally and will take any views or representations into account. Some works may be decided by officers. If the application involves the felling of a protected tree or is controversial, it may be referred to the Council's Development Control committee.

5.0 Carrying out work on trees within a Conservation Area

It is a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a protected tree unless the Council has permitted the work. Therefore, before commencing work on any tree, it is strongly recommended you check the status by e-mailing details, including the location and a description of the work you wish to carry out to our Planning Control Team.

The Council offers pre-application advice to tree owners, for further information contact our Arboricultural Officer on 0116-2572697 or e-mail **Henry.Pearson@oadby-wigston.gov.uk**. (*E-mail is preferred as, like any good arborist, Henry is away from his desk for much of the working day*).

In some circumstances it may also be necessary to obtain a felling licence from the Forestry Commission before felling trees, though this is unlikely to apply to a normal domestic garden.

What is a conservation area?

A conservation area is a specified area designated by the Local Planning Authority, such as Oadby and Wigston Borough Council, because of its special character. This

is usually done because of the special architectural or historical importance of an area.

How do Conservation Areas affect trees?

Within a designated Conservation Area all trees have a level of protection similar to trees covered by a Tree Preservation Order (TPO).

How can you find out if a tree is within a Conservation Area?

Contact our Planning Control Team or Arboricultural Officer by e-mail with details of the address, location, and species of the tree. (planning@oadby-wigston.gov.uk).

What must you do if you want to work on a tree in a Conservation Area?

Before working on a tree in a conservation area you must give us six weeks' notice in writing of your intention to carry out the work. You should include details of the exact location of the tree, indicated on a plan, along with details of the species and exactly what work you wish to do. Send your notification to us at Oadby and Wigston Borough Council, Council Offices, Station Road, Wigston, LE18 2DR. You can download an application form [here](#) and guidance notes [here](#) from the national Planning Portal and we recommended that you use these.

The Council will then consider the impact of the proposed works on the character of the conservation area and local public amenity. If you have heard nothing within six weeks, or if you have received a letter letting you know that the work is acceptable, you may go ahead with it. If the work is deemed to have an unacceptable impact the Council may make a TPO to protect the tree further.

When can you prune a tree in a Conservation Area without notifying the Council?

All exemptions listed for protected trees in general apply to trees within a Conservation Area. You must also provide us with written notice of your intention to work on trees that:

- Have a stem diameter of less than 75mm (approx 3 inches) measured at 1.5m (approx 5 feet) above ground
- Have a stem diameter of less than 100mm (approx 4 inches) measured at 1.5m above ground and are being pruned or felled to help the growth of other trees.

Might I have to plant a replacement tree?

If you cut down or destroy any protected tree you will have to plant a new tree if:

- You did so without notifying us of your intention to carry out works on a tree within a Conservation Area
- You did so because the tree was dead or dangerous
- In most cases where the Forestry Commission grants a felling licence.

What happens if I carry out work on a protected tree without Consent?

If you deliberately destroy a protected tree or damage it in a manner likely to destroy it, you could be fined up to £20,000 if convicted in a magistrate's court. For other offences you can be fined up to £2,500. You will also normally have to plant a new tree if the tree was cut down or destroyed.

How else might a tree be protected?

In addition to a TPO and in Conservation Areas there are various other factors which may constrain work to trees, including:

- Felling which involves more than 5m³ of timber, or more than 2m³ if sold, may require a felling licence from the Forestry Commission
- Many wildlife habitats are protected under the Wildlife and Countryside Act and the Countryside and Rights of Way Act. This includes bat roosts and the nests of wild birds. If a tree contains a protected habitat work may have to be delayed or may require a licence from Natural England
- Trees may sometimes be protected by conditions attached to a planning permission
- Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

6.0 Carrying out work on a protected tree

It is a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree covered by a TPO unless we have permitted the work. Before starting work on any tree, we strongly recommend that you check its status with us by emailing details, including the location and a description of the work you wish to carry out. We offer pre-application advice to tree owners. For further information please contact the Council's Arboricultural Officer on 0116-2572697 or e-mail **Henry.Pearson@oadby-wigston.gov.uk**. (*E-mail is preferred as, like any good arbourist, Henry is away from his desk for much of the working day*). In some circumstances you may need to get a felling licence from the Forestry Commission before felling trees, though this is unlikely to apply to a normal domestic garden.

Towards the back of this document we aim to answer common questions about TPOs and Conservation Areas. (See FAQ's) If you plan to fell trees that are not in a residential garden, look at the Forestry Commission website for information on felling licences.

7.0 Trees and your property

Introduction

Trees add immeasurably to our quality of life and contribute multiple benefits to the urban environment, where so many of us live and work. However, they have some characteristics that can often be viewed as an inconvenience and occasionally give rise to more serious concerns about enjoying our property. Such circumstances can give rise to disputes where the tree concerned is not in the ownership of the person affected.

My neighbour's trees encroach across my boundary - can I cut them back?

Your common law rights allow you to remove branches that cross over your boundary without the need to seek your neighbour's permission. However, it is always advisable to let your neighbour know of your intentions before cutting any branches. When you prune back trees from neighbouring land you must not cross the boundary or enter the land to do so. For example, leaning a ladder over the boundary to rest against the trunk of the tree could be classed as trespass. You should not dispose of the branches or any other waste material from the tree over your fence into your neighbour's garden but first ask your neighbour if they wish the material returned to them. If they don't want it, it will be your responsibility to dispose of it. If a tree is protected by a TPO or is in a Conservation Area, the common law right is removed and you will need to seek formal Consent from the Council before undertaking work to living parts of the tree.

My neighbour's trees are blocking my light - what can I do?

Technically your neighbour only has a duty to ensure that their trees are maintained in a sound and healthy condition to minimise risks to people and property affected by them. There is no restriction governing the height to which trees are allowed to grow. If you have concerns about a tree ask your neighbour how they intend to maintain it: you may be able to cut the overhanging branches back to the boundary. However, before either you or your neighbour undertake work to any tree it is important to check they are not covered by a TPO or in a Conservation Area. For more information, contact the Council's Arboricultural Officer on 0116-2572697 or e-mail Henry.Pearson@oadby-wigston.gov.uk. *(E-mail is preferred as, like any good arborist, Henry is away from his desk for much of the working day).*

My neighbours have a high hedge - what can I do about it?

The high hedges legislation was introduced on 1 June 2005 under part 8 of the Anti-social Behaviour Act 2003 and applies to evergreen and semi-evergreen hedges of over 2m in height. The legislation provides for people who feel a neighbour's hedge is hindering reasonable enjoyment of their property to the extent that they submit a formal complaint to us. We will investigate the matter and may, if appropriate, serve a notice on the hedge owner requiring them to reduce the hedge in height. The fee for dealing with a high hedges complaint at Oadby and Wigston Borough Council is currently £300. (Which fee may be reviewed over time). In most cases, it should be

possible for neighbours to agree on a course of action between them without a formal complaint. This is certainly a preferred approach for everyone.

Further guidance can be found in this document produced by the Office of the former Deputy Prime Minister – *“High hedges: complaining to the Council”*. Click [here](#) to obtain a copy.

I have a big tree near my property and I'm worried about the damage the roots may be doing to my house - what should I do?

Tree roots may potentially cause damage to built structures in two ways:

Direct damage - damage can be caused by tree branches moving in the wind. This type of damage is generally minor – dislodged roof tiles or possibly broken windows. The remedy is usually a straightforward matter of keeping the tree cut back from the building. Damage can also happen when a tree is in constant physical contact with a building or structure by the gradual growth of the tree pushing against it. The most common manifestation of this type of damage is lifting of flagstones and tarmac by tree roots. Fences and walls can also be damaged. Damage cannot be caused to substantial buildings in this way because forces involved are not strong enough. The greatest risk of direct damage is close to the tree from the incremental growth of the main stem and secondary thickening of the roots and diminishes rapidly with distance.

Indirect damage - forces involved where trees cause subsidence by water abstraction are much greater and there can be significant damage to buildings. This damage only occurs on clay soils. When water is removed from clay the spaces between the soil particles close and the material shrinks. This affects support for building foundations. Whether a building is affected by a tree in this way is impossible to predict. It depends on the interactions between a number of factors, including shrinkability of the soil, the construction and depth of foundations, the size, species, vigour and rooting pattern of the tree, effects of other vegetation and any surface treatment, drainage and local weather conditions. Some trees can cause subsidence damage to buildings at considerable distance, while others can grow very close without causing any damage. Current building standards require that the presence of trees is taken into consideration when specifying foundations for new buildings and foundations can be specified that will not subside. Older buildings occasionally have foundations which are grossly inadequate by modern standards. Sometimes structural problems are caused when buildings are constructed on ground already dried by tree root action if the tree is removed and the soil consequently re-wets and swells. This is the converse of tree-related subsidence, and is known as heave. It is not a common phenomenon, and it rarely occurs where the building is older than the tree.

Tree roots are blocking my drains - what can I do?

It is very unusual for roots to physically break drains and pipe work. However, tree roots are opportunistic and if an old pipe with poor joints is leaking into the surrounding soil this will attract the roots that may then exploit the existing

weakness. When repairs are required, a proliferation of tree roots often leads to blame being placed with a nearby tree. However replacement of faulty drains/pipes with modern materials will usually eliminate the leak and stop problems from reoccurring.

A tree is lifting paving slabs / affecting my drive - can I cut the roots of a protected tree?

Cutting the roots of any tree is generally ill-advised as it may affect the tree's health and stability. If a tree is covered by a TPO or if it is in a Conservation Area you will need to make an application to us before root pruning can take place.

Are there any controls on the type of tree I can plant in my garden?

There are no controls on the type of tree that can be planted in your garden. However, there are a number of points are worth considering.

- How much space is available? It is always best to ensure the space is sufficient to accommodate the tree at its mature height and spread
- Are there any overhead wires or below ground services?
- In what position is the tree in relation to the property? A new tree situated to the south or west may block afternoon or evening sun, while a tree to the north will not restrict direct light from entering the building
- What is the site usage and occupancy? Leaves of some species may cause problems, particularly in the autumn, by blocking gullies and gutters. Fruit can cause slippery patches and accumulation of honeydew may be damaging to surfaces and vehicles.

8.0 Buying or moving to a house with a tree in the garden?

Advice for new homeowners

So, you've found the house of your dreams, but what about the garden? Did you notice the trees? They may be in the garden or growing on land beyond the boundary of your new home. Trees can affect the future enjoyment of your property and garden.

The legal bits

Following your local search your solicitor should ask for a copy of any TPO affecting the property. They will be able to show you the date any Order was made, the plan and the schedule (where protected trees are identified) and should be able to explain the consequences. Trees that are protected are shown on the plan either individually (a circle), as a group (a dashed line), as a woodland (a solid line), or enclosed within an area (a line of continuous dots; these dots do not indicate individual trees). Some TPOs may have a combination of categories. Your house will not necessarily appear on the plan if it was built after the order was made. Although there may be no trees on your property, protected trees growing on adjoining land may also affect it and a search will not necessarily show this. Your property may be

situated in a Conservation Area. This should also be revealed on your search and a similar level of protection will apply to any trees on your property.

So if you buy The Oaks can you fell one of the trees if it has a TPO on it?

Anyone can apply to us for Consent to carry out work to protected trees and each application is considered on its merit. A TPO is a statement by the Council that the tree is intended to remain unless there is a justifiable reason for it to be removed, such as if it is dead or dangerous. We will be happy to advise you on this. A tree is not generally considered dangerous merely due to its height, spread or close proximity to a building. It will normally take up to eight weeks for us to issue a decision on a tree work application. If you don't like the tree - don't buy the property. Do not assume that you can move in and then prune or fell existing trees.

Who pays if works are needed to trees covered by Tree Preservation Orders?

Trees on your property subject to TPOs remain your responsibility and this includes the cost of maintaining them properly. The TPO is there to ensure that the trees are not removed or made dangerous or unsightly due to poor pruning practice. By investing in your trees you could be directly improving your property and the appearance of the surrounding urban landscape. The presence of mature trees on a property can potentially increase its resale value and provide a more desirable environment.

So what do you do?

If you do not believe that you can live in your proposed new home without major tree removal, then you may wish to reconsider at the purchase stage. You are not just buying the house, you are also buying the trees. They come as part of the package, not as an optional extra!

I am a keen gardener, how will the trees affect me?

- Leaves, twigs, fruit, pollen, and dead branches are a normal consequence of living with trees and are not sufficient justification for felling or pruning them
- Trees cast shade, which will increase as they grow
- Evergreen species cast shade all year round and their leaf litter decomposes slowly
- Lawns tend to be patchy underneath tree canopies due to competition for water, food and light.

Will the roots undermine my property?

Any prospective buyer would be advised to obtain a full structural survey. In practice it is most unlikely that tree roots will damage a properly constructed house. Trees do not actively seek out house foundations. They influence the sub soil in which they grow due to the amount of water they demand and this can affect the way certain soil types behave. So called shrinkable soils; such as clays and silts change in volume when water is removed or added, causing them to shrink or swell respectively. The effects of such movement on a building can be mitigated by the

construction of appropriate foundations, which extend to a depth below that influenced by the roots of mature trees. A full structural survey should address such issues and highlight any areas of concern.

What if the tree is on my neighbour's property?

Anyone can apply for consent to prune a protected tree; however, the work will also require the permission of the owner.

The drive is cracking, can I replace it?

Yes possibly, but you must not:

- Sever the roots
- Fell the tree
- Change existing soil levels

You may also be restricted in the choice of surface you use (a range of products are available on the market for installation close to trees that are designed to reduce the impact on existing tree roots).

So why would anyone want a tree in their garden?

Trees are of vital importance in maintaining and improving the quality of life for people who live and work in the Borough. They are one of the most obvious of our natural assets, by virtue of their sheer size and prominence. As they do not last forever and are vulnerable to changes in their surroundings, we must ensure that future generations are able to enjoy the many benefits that trees bring to our environment. They can greatly enhance an area's appearance and character. They provide contrasts of size, colour and texture to the landscape. They provide habitats for wildlife and reflect the changing of the seasons. You could be one of the fortunate people who own an important tree within the Borough.

Important

Trees may pre-date us by many years and survive with our care for many years after we have moved elsewhere. They are part of our legacy to future generations and deserve our care and respect. If you feel you are not able to offer them the basic care, please do not take on the responsibility.

9.0 Building near trees

Trees (including shrubs and hedges) play an essential role in the built environment and visual amenity of rural and urban landscapes. They may take decades to grow, but can be damaged irreparably in a few minutes by actions that may be unwitting or wilful. Wherever they are growing - in public areas, private gardens, rural verges or elsewhere – they need space for adequate development of their root systems and to allow the branches to develop an attractive and natural shape.

How trees are damaged

Trees are complex living organisms, which are susceptible to damage from a wide range of physical agents or activities. Trees do not heal; damage caused to a tree will remain for the rest of its life. Even minor damage may set up circumstances leading to the tree being seriously impaired in the long term. Contrary to popular belief, the root system of a tree is not a mirror image of the branches, nor is there usually a 'tap root'. The majority of the root system of any tree is in the surface 600mm of soil, extending radially in any direction for distances frequently in excess of the tree's height. Excavation or other works within this area are liable to damage the roots.

The root system

The base of a trunk typically flares out in buttresses extending into the main lateral structural roots. These rapidly subdivide into the mass of smaller roots which serve to anchor the tree into the soil and transport water and nutrients. Even at a short distance (3m) from a large mature tree, most roots will be less than 10mm in diameter, but these may extend to well beyond the branch spread of the tree. A mass of fine roots, less than 1 mm in diameter, develop off all parts of this root system. These fine roots also absorb the water and nutrients, which are essential for the growth of the tree. The main structural roots (close to the trunk) develop as the tree grows in response to the need for physical stability. Beyond these major roots growth is influenced by the availability of water, air and nutrients in the soil.

Trees in relation to design, demolition and construction - recommendations

The British Standards Institution (BSI) provide recommendations and guidance for arboriculturists, architects, builders, engineers, land managers, landscape architects, contractors, planners, statutory undertakers, surveyors, and all others interested in harmony between trees and development. British Standard 5837 gives recommendations and guidance on principles to be applied to achieve a satisfactory relationship between trees and development. It follows a logical sequence of stages that have tree care at their heart, which is essential to allow new development to be integrated successfully with trees.

British Standard 5837 recognises that there can be problems with development close to existing trees which are to be retained, and of planting trees close to existing structures. The standard sets out to help people concerned with design, construction or demolition of trees to form balanced judgements. It does not seek to

put arguments for or against development, or for removal or retention of trees. Where development, including demolition, is to take place, the Standard provides guidance on how to decide which trees are appropriate for retention, on the means of protecting these trees during development, including demolition and construction work, and on the means of incorporating trees into the developed landscape. It was originally published in 1980 but the current version takes account of the practice for managing, protecting and planting trees in the vicinity of structures and for the protection of structures near trees. It updates guidance for building regulations and recognises the contribution that trees make to adapting our built environment to the impacts of climate change.

More information:

You can buy copies of British Standard 5837 and other standards from the British Standards Institute at Head Office, 389 Chiswick High Road, London W4 4AL.

BSI Website: <http://www.bsonline.bsi-global.com/server/index.jsp> 

National Joint Utilities Group (NJUG) guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees. Volume 4, Issue 2. NJUG 2007.

10.0 Geographical assessment of Oadby and Wigston

Oadby & Wigston is a small, highly urbanised Borough, which adjoins the south-east edge of the City of Leicester. The total area covers approximately 9 square miles, and the built up area occupies just over 60% of the Borough, close to the City boundary. The Council serves a population of approximately 56,170 residents. There are 15 parks and sports grounds and two large open spaces. We believe these are essential to the well-being of residents, as well as providing ecological benefits. The Grand Union Canal is an important landscape feature and leisure facility, as well as being of ecological benefit.



Photo 7 of Peace Memorial Park

11.0 Soil assessment

The soil type influences tree populations, particularly in rural areas. In urban areas, the top of the soil has often changed over the years of development and gardening. The scientific description of the soil type is found below:

The soil type is a slowly permeable, seasonally wet slightly acid, but base-rich loamy and clayey soil. The drainage is slightly impeded and the soil has a moderate fertility. The habitat type is a seasonally wet pasture with occasional woodland.

12.0 Biodiversity

The Biodiversity Audit 2005 found the following:

Hedgerows – there is no ‘typical hedgerow’, however a frequently occurring hedgerow is predominantly hawthorn with occasional blackthorn, elder and dog rose. Ash and English elm occurs as shrubby trees and standards, whilst oak is always a standard. The total length of the hedgerows recorded was 85km. Mature crack willow are a common feature with the hedgerows between the River Sence and Grand Union Canal. Several hedgerows, totaling 700m within the Borough, have been identified as being ‘species-rich’ (i.e. averaging at least 5 woody species per 30m)

Getting involved

The Tree Council have a ‘Hedge Tree’ Campaign which encourages tree tagging of saplings in the hedges to avoid them from being felled. Contact The Tree Council for more information. Tree tagging must only be carried out with the owner’s permission. The Tree Council has launched a Hedgerow Harvest initiative which seeks to reconnect people to this heritage of free local healthy food (<http://www.hedgerowharvest.org.uk/>) .

Woodlands – broad leaved plantation makes up the largest proportion of woodland character of the Borough. It is either young (less than 20 years old) or approaching maturity. Broadleaved woodland survives as scattered stands of a once large area, mostly confined around the Oadby area. The woodlands mainly comprise of oak, ash and beech with an under storey of hawthorn, holly, elder and blackthorn. Stoughton Farm Park contains the only area of mixed plantation in the Borough and contains veteran, and potentially veteran oaks.



Photo 8 of the woodlands at Brocks Hill County Park

Getting involved

Oadby and Wigston Council have a number of events at Brocks Hill which you can take part in http://www.oadby-wigston.gov.uk/pages/what_is_happening_at_brocks_hill_visitor_centre_and_country_park or 'like' their facebook page <https://www.facebook.com/BrocksHillCountryPark/?fref=ts>

The Tree Council encourage a Walk in the Woods and Seed Gathering Season to promote well-being, enjoyment of our local resources, and to gather seeds of local provenance.



Photo 9 of a woodland walk at Brocks Hill County Park



Trees of special interest – 185 trees were identified in the survey as being of special interest, and 112 were of veteran status. Ancient and other veteran trees are a vital and treasured part of our history, and our natural and cultural landscape, and Britain has the greatest number of ancient trees in northern Europe (source <http://www.ancienttreeforum.co.uk/>). Ancient and veteran trees are a unique host to some protected species (such as the violet click beetle). An **ancient tree** is generally low, fat, squat (because the crown has reduced in size through age), and has a wide trunk which is often hollow. A **veteran tree** shows ancient characteristics. A **heritage tree** is linked to a local event, history or local person, or is botanically scarce. **Notable trees** are memorable, usually due to their size and/or setting. They need not be veteran. Finally **Champion trees** are the largest of the species in a particular area.

Getting involved

Veteran Trees can be recorded on the ancient tree hunt website <http://www.ancient-tree-hunt.org.uk/> . Seek the owner's permission before entering land and uploading tree data.

Getting involved

The Tree Council have a National Tree Week (NTW) in late November/early December every year since inception in 1975. In the 40th year of NTW the council aim to plant one million trees. Their website <http://www.treecouncil.org.uk/Take-Part> provides a wealth of detail on how to take part.



Photo 10 having fun den building at Brocks Hill County Park

13.0 How Trees Grow

Trees grow taller by growth from new cells from branch tips. As they mature the trunk and branches get wider and the crown forms a network of sub-divided branches. They obtain their energy from sunlight which creates photosynthesis. The trees give out oxygen, and take in carbon dioxide as part of this process. The roots are woody and taper out to the edge of the crown. These roots subdivide and fine feeder roots take up water and nutrients, and carry out gaseous exchange. Roots often have a helpful relationship (symbiotic) with beneficial fungi (mycorrhizae) which help them gather more water and nutrients from a wider area. Most tree roots are within the top 1.5m, sometimes as shallow as 0.6m. Tree roots are damaged by trenching, soil compaction, and raising or lowering the ground. The effects of damage do not usually show for a few years, unless the damage is so severe that the tree blows over.

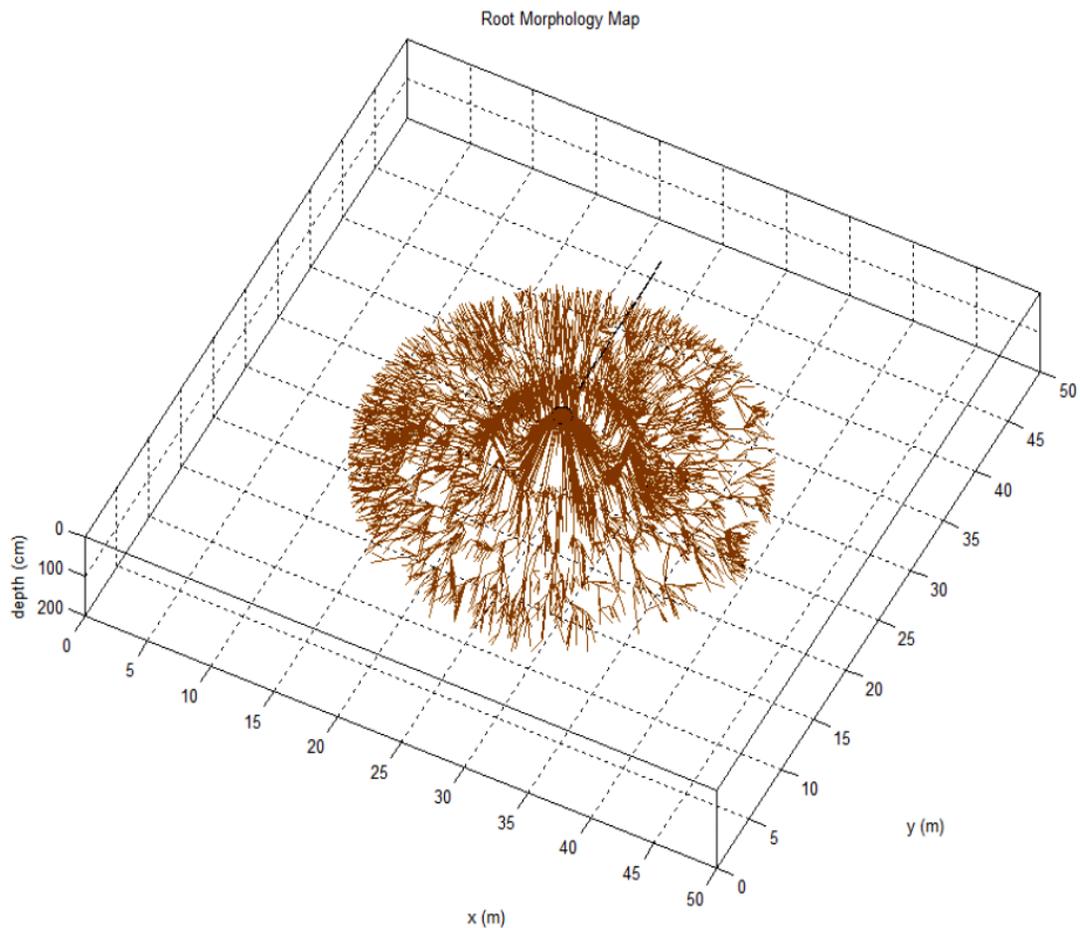


Figure 2 – Root morphology map of a large mature oak tree using ground penetrating radar (TreeRadar). Sharon Hosegood. For further details see

<http://www.bbc.co.uk/programmes/b0619k6l>

Getting involved

Can you help us find the largest tree in the Borough?

14.0 Pests and diseases

The number of pests and diseases affecting trees in the UK has increased rapidly in the UK. This is due to a number of factors, some of which are the subject of current research. Climate change, increased transportation and mobilization of pests during cargo transport are some factors. Extremes of weather, especially hot, dry summers, can make trees more susceptible to disease. The effect of a pest or disease that only affects one tree species can have a big impact on the landscape, especially in areas where only one species is dominant. In future planting, we should aim to provide a mix of species to build resilience in the landscape.

There are three main pests and diseases; fungi, bacteria and insects. Tree health is a complex matter and trees have evolved to have a good and helpful relationship with many fungi and insects (for example, pollution). If in doubt, seek advice from a tree expert.

The Forestry Commission has a helpful website on pests and diseases which is found at:

<http://www.forestry.gov.uk/pestsanddiseases>

Current diseases of concern are:

Chalara dieback of ash

This is a fungal disease in trees which causes leaf loss, crown dieback and often death; either by weakening the tree to other pests and diseases or by directly killing. There is no treatment, so the approach is to slow the spread of the disease. This has been carried out by destroying young and newly planted trees, with mature trees being retained for wildlife and landscape reasons. The loss of ash in Oadby and Wigston Borough would have a big impact on the landscape, therefore new planting should be of a different native species, such as oak, field maple, hornbeam or lime.

Massaria Disease of London Plane trees

The disease, commonly known as Massaria disease, infects branches of plane trees. The fungus has usually been considered to be a weak parasite causing only minor damage such as twig dieback in warmer Mediterranean climates. However, in the 21st century it has been found associated with branch death and rapid decay within other parts of Europe.

The disease seems to be specific to the London plane, the Oriental plane and the Occidental plane, and the disease causes large lesions on the upper sides of branches associated with branch drop

Acute oak decline

This condition affects several thousand oak trees. It is characterised by dark fluid oozing from cracks in the bark, rapid decline of the tree and death. Often, it is associated with D shaped exit holes in the bark from a wood boring insect.

This list is not exhaustive, and is ever changing. The Council will continue to actively monitor and manage the trees in Oadby and Wigston Borough with regard to different tree disease that may occur, and will remain vigilant in identifying new diseases.

15.0 Climate Change and Adaption

Climate change is a serious threat to all forests, woods and trees. Extreme weather events affect tree stability and health. Some diseases lie latent in the tree and infect the tree when it is stressed. Climate change will affect woodland habitats and the species they support by affecting life cycles, altering the relationships between species.

Increased woodland planting may help mitigate some of the negative impacts of climate change by protecting soils from erosion, reducing the likelihood and impact of flash flooding, and supporting biodiversity. It can also contribute benefits to other land uses, providing shade and shelter to livestock, improving water quality and flows, and making urban environments more habitable.

16.0 Design, planning and development

Sensitive design, stemming from policy on both land allocation and development control, can provide opportunities for good tree care and new planting. Conversely, poor design can lead to unacceptable tree loss, and contribute to how a lack of vision can erode landscape character and a sense of place.

The council expects to see a full tree report (an Arboricultural Impact Assessment) with a planning application (to BS 5837:2012 '*Trees in relation to design, demolition and construction. Recommendations*' (BS)) on site where there are trees. This includes offsite trees close to the boundary. The quality of the tree population and the constraints they pose should be considered at a very early stage in the design process. The council will consult their arboriculturist on their professional opinion on whether the detail is sufficient, and in accordance with the BS, so as to make a recommendation on whether an application is harmful to the visual amenity of the area. This does not mean that all trees should be retained. Low quality trees, trees in decline, diseased, or providing low visual amenity, would not normally be retained. Higher quality trees would normally be retained, unless there is an overriding justification for development.

Development is an opportunity for new planting and this should be considered at the earliest stage to be an integral part of the design and how the site will function. It is important to consider the eventual size of the mature tree to avoid conflict. Planting in groups is generally more visually and ecologically effective, more likely to be sustainable, with the resultant effect that the trees more likely to survive. A mix of species is ideal to ensure variety of texture, colour and seasonal interest, whilst also ensuring that if a pest or disease that affects only one species takes hold, the entire population is not affected as a result. Native species are generally favoured in the countryside, with a mix of native and non-native in urban areas. Reference should be made with the councils Landscape Character Assessment to ensure that the planting scheme is in keeping. A suitable distance between trees and new buildings should be calculated by a landscape architect or arboriculturist to ensure that the risk of damage (direct or indirect) is greatly reduced and that the tree does not cast an unreasonable amount of shade to the new building or present a nuisance in other ways.

Trees can be supplied in a variety of sizes, from cell grown (less than 30cm tall) through to semi-mature. Younger trees tend to be more successful in establishing than large trees, although there are excellent products on the market to aid successful tree establishment. Trees supplied as bare root can only be planted between October – March, whereas container grown trees can be planted all year round. Aftercare is absolutely critical to success, and the three basic points to consider are ‘watering, watching and weeding’. Keeping a tree well-watered in dry periods in the growing season, and making sure that a 1m wide circle around it is kept clear of weeds and grass for up to three years is one of the most important things. Mulching with 7 – 8cm deep of matured woodchip also keeps moisture in and weeds down. A low stake (a third of the height of the clear stem) and rubber tie will keep the tree upright until established, but the tie must be loosened as the tree grows. A stake too high (up to the height of the trunk) will prevent the trunk from growing strong. Any weak branches, or branches growing too low on the trunk should be pruned off when the tree is young. Excellent advice on tree establishment is found in BS 8545 ‘*Trees: from nursery to independence in the landscape. Recommendations*’.

17.0 Tree surgery and woodland management

The British Standard relating to Arboricultural work is BS 3998: 2010 ‘*Tree Work – Recommendations*’. Trees are generally pruned for safety reasons (to remove dead or dangerous branches), or to provide room for people or buildings. Occasionally trees are pruned to reduce the risk of structural defects causing a collapse. Fruit trees are pruned to encourage new fruit. Wounds should not be painted and any cuts should be made to suitable growing points to the branch collar. Tree work is a skilled and dangerous operation and a use of a competent, insured and qualified tree surgeon is recommended. A list of tree surgeons approved by the Arboricultural Association is found at www.trees.org.uk

Definition of Tree Terms:

“Tree Felling”

Felling is defined as the cutting down of a tree or shrub to leave a stump to a certain height. If the stump is to be left, then it should be at least 30cm to prevent a trip hazard. The stump will need to be treated with stump killer to prevent re-growth. Alternatively the stump can be ground out.



Photo 11 tree works at Brocks Hill County Park

“Coppicing”

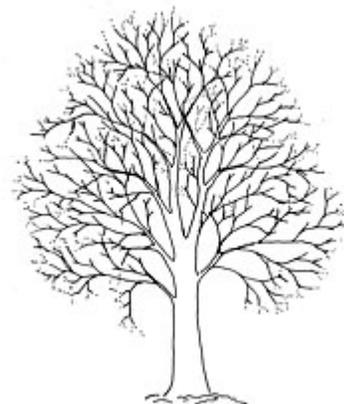
This traditional woodland management technique is carried out by cutting down to about 30 – 60cm high to produce multiple shoots which are re-coppiced every 7 – 15 years depending on species and the management objective. Not all broad leaved trees respond well to the treatment. Species that have been traditionally coppiced are hazel, willow, small leaved lime, hornbeam and ash.

“Pollarding”

This is the traditional practice of cutting the crown back to a height of 2 – 3m to allow the ‘poles’ to re-grow, and was a useful technique when managing farms. It usually promotes longevity, and some of our oldest trees have been managed as pollards. Many urban limes and planes are managed as pollards in streets. Pollards need to be first cut when the tree is young, and the cycle repeated every 5 – 10 years depending on rate of growth, management objective, and species. Not all species pollard successfully and pollards that have not been cut for a long time might need to be managed by a crown reduction rather than pollarding, to avoid too much of a shock for the tree. This needs to be assessed by an arboriculturist.

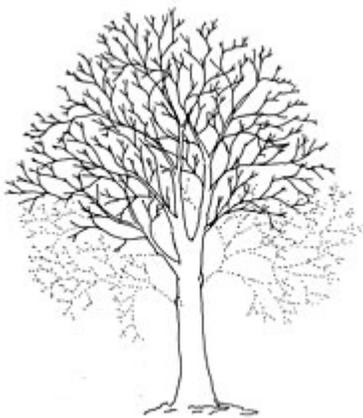
“Crown Thinning*”

Crown thinning is the removal of a proportion of the small secondary live woody growth (in addition to weak, damaged, dead, crossing or duplicated branches and soft growth) to reduce the leaf area of the canopy by a percentage. This reduces the density, but often the tree ‘fills in the gaps’ within a couple of years.



“Crown Reduction*”

Crown reduction is the reduction of the canopy, from the tips of the branches towards the main trunk, by pruning growth to an appropriately sized lateral branch, twig or bud to leave a flowing silhouette. It is described as a measurement in metres (e.g. between 1 – 1.5m to suitable growing points). Only a modest amount of crown reduction is appropriate to avoid creating large wounds and causing stress to the tree. Ideally crown thinning and crown reduction should take place midsummer or mid-winter. Frosty weather and hot scorching sun should be avoided when carrying out work. Cherry trees are best cut in August to avoid silver leaf disease. Some species tolerate pruning better than others. The advice of an arboriculturist should be sought.

“Crown Lifting*”

Crown lifting is the removal of lower branches to a specified height to provide clearance. The illustration denotes the maximum acceptable amount of crown lifting, any more makes the tree top heavy and less stable, and would result in large wounds on the trunk. It is best to crown lift a tree when young to avoid making large wounds.

** Illustrations courtesy of European Arboricultural Council*

“Formative Pruning”

Formative pruning is defined as the pruning of the aerial growth of a tree in its youth, to result in an appearance considered typical for the species or variety of tree concerned. The object of formative pruning is to produce a clean stemmed tree and the establishment of a good branch structure and canopy by the removal of a number of small branches leaving therefore only small, quickly occluding wounds. Root pruning may also be undertaken as part of formative pruning.

“Cleaning out”

Cleaning out is the removal of dead, dying or diseased branch wood, broken branches, or stubs left from previous tree surgery operations, together with all unwanted objects.

“Dead-wooding”

Dead-wooding is defined as the removal from the tree of dead, dying or diseased branch wood, broken branches or stubs left from previous tree surgery operations and from within any cavities within the tree.

18.0 Trees and the law and best practice

There are two distinct forms of law affecting trees. These are Statute and Common Law.

- Statute Law Acts of Parliament e.g.: the Town & Country Planning Act 1990.
- Common Law - Decisions of judges in Courts of Law.

Tree Preservation Orders (TPOs)

Any species and size of tree, or trees, can be protected by a TPO. The order can protect individuals, groups, woodland and areas, but the order must be "*Expedient in the interests of amenity to make provision for the preservation of trees*". Everyone has a right to object to an order within 28 days of it being served. Appropriate works can be carried out to protected trees provided consent is granted by the council. Anyone can apply to carry out works, but it is helpful, and sometimes essential, to seek professional advice from an arboriculturist. The form and guidance notes are available by following the links on pages 11 and 12 of this document.

Applications generally take 8 weeks to process and there are usually conditions and informatives placed on any consent. There is a right to appeal to the planning inspector if the application is refused, or against any conditions attached to the consent. Information on what is needed in an application form is found at our website link above.

The law on TPOs is in Part VIII of the Town and Country Planning Act 1990, and in the Town and Country Planning (Trees) Regulations 1999 and more recently, Town and Country (Tree Preservation) (England) Regulations 2012

TPOs prohibit the cutting down, uprooting, topping, willful damage or destruction of trees, groups of trees, or woodlands, without the consent. Consent is required before works can take place.

Exemptions in the Act

- Tree(s) that are dead or dangerous (5 days written notice is required).
- Woodlands subject to Forestry Commission Felling Licence or Grant
- Works to facilitate planning permission, providing all pre-commencement conditions have been discharged.
- Act of Parliament e.g. Highways Act, Railways Act
- Rights of statutory undertakers (Electricity/gas/water/telecommunications)
- Nuisance - must be actionable - causing actual damage.
- Fruit trees – cultivated for fruit production

Penalties

Any person who:-

- Cuts down, uproots or willfully destroys a tree, or
- Tops, lops or willfully damages in a way that is likely to destroy it, is guilty of an offence. Anyone found guilty of this offence is liable if convicted in the Magistrate's Court to an unlimited fine. In serious cases a person may be committed for trial in the Crown Court.
- A tree replacement notice can also be served.

Conservation Areas

The law relating to Conservation Areas (CA) is in Part II of the Planning Act (Listed Buildings and CA) Act 1990. Trees in Conservation Areas are often a very important feature and contributes to the overall character of the area. The council requires six weeks' notice of intent to carry out work, including pruning. The council can either raise no objection (and cannot place any conditions) or if it considers the work to be harmful to the tree of visual amenity, it must serve a TPO. The same exemptions apply and this legislation on applies to trees with a diameter greater than 75mm at 1.5m from the ground, or 100mm if it is for silvicultural thinning.

Felling Licenses and Woodland Grant Schemes

Forestry Commission (FC), are required to promote the interests of forestry and the supply of timber whilst balancing the effect on nature and landscape conservation.

Felling Licenses take 13 weeks to process and the form and information is found at:

<http://www.forestry.gov.uk/forestry/infd-6dfkxf>

Brocks Hill Country Park is under a Forestry Woodland Grant Scheme

Exemptions are not required:

- For felling trees with a diameter not exceeding 80mm at 1.3m from the ground or in the case of thinning, below 100mm or in the case of coppice or under wood, below 150mm in diameter.
- For the felling of trees in an orchard, garden, churchyard, or public open space. Note that country parks are not exempt.
- For pruning works to trees.
- For the prevention of danger or the abatement of a nuisance.
- For the felling of trees in compliance with statutory requirement
- For the felling of trees at the request of the Electricity utility company
- For felling of trees required to facilitate planning permission, providing all pre-commencement conditions are discharged
- If the felling is in accordance with an approved plan of operations under the Forestry Commission Woodland Grant scheme
- Felling of up to 5m³ of timber provided no more than 2m³ is sold in any three months (calendar quarter). There is a useful timber volume calculator on the Forestry Commission website.

Common Law Issues:

Trees and Boundaries

Overhanging branches may be cut back to the boundary line, and in theory, should be offered back to the owner. This can often be the cause of dispute between neighbours, therefore try to discuss this with the owner first. If a large tree is growing close to the boundary, common law allows for cutting back to the boundary line, however, this will make the tree lopsided and create large wounds, possibly leading to instability, or death to the tree concerned. If the tree is protected by a TPO, or in a Conservation Area, consent is needed to carry out the work.

Roots may also be pruned back to the boundary under Common Law, but it is possible that such work might harm the tree and make it unstable. Advice from an arboriculturist should be sought.

If the tree is protected by a TPO, or in a Conservation Area, consent is needed to carry out the work (including root pruning).

Responsibilities of Tree Owners

Tree owners have a duty to take reasonable care for the safety of those who may come within the vicinity of a tree, or any property nearby. The courts state the standard of care is that of 'the reasonable and prudent landowner'. The tree owner is not expected to guarantee that the tree is safe (trees are living organisms and prone to disease and subject to extreme weather events). However a tree inspection regime, proportionate to the scale of the land/trees/number of people is good practice. Any defects found should be addressed accordingly. Further details are found at <http://www.forestry.gov.uk/safetreemanagement>

The Legislation affecting this is the Occupiers Liability Act 1957 and 1984 for all tree owners, and in addition the Health and Safety at Work Act for public and commercial land.

Local Government (Miscellaneous Provisions Act) 1976

Section 23 of this act gives a Local Authority powers to enter private land to make a tree safe that is considered to be in imminent danger of causing harm to persons or property. It is generally a rarely used legislation and matters are usually resolved by negotiation.

The Hedgerow Regulations 1997

Under the Hedgerows Regulations 1997:

- It is against the law to remove most countryside hedgerows without permission.
- To get permission to remove a hedgerow, you must apply to your local planning authority.
- If the Council decide to prohibit removal of an important hedgerow, it must let you know within 6 weeks.
- There is a set of criteria that a hedge must meet to be protected by this legislation.
- If you remove a hedgerow without permission (whether it is important or not) you may face an unlimited fine. You may also have to replace the hedgerow.

Further information is found at

<http://www.planningportal.gov.uk/permission/commonprojects/highhedges/>

The Office of Public Sector Information website provides full wording of the Hedgerow Regulations.

Anti Social Behavior Act 2003 (Part 8) and the High Hedges (appeals England) 2005

Provided neighbours have tried and exhausted all other avenues for resolving a hedge dispute, people are now able to take their complaint about a neighbouring evergreen hedge to the council. A high hedge is defined as 'a line of two or more evergreen, or semi-evergreen, trees or shrubs which are two or more metres in height'.

Our role is not to mediate or negotiate between the complainant and the hedge owner, but to adjudicate on whether the hedge is adversely affecting the complainant's *'reasonable enjoyment of their property'*. In doing so, the council will take account of all relevant factors and strike a balance between the competing interests of the complainant and hedge owner, as well as the interests of the wider community.

If the council consider the circumstances justify it, it will issue a formal notice to the hedge owner which will set out what they must do to the hedge to remedy the problem, and when by. Failure to carry out the works required by the authority is an offence which, on prosecution, could lead to a fine.

Oadby and Wigston Borough Council charge £450 for this service. Please see the Council's website at http://www.oadby-wigston.gov.uk/pages/high_hedges

19.0 Policy context

Oadby & Wigston Borough Council's (OWBC) adopted Core Strategy 2010

Investment in the Borough's Green Infrastructure has enhanced biodiversity and created a stronger understanding within local people about their role in the conservation of habitats and species, and the links with the urban environment. (Oadby and Wigston Core Strategy 2010 section 4.12),

Spatial Objective 12: Protecting and Enhancing Green Infrastructure

Development should be respectful of the natural environment, landscape and townscape character and contribute towards Biodiversity Action Plan targets of protecting, creating, managing and enhancing important habitats and green assets. Due to the predominantly urban nature of the Borough, to ensure that new development includes proposals to enhance the landscape and biodiversity, for example, through planting trees, creating ponds and other natural habitats.

Policy 5 – Green infrastructure. Veteran trees, trees of special interest, hedges and woodlands have been identified through the Phase 1 Habitat Survey and the Biodiversity Audit (2005) as a key component of Green Infrastructure (see section 7.0 Biodiversity for further details.

Core Strategy Policy 14 - Design and Construction

Proposals for new development and major refurbishment will need to demonstrate how the proposed development will provide opportunities to promote biodiversity

Oadby & Wigston Borough Council's (OWBC) Local Development Scheme 2014

This sets out the process for the review of the Oadby and Wigston Local Plan last reissued in 2013. The following two policies have been saved by Direction of the Secretary of State.

LANDSCAPE PROPOSAL 12: [OLP]

A tree planting scheme to improve the boundary of the green wedge adjacent to the water reclamation works and the Borough depot will be prepared, and implemented by the Local Planning Authority.

LANDSCAPE PROPOSAL 13: [OLP]

The Local Planning Authority will enhance and improve the appearance of the built edge of Oadby between Hidcote Road, Belper Close, Oxted Rise, Broxfield Close, Briar Meads and Tilton Drive by a scheme of tree and hedge planting in the Oadby/Leicester/Wigston green wedge.

OWBC - Nature Conservation Strategy 2007-2017

The strategy discusses the integral role that trees, hedgerows and woodland play in the Nature Conservation value of the Borough. It discusses the critically importance of the two Green Wedge areas within Oadby and Wigston in defining the form and direction of urban growth, providing links to the open countryside, recreational facilities, and, as an attractive feature. Trees and hedgerows create the landmarks within Green Wedges. The collective importance of our seemingly fragmented urban habitats (such as cemeteries, gardens and allotments, parks and school grounds is recognized, and is a point of focus for the review of the Biodiversity Action Plan (objective 1.3 of the Strategy). The objectives of the document are nearly all relevant to trees, either directly or indirectly. Of particular relevance is the following:

Objective 2.1

To work in partnership with Leicestershire County Council to work towards the establishment of a South Leicestershire Community Forest.

Objective 4.3

To continue to support the Volunteer Tree Warden Scheme

OWBC - Landscape Character Assessment

This divides the Borough into different Landscape Character types defined by the nature of the habitat, townscape, and farmed landscape. It provides a detailed analysis of character, strengths, weaknesses, opportunities and threats. Full details are found at

http://www.oadby-wigston.gov.uk/pages/landscape_character_assessment

Of particular relevance is the following policy:

BW/1

Protect the existing positive contribution made to the urban character by trees and identify opportunities to increase tree cover.

- ***BW/1/a – Encourage formal street tree planting***
- ***BW/1/b – Encourage informal street tree and garden tree planting***
- ***BW/1/c – Increase the contribution of urban fringe trees to the landscape character.***
- ***BW/1/d – Improve the contribution of green frontages and open space to Landscape character and biodiversity***

OWBC - Green Infrastructure Plan March 2012

This document identifies components of Green Infrastructure planning and provides an evidence base for the emerging Local Development Framework. Veteran trees, urban trees, woodlands and hedgerows are recognized as an important component of the Green Infrastructure Plan.

The strategy recognizes the fact that any new tree planting to extend the existing woodland areas of the Borough will improve the townscape. This includes planting some of the wider grass verges near woodlands. There are no woodland areas within Wigston and the strategy discusses various impetuses for new woodland planting; from agri-environment schemes to new development. The strategy identifies areas for new tree planting and a timescale for delivery (2014 – 2026)

OWBC - Greening the Borough strategy 2012 – 2022

This is a diverse series of initiatives that:

- creates a more attractive Borough;
- leads to a place people choose to live, work and visit;
- gives people an opportunity to play a part to improve and care for local natural open spaces;
- attracts participation, interest, and celebrates local distinctiveness;
- works with partners and communities to achieve success



Aim 1 - To improve the interest and impact of highway verges through enhanced maintenance, colourful and interesting planting, and an increase in the amount of trees and shrubs.

Aim 4 – Entrance points to the borough shall be of a high quality and interest and give a clear indication that the borough within is one that takes great pride in itself. This raised standard will be continued along the main highway routes with imaginative planting schemes, tree planting and areas of distinction.

Aim 6 - To increase the number of trees on public property, and to seek to reverse the trend of removing trees from gardens which has had a detrimental effect on the appearance and ecology of many streets.

20.0 Tree Wardens

The Tree Council is the UK's lead charity for trees, promoting their importance in a changing environment. Their vision is one; of more trees in streets, parks, hedgerows and woodland across the UK, bringing benefits to people and wildlife, enhancing landscapes and engaging people in biodiversity and environmental issues. They work in partnership with our volunteer Tree Wardens, schools, communities, organizations and government to make trees matter to everyone.

Tree Wardens are volunteers, usually appointed by parish councils or other community organisations, who gather information about their local trees, get involved in local tree matters and encourage local practical projects related to the trees and woods. The Oadby and Wigston Borough Council's Tree Warden Scheme is part of the wider Leicestershire Tree Warden Scheme and seeks to involve local volunteers in championing and managing their local trees and to meet locally with like-minded people for training, field trips and practical activities. To support this, the Council runs training events locally, supporting the volunteers wherever possible, and in whatever way appropriate. This will include providing information on changes to legislation and current research on new pests and disease alerts. The most recent training was on CAVAT on 23 November 2015 in the Peace Memorial Park.

Getting involved

For more information about joining the tree warden scheme see http://www.oadby-wigston.gov.uk/pages/volunteering_with_the_tree_warden_scheme

Getting involved

Record your local trees on the Treezilla website. The more records we have, the easier it is to quantify the benefits of the trees. The following description is from their website:

What is Treezilla?

Treezilla is an exciting new platform for citizen science that everyone from school children to university students and the general public can get involved with. The idea is to map every tree in Britain. This will create a data-rich platform on which a wide range of citizen science investigations can be built.

Getting involved

The Pride of the Borough Group is an umbrella group, working with the council to organize our entry into East Midlands in Bloom. The group was formed in 2004 and aims to improve the environment, working with the council and others and encourage and support relevant community activities. Further operations details are found in Appendix one. Contact details are found on the website http://www.oadby-wigston.gov.uk/pages/pride_of_the_borough1.

21.0 Tree Policies

Overall policies

Policy 1 – we will develop the tree population. The tree stock will be expanded with new tree planting where appropriate and practicable.

Policy 2 – we will provide and maintain a high quality and sustainable tree stock. Native species will be planted to maximize indigenous flora and fauna, particularly, but not exclusively, in rural areas. A diversity of species will be established to mitigate against pests and disease that can threaten entire species.

Policy 3 – we will provide and promote the highest standards of tree care to the British standard BS 3998: 2010 '*Tree Work – Recommendations*' as well as adopting relevant arboricultural legislation and research development.

Policy 4 – we will resist the unnecessary removal of trees unless there are justifiable arboricultural, planning or legal reasons. (If you own or you buy a property, then the nearby and valued trees and your responsibilities towards those trees are all part of that same property).

Policy 5 – we will continue to run the tree warden scheme, but incorporate this within the councils Volunteer Policy and Procedure (when adopted)

Council owned trees

The council own trees in parks, cemeteries, allotments and country parks. We will:

Policy 6 - Take all reasonable steps to fulfil duties and obligations to ensure tree safety for public and property.

Policy 7 – carry out replacement planting when a tree is removed. The replacement planting location and species of tree will be assessed.

Policy 8 – The council will not normally undertake any tree pruning works or removal of trees in direct response to any natural or seasonal phenomena, for example:

- a. falling leaves;
- b. sap exudation, (honeydew);
- c. falling fruits, nuts or seeds;
- d. bird droppings;
- e. blossom or pollen;
- f. reduction or increased moisture to gardens;
- g. germinating seeds from council owned trees;
- h. blocked or obstructed drains, gutters, flat roofs from tree deposits and leaves; or
- i. presence of algae, moss build up.

Policy 9 – The council will not normally undertake any tree pruning work due to:

- a. Loss or interference with TV or satellite signal reception;
- b. Loss of sunlight or man-made lighting during any part of the day;
- c. Damage or “heave” to adjacent surfacing due to a nearby tree;
- d. Blocking or obstruction of a view from a residence.

Policy 10 – The council will not normally prune trees to avoid shading solar panels.

Policy 11 – The council will not remove or prune a tree even if someone is willing to pay

Policy 12 - Where birds are found to be nesting in trees, tree works will normally be delayed until the end of the nesting season, or the birds have fledged (whichever is sooner).

Policy 13- Any trees identified and confirmed to be supporting roosting bats will not be worked on until Natural England is consulted. We will then act upon the advice given to us.

Policy 14- When investigating claims of subsidence/heave and damage to properties from underground tree roots evidence will be required from claimants by way of a report from an appropriately qualified person. The report should discuss the following.

- a. A description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map.
- b. Details of vegetation in the vicinity and its management since discovery of the damage. Include a plan showing the vegetation and affected building or surfacing material.
- c. Measurement of the extent and distribution of vertical movement using level monitoring.
- d. A profile of a trial/bore hole dug to identify foundation type and depth of soil characteristics
- e. The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index.
- f. The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out.
- g. Proposals and estimated costs of options to repair the damage.
- h. A report from an Arboriculturist to support the tree work proposals, including arboricultural options for avoidance or remediation of indirect tree-related damage.

In the case of other structural damage to garden walls, drains, paving, drive surfaces, technical evidence should be provided by a relevant engineer, Architect, building/drainage surveyor or other appropriate expert. Removal of the tree may not be the only appropriate option.

Policy 15- We will continue to develop opportunities to use the woodchip, logs, timber from our own tree works.



Photo 12 council owned copper beech enhancing the local setting

Woodland management policies

Policy 16 - We will take reasonable steps to preserve and enhance woodland trees, particularly those that are indigenous to the area served by Oadby and Wigston Council. We will work with other towards the establishment of a South Leicestershire Community Forest.

Policy 17 - Where possible we will encourage natural regeneration in our woodlands.

Policy 18 - Where possible, subject to public safety assessments, we will retain dead trees in woodlands preferring to prune rather than fell. In situ dead timber and felled trees are left to benefit habitat creation, or where appropriate with funds permitting, public art.



Photo 13 using dead wood as art at Brocks Hill County Park

Policy 19 - We will manage woodlands as a long term sustainable resource. This includes the woodland management technique of woodland thinning of young to enable the best trees to flourish.

Policy 20 - We will actively support and encourage community involvement in the planning and operation of woodland management.



Photo 14 getting involved with woodland management at Brocks Hill County Park

Policy 21 - We will produce and implement woodland management plans for all our woods which will take into account the wider landscape, historic and ecological issues.

Policy 22 – We will apply for the appropriate licenses for felling, from the Forestry Authority, within Oadby and Wigston Council Country Parks

Privately owned trees

Policy 23 – We will strive for provision of space for planting new trees on development and privately owned site by means of the planning application process. Foundation details should follow the recommendations of the National House Building Councils practice note 4.2 *Building near trees* and distance from buildings complies with *BS 5837:2012 'Trees in relation to design, demolition and construction. Recommendations'*.

Policy 24 – We will expect to see tree reports in accordance with *BS 5837:2012 'Trees in relation to design, demolition and construction. Recommendations'* with submitted planning applications where nearby trees might be affected.

Policy 25 - We will expect to see works on construction sites that might affect trees, to be carried out in accordance with *BS 5837:2012 'Trees in relation to design, demolition and construction. Recommendations'* and that foundation details follow the recommendations of the National House Building Councils practice note 4.2 *Building near trees*.

Policy 26 – We will impose robust, tree specific planning conditions to ensure that trees are cared for during construction work. This will include arboricultural site supervision when it is appropriate and proportionate. We will enforce any breach of such safeguarding conditions.

Policy 27 – We will make Tree Preservation Orders when expedient in the interests of amenity.

Policy 28 – When considering applications to carry out works to trees protected by a Tree Preservation Order or in Conservation Areas we will expect to see all required information and process the application within 8 weeks. Applications to carry out work will not normally be permitted when the considerations highlighted in policies 7, 8 and 9 apply.

Policy 29 – When considering applications to carry out work where subsidence/heave is alleged, the level of detail set out in policy 14 is required.

Policy 30 – We will enforce and where appropriate will prosecute tree related contraventions.

22.0 FAQs (Frequently Asked Questions).

What is a Tree Preservation Order?

A Tree Preservation Order (TPO) is an order made by a local planning authority, such as Oadby and Wigston Borough Council, which makes it an offence to cut down, lop, top, uproot, wilfully damage or wilfully destroy a tree without first getting permission from us. They are usually made to protect trees that make a significant contribution to a public amenity or area. They may particularly be made when it is felt that a tree may be under threat.

What types of tree can be covered by a TPO?

All types of trees, native and ornamental, including hedgerow trees, may be the subject of a TPO. A TPO cannot protect hedges, bushes, or shrubs.

How can you find out if a tree has a TPO?

Contact our Planning Control Team or Arboricultural Officer with details of the address, location, and species of the tree or use the Map of Protected Trees. When you are buying a property the presence of a TPO should be revealed by the search of the local land charges register.

Who is responsible for maintaining a tree with a TPO?

The owner of a protected tree is responsible for its maintenance, condition and any damage it causes. However, if you are the owner, you will still need to get Consent from us before carrying out most types of work. Tree work is a dangerous and highly skilled operation and trees are complex living structures which are easily damaged by poor quality or unsympathetic tree work. We strongly advise you to talk to a professional tree surgeon or arborist to advise you and undertake any work needed.

Can you recommend a good tree surgeon?

No, as a public body we cannot make any recommendations. However, see the well qualified Arborists and Tree Surgeons recommended by the Arboricultural Association at via their website at: <http://www.trees.org.uk/Find-a-professional>.

How do you get Consent to work on a tree covered by a TPO?

If you wish to carry out work to a tree protected by a TPO you must make an application on the standard application form – with any necessary supporting information. You can do this in writing to Oadby and Wigston Borough Council at the Council Offices, Station Road, Wigston, LE18 2DR. For an electronic version of the standard tree works application form and guidance notes, see the hyperlinks on pages 11 and 12 of this document. Applications not made on the standard application form cannot be accepted and will be returned to you. You must include a plan showing exactly which trees you wish to prune, although this need not be to scale. You must also indicate exactly what sort of work you wish to carry out and the reasons why. Certain types of work will also need appropriate supporting documentation. For example, if you give the reason for work as being safety or

damage to property you will need to provide written and qualified evidence of this. You can find information about supporting documentation in the guidance notes for the standard application form. We will write to confirm receipt and registration of your application. We will consider it and let you know our decision within eight weeks.

If you are refused Consent can you appeal?

Yes. If your application is refused or if you do not receive a decision within eight weeks, you can appeal to the Planning Inspectorate who will consider your appeal on behalf of the Secretary of State. We will send you details of how to appeal along with the decision notice refusing Consent. You may also appeal if we grant permission subject to certain conditions. During the appeal process the information you submitted along with your application and our comments will be carefully considered by an independent Planning Inspector.

Can you get compensation if your application is refused or conditions are attached?

There are limited circumstances where you can make a claim for compensation if you are refused permission to carry out work to a protected tree or conditions are attached.

If you wish to make a claim for compensation you should write to us within 12 months of our decision or within 12 months of the Secretary of State's decision if you appealed.

Will I be told if a TPO is made on a tree on my property?

Yes. When we make a TPO, we will send copies to the owner of the property and any adjoining properties which are affected.

How can you object to, or express support for, a new TPO?

To object to a new TPO or to express your support for it, write to us within the time allowed, usually 28 days after the order has been made. We will consider your comments when deciding whether or not to confirm the TPO.

When can you prune a protected tree without Consent?

There are certain circumstances when you can carry out work to a protected tree without first seeking our Consent. These include:

- If the tree is dead or dangerous. The danger must be present and the onus will be on you to prove this if the facts are questioned. It is good practice to let us know if you plan to carry out work on this basis at least five days in advance so that we can agree with you which trees are dead or dangerous. Removal of dead wood from an otherwise healthy tree is considered to be covered by this exemption
- If you are obliged to carry out work by an Act of Parliament. Most commonly, this applies to trees overhanging a public highway where you have an obligation to

maintain reasonable clearance above the road. This usually equates to 2.5m above a footway or 5.5m above a vehicular carriageway

- Where work is absolutely necessary to implement a detailed planning permission. This does not apply to an outline permission or to development carried out as “Permitted Development” – that do not require planning permission from the Council.
- If the tree is a fruit tree and you prune it in accordance with good horticultural practice, or if it is a fruit tree in a commercial orchard
- If the work is to be carried in accordance with a Forestry Commission grant scheme or if a felling licence has been granted by the Forestry Commission.

Might I have to plant a replacement tree?

If you cut down or destroy a protected tree you will have to plant a new one if:

- You did so in breach of a TPO or without notifying your intention in a conservation area
- You did so because the tree was dead or dangerous (except if in a woodland)
- You obtained permission but a condition requiring a new tree to be planted was attached to the permission
- In most cases where the Forestry Commission grants a felling licence.

What happens if I carry out work on a protected tree without permission?

If you deliberately destroy a protected tree or damage it in a manner likely to destroy it, you could be fined up to £20,000 if convicted in a magistrate's court. For other offences you can be fined up to £2,500. Furthermore, you will normally have to plant a new tree if the tree was cut down or destroyed.

How else might a tree be protected?

In addition to TPO and conservation areas there are various other factors which may constrain work to trees. These include:

- Felling which involves more than 5m³ of timber, or more than 2m³ if sold, may require a felling licence from the Forestry Commission
- Many wildlife habitats are protected under the Wildlife and Countryside Act and the Countryside and Rights of Way Act. This includes bat roosts and the nests of wild birds. If a tree contains a protected habitat work may have to be delayed or may require a licence from Natural England
- Trees may sometimes be protected by conditions attached to planning permission
- Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

23.0 Bibliography

The Tree Council - <http://www.treecouncil.org.uk/>

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BS 3998: 2010 Tree Work - Recommendations

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BS 8545: 2014 'Trees: from nursery to independence in the landscape – Recommendations'.

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Trees in the Townscape: A guide for Decision Makers (TDAG)

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<http://magic.defra.gov.uk/>
<http://www.treezilla.org/>
<http://www.treecouncil.org.uk/>
[http://www.forestry.gov.uk/pdf/space4trees_stage3_doc.pdf/\\$FILE/space4trees_stage3_doc.pdf](http://www.forestry.gov.uk/pdf/space4trees_stage3_doc.pdf/$FILE/space4trees_stage3_doc.pdf)
<http://www.itreetools.org/eco/>
<http://ltoa.org.uk/resources/cavat>

Photos from Brocks Hill Facebook page, or by the main author Sharon Hosegood, Chartered Arboriculturist FICFor FArborA BSc (Hons) Tech Cert (Arbor A)

DRAFT



EQUALITY ASSESSMENT

PART 1 - INITIAL SCREENING

Name of Policy/Function:	X	This is new
		This is a change to an existing policy
		This is an existing policy, Function, not previously assessed
"Oadby and Wigston's Trees – and why we care".		This is an existing policy/function for review

Date of screening	5 th January 2017
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1. Briefly describe its aims & objectives

To set out and publicise the significance of trees within the Borough and the responsibilities of owners and the Council.

2. Are there external considerations?

e.g. Legislation/government directive etc

A good deal of relevant law and national planning related policy apply.

3. Who are the stakeholders and what are their interests?

All residents and visitors to the Borough.

4. What outcomes do we want to achieve and for whom?

A higher quality of care applied to the ownership, custody and management of trees throughout the Borough.

5. Has any consultation/research been carried out?

No previous public consultations. Largely drawn from settled law and best practice.

6. Are there any concerns at this stage which indicate the possibility of Inequalities/negative impacts?

Consider and identify any evidence you have -equality data relating to usage and satisfaction levels, complaints, comments, research, outcomes of review, issues raised at previous consultations, known inequalities) If so please provide details.

No.

7. Could a particular group be affected differently in either a negative or positive way?

Positive – *It could benefit*

Negative – *It could disadvantage*

Neutral – *Neither positive nor negative impact or not sure.*

	Type of impact, reason & any evidence
Disability	Positive
Race (including Gypsy & Traveller)	Positive
Age	Positive
Gender Reassignment	Positive
Sex	Positive
Sexual Orientation	Positive
Religion/Belief	Positive
Marriage and Civil Partnership	Positive
Pregnancy and Maternity	Positive

8. Could other socio-economic groups be affected?

e.g. carers, ex-offenders, low incomes, homeless?

None apparent.

9. Are there any human rights implications?

Ownership, custody or management of trees has no apparent implications for Articles 8 or 6.

10. Is there an opportunity to promote equality and/or good community relations?

None apparent.

11. If you have indicated a negative impact for any group is that impact legal?

i.e. not discriminatory under anti-discrimination legislation

N/A

12. Is any part of this policy/service to be carried out wholly or partly by contractors?

Only those contractors who act upon the instructions of a tree's owners.

13. Is a Part 2 full Equality Assessment required?

No

14. Date by which a Part 2 full Equality Assessment is to be completed with actions.

N/A

We are satisfied that an initial screening has been carried out and a full equality assessment **is not required*** (please delete as appropriate).

Completed by
(Policy/Function/Report written)

Tony Boswell

Date 5th Jan 2017

Countersigned by
(Head of Service)

Adrian Thorpe

Date 5th Jan 2017

Please forward an electronic copy to:
(Community Engagement Officer)

veronika.quintyne@oadby-wigston.gov.uk

Equality Assessments shall be published on the Council website with the relevant and appropriate document upon which the equality assessment has been undertaken.



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information
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Title: **Leisure Services Update**

Author: **Avril Lennox MBE (Health & Leisure Services Manager)**

1. Introduction

1.1 This report provides Members with an update on the Council’s Leisure Services, which includes the Leisure Contract; Sport & Physical Activity Commissioned activities; and Brocks Hill Country Park and Centre.

2. Recommendations

2.1 That Members note the progress in relation to Leisure Services.

3. Information

3.1 Leisure Contract

Participation

Participation has remained impressively high. There have been nearly 244,000 visits in the period August to November, which is more than 2,000 per day!

Currently 1,800 children and adults are learning to swim every week, with swimming participation reaching 80,000 for the whole period.

This period has seen significant growth in specific participation due to the activities delivered as part of the Sports Development and Reducing Health Inequalities plans. The activities are specifically aimed at increasing participation of targeted community groups. There has been substantial growth in GP referrals, Active Life (Older Adults) and Falls Prevention. Participation has remained consistently high for Under 5’s, children’s sports courses and disability swimming. Particularly pleasing has been the positive response to the introduction of activity sessions for diabetes sufferers. Free swimming for children in the school holidays was an impressive 2,400 and the expanded holiday camps attracted over 1,600 participants.

Events

There have been a number of events in the period, for example:

- OWBC Awards Evening
- Blood donor sessions
- Weddings
- Breast Care unit stationed at Parklands
- Pool lifeguard course
- Targeted programmes for girls, walking cricket, gymnastics

Customer Feedback

Customer feedback has been really pleasing, with emphasis on the delivery by the

frontline staff, in particular the Swim Teachers, Receptionists, Fitness staff and Coaches/Instructors. The other area of repeatedly positive feedback was the children's holiday camps in August. The comments particularly emphasised value for money and generated frequent repeat custom.

Phone Call Handling

SLM has made a concerted effort to manage the amount of phone calls by taking the following action:

1. SLM has heavily promoted the opportunity to book activities online via the leisure centre website and app. This has resulted in an increase in online bookings, meaning there are less customers booking in person or by phone.
2. SLM has changed the telephone answering service by adding a voicemail feature for those who want to cancel classes. They have also changed the 'hunt group' structure so that more staff have the opportunity to answer calls, in a quicker time period.
3. Parklands Leisure Centre is currently trialling a new software package which supports an automated central supporting system for phone calls. If this is successful it will be rolled out across all SLM run leisure centres. The system provides information on call volumes and waiting times. The system is very much in its infancy, but SLM hope to have some tangible data to analyse starting from January 2017

New Staff/Posts

Recruitment has continued at a pace, in particular swim teachers, lifeguards and childrens Activity Leaders as well as Apprenticeships and Work Experience placements.

Food Hygiene rating – Parklands Cafe and Brocks Hill Cafe

Parklands Leisure Centre 'Cafe' and the Brocks Hill 'Cafe' have recently undergone a food hygiene inspection. The scheme is run by the Food Standards Agency.

The food hygiene rating given to a business reflects the standard of food hygiene and enables consumers to choose where to eat; the information is published on the Food Standards Agency website.

A business can be given one of the following star ratings (0 to 5)



It is pleasing to note that both Parkland Leisure Centre Cafe and Brocks Hill Cafe facilities have both been awarded the **4* rating**.

3.2 2016/17 Sport & Physical Activity Commissioning

The following information provides a brief update on progress and future plans for the delivery of targeted interventions across the borough, utilising external funding

September – December

Oadby and Wigston Council Health Event

The OWBC Staff Health Event, organised in partnership with the HR team in October, was extremely well received. Staff had the opportunity to undergo a health check; try out some unusual fruits; make a smoothie drink; and have a go at table tennis. In addition, there were a range of health information stands and a survey was carried out to identify what future physical activity taster sessions staff would like implemented.

External Workplace Challenge Programme

Local businesses were given the opportunity to nominate a member of staff to attend the Workplace Challenge Champion training course. The aim of the course was to train individuals to promote being healthy at work e.g. by setting up physical activity sessions; encouraging people to have a walk at lunch time; and encouraging active travel.

BME Engagement

Continuing on from previous work in this area, the Oadby Oshwal Association were successful in their bid for funding to run some outdoor pursuits sessions, which benefited their members (with nearly 30 people attending each session). In addition, members of the Oadby Mosque were successful in receiving funding to set up a men's football project at Parklands Leisure Centre and the ladies group are planning to start a healthy eating course next year.

Other work includes partnership working with various local agencies to provide a bike to those living at Kennedy House in South Wigston, to enable them to keep healthy and get around easier. They also have the opportunity to access football sessions at Aylestone Park Football Club.

LEAP – Adult Weight Management Programme

The LEAP sessions have continued to be well received with 9 -11 participants attending each week. Three blocks of 11 sessions have been delivered so far, with one more planned in early January.

Falls Prevention

The Strong and Steady Falls Prevention programmes have been a resounding success with 15 participants completing the 24 week course. An additional social element to the sessions has emerged; in addition the attendees of the group have been recognised by winning an award last November at the O&W Awards Evening.

Inactive Young People Projects

Working with the local School Sports Partnership on a range of projects to increase activity levels. One of the focus target groups was young boys who do not actively seek out, or take part in formal team sports. A series of weekly fun sessions took place within their school setting to increase participation levels, culminating in a 'LADs Day' event at the local leisure centre. This was followed up with monitoring and evaluation in order to influence future projects.

Young People Survey

A young person's survey has been produced and designed for youngsters aged 11-18 years to complete, in order to identify gaps in provision. The results from the survey together with the Club Database information, will not only influence future provision, need and demand, but will be used in future funding bids.

School Games

Regularly support is being provided by OWBC's Sports Development Assistant, with multiple school games competitions currently taking place. These include table tennis, gymnastics, athletics, netball and basketball at primary and secondary level.

January – March

Back to Sport Sessions

There will be a range of 'Back to Sport' sessions starting in January for adults who would like to start something new or get back into sport. There will be Football, Basketball, Cricket, Table Tennis and Badminton.

Retirement Project

We have previously set up Walking Football and Cricket at Parklands Leisure Centre aimed at residents 50+. In addition some Conservation Volunteering projects are planned at Brocks Hill Country Park to build items such as benches and bird boxes.

Led Cycle Rides

A range of Family Led Cycle rides will be delivered across the borough in February and March. This will give local residents a chance to just turn up and enjoy a pre-planned cycling route, led by two qualified leaders.

Dementia Day Service

The leisure team will be working in partnership with J and S Dementia Day Service in South Wigston in January. This will provide the service users with an opportunity to try some different physical activities on a weekly basis e.g. Boccia, Kurling, Table Tennis and Seated Exercise.

ASB Diversionsary Project

A range of informal drop-in sessions will take place in January for 12 – 18 year olds, to help address ASB in the borough. Working in partnership with the Impact Team from LCC activities will include Boxing, Football, Basketball and Dodgeball. The aim of this project is to get more young people off the streets and into sport/physical activity.

3.3 Oadby and Wigston 2016 Awards Evening

The Borough's 7th annual Awards Evening was held on 23rd November 2016 at Parklands Leisure Centre. This was a partnership event organised and jointly funded by OWBC, Everyone Active and the Local Sports Alliance.

Over 180 people attended the evening, which was held to celebrate and recognise the achievements of our local resident in sport and physical activity.

A welcome address was provided by the Mayor Councillor Rob Eaton, which was

followed by a cheerleading demonstration by local club RDC Cheeleaders, who hold numerous Regional, National and Grand Championships titles.

Tom Brady from Leicester Tigers presented a range of community and sports awards, which was in addition to a special presentation by Sport England's Local Government Manager, Russell Turner, to South Wigston High School pupil Jarrod Hands, for his outstanding commitment to sport and physical activity. The highly regarded Compère for the evening was once again Gaynor Nash, who was extremely well received by all.

3.4 Brocks Hill Update

Conservation Activities / Natural History Projects

A range of conservation programmes and activities have taken place at Brocks Hill. The following list provides information about school engagement and half term projects, in addition to community activities.

School Engagement:

- Sparkenhoe Community Primary School – 60 children and 11 adults took part in Den Building and Orienteering.
- Barley Croft Primary School's visit included a Nature walk and den building.
- Launde Primary School - 86 children + leaders learnt about Den Building.
- 24 young people from Birkett House Special School – learnt about 'Centre' and Solar power'; and another year group from Birkett House School came on a separate occasion to carry out a self-led visit, with 11 students and 10 leaders.
- 55 children and 8 adults from Hazel Community Primary School also took part in Solar power activities.
- Holycross Primary School – took part in a self-led visit with Nature walk and den building, to provide awareness of the natural environment.
- Evington Valley Primary School was also a self-led visit with Nature walk and use of the play area for 90 of their pupils, to gain an understanding and awareness of the natural environment.
- Charnwood Primary School – carried out a self-led visit with 60 pupils
- 60 children attended from Little Hill Primary School – with a self-led visit including Orienteering.

Outreach – Teachers Day for Leicestershire Schools

Two members of the Brocks Hill team provided a morning session 'teaching the teachers' outdoor environmental activities. A total of 40 teachers benefited from the two workshops, this experience will enable them to bring environmental and conservation awareness into their individual schools.

Half Term Activities:

A range of children's half term activities were delivered:

- Making an Owl costume, bringing awareness of wildlife and the natural environment through craft and fun (24 children with adults)
- The Big Draw, linked the theme of this year's National Big Draw to the natural environment (30 children + adults)
- Brilliant Bats activities - bringing awareness of wildlife and the natural

- environment through craft and fun (44 children with adults)
- Mini Professors - Focused on spiders and butterflies bringing awareness of wildlife and the natural environment through craft and fun (35 children with adults)

Other conservation activities:

The 3rd Oadby St Peters Guides and their leaders took part in a Den Building exercise. This provided the group with an awareness of safety outdoors as well as the skills to create a safe, protective space.

Bat Walk - Leics and Rutland Bat Group led a talk and walk around the Country Park for 26 adults, finding out about bats and learning how to use a bat detector.

Plant Galls of Brocks Hill

Chris Leach, of the British Plant Gall Society, led a walk around the Country Park showing different types of galls and how to identify them. Brocks Hill is a Leicestershire hot spot for Galls. With the specialist on site it raises the profile of Brocks Hill in its recognition of this plant anomaly as well as educating the general public to find out more.

Food Fayre

A Food Fayre, promoting healthy eating, was held in October organised by the Friends of Brocks Hill. The event was very well received by the 200 attendees on the day.

3.5 Conservation Volunteering

Regular attendance by the Conservation Volunteers on Wednesdays at Brocks Hill is continuing. Communication channels are in place to discuss the schedule of works, via the Super Volunteer's monthly meetings and during the weekly volunteer's briefings.

Filming by Leicestershire & Rutland Sport took place last September, as part of a campaign to highlight the benefits of volunteering.

A new link to conservation volunteering is being made through the OWBC Leisure Team's sport and physical activity commissioning plan. One of the projects in the planning process is a retirement project, in order to recruit those who are nearing retirement age or have retired. Once these new volunteers have completed the project, the aim is to signpost them to opportunities at Brocks Hill and the borough's other green and open spaces. This project meets a number of the Oadby & Wigston Health & Wellbeing Board's priorities; to improve the health and wellbeing of residents, including addressing mental health.

The two new Officers recruited are now in place. Jamie Gould, (Park Warden) and Hollie Standall (Natural Discovery Volunteer Officer) started with OWBC on 15 December 2016.

3.6 Car parking – Brocks Hill / Parklands Leisure Centre

The need to increase car parking spaces at Brocks Hill/ Parklands Leisure Centre has become apparent over the last 12 months. The popularity of the leisure and the increase of visitors to Brocks Hill Centre and Country Park have also increased, particularly during the summer months.

The OWBC Planning Control Manager is currently working through the planning

application to develop small areas of land identified by the Service Delivery Committee. In addition, and in particular whilst considering the long-term and future-proofing of the sites, the Planning Control Manager is considering other areas of land across the leisure sites that would be appropriate to develop into car parking spaces.

At the time of writing this report (Christmas 2016) the update with regards to planning has not yet been confirmed.

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Implications	
Financial (CR)	The above schemes/projects can be met within budgetary provision including external funding/support identified, with the exception of the costs associated with increasing car parking spaces.
Legal (AC)	No significant implications, however planning will be applicable to increase car parking spaces.
Risk (AL)	CR1: Decreasing Financial Resources CR8: Organisational Change
Equalities (AL)	Current EIA Commissioning Action plan completed in July 2015. Next assessment due in 2018. Brocks Hill Equality Assessment completed June 2016.
	Equality Assessment
	<input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

Agenda Item 16



**Service Delivery
Committee**

**Tuesday, 17 January
2017**

Matter for Information

Title: Facilities Services Update

Author: Margaret Smith (Facilities and Administration Manager)

1. Introduction

- 1.1 This report covers progress and developments within the Facilities Service. It sets out achievements and work in progress since 11th October 2016 when progress was last reported.

2. Recommendations

- 2.1 That members note the information in the report.

3. Capital Projects

3.1 Ervins Lock Footbridge

Chris Melton of William Saunders met with representatives from the Canal and River Trust on site on 13th December to discuss the proposal and design. Following this meeting some minor design revisions have been made to take into consideration the informal on-site discussions. The revised drawing has now been formally submitted to the Trust for pre-planning advice and comment.

3.2 Refurbishment of Bus Shelters

- The two Victorian style bus shelters on Blaby Road, South Wigston have been re-painted.
- Four shelters on Saffron Road, South Wigston and three shelters on Aylestone Lane, Wigston will be re-painted by 31st January followed by further shelters on a rolling programme.

3.3 Cemetery Wall Repairs

Work has been carried out to 22 trees in the cemetery along the boundary with the Rugby Club to enable the work to start on wall repairs. Subject to the weather remaining mild the contractor is due to start repairs to the wall in early January.

4 Forum Projects

4.1 Oadby Forum:

- Ellis Park Drinking Fountain – restoration and cleaning of the stonework and re-cutting the wording around the fountain (which was installed in 1897 for Queen Victoria's Diamond Jubilee) has been completed.
- The Facilities and Administration Manager has worked with Oadby Civic Society on the specification and ordering of Conservation area plaques which have been funded by Oadby Forum.

4.2 South Wigston Forum

- A seat has been installed into the bus shelter outside of Tesco on Blaby Road.

5 Borough Entry Signs (update from Greening of the Borough Working Group)

- 5.1 At the last Greening of the Borough Working Group Members agreed that acknowledgement of the Borough's 'in Bloom' status should be on a separate plate that sits below the Borough Entry Signs. A quote has been received to manufacture the plates of £295 if all nine are done at the same time or £350 for three. A revised quotation has also been received for the refurbishment of the mains signs which has increased slightly and is now £960 per sign if all 9 are completed at the same time or £1,050 per sign for three. Policy Finance and Development Committee has already unanimously agreed to allocate £2,850 from Greening of the Borough reserves to allow the first three signs to be refurbished as part of a three year rolling programme; a report is to be submitted to the next Policy Finance and Development Committee requesting the allocation be increased to £4,200 to cover the above costs.

6. Facilities Work

6.1 Pavilions and Community Centres

- Horsewell Lane Pavilion – repairs have been carried out to the roof which was leaking; three windows have been replaced which had been vandalised.
- Coombe Park Pavilion – the kitchen has been deep cleaned and both the kitchen and community room have been re-painted.
- Freer Community Centre – the wooden floor in the main hall has been cleaned and re-sealed and a deep clean has been carried out to the hall, meeting room and kitchen.
- Portable Electrical Appliance Testing has been carried out across all pavilions, community centres, cemetery buildings, Oadby Depot and Brocks Hill Centre.

6.2 Car Parks

- Notification has been received that the current car park ticket machines will need to have new coin mechanisms fitted to take the new £1 coins which come into circulation in March 2017. A quote has been requested but the cost of this will be additional to the current car park budget.
- Monitoring of parking at Blaby Road Park car park has continued following the assertion that the parking problems are caused by students at South Leicestershire College. Advice has been sought on whether the parking order could be changed to 'term time' only but as different schools and colleges have different dates this would make enforcement difficult as there is no precise definition of 'term time'. The results of monitoring will be reported to the next Policy, Finance and Development Committee as requested by Members.

6.3 Cemeteries

- Work to extend the Garden of Remembrance at Wigston Cemetery has been completed creating an additional 50 plots for the interment of ashes.
- The chart below shows the number of interments that have been dealt with during the three months 1st September 2016 and 30th November 2016:

	Full burials	Interment of cremated remains	Scattering of ashes
Wigston Cemetery	9	25	1
Oadby Cemetery	3	10	0

6.4 Street Furniture (other than detailed elsewhere)

- Replacement street name plates have been installed at Caldecott Close and Yarwell Drive, Wigston; Namur Road South Wigston and Sutton Close and Pomeroy Drive, Oadby. Street name plates for Oaks Way, Oadby will be installed by the end of January.
- Replacement / new litter bins have been ordered for Horsewell Lane (Forum request), Manor Street, Leicester Road, and Kirkdale Road near to the Railway Station and should be delivered and installed by the end of January.
- The bench outside of HSBC Bank on The Parade in Oadby is the subject of an insurance claim following a road traffic accident. The insurers have been asked to give permission for removal of the damaged bench but this is not yet forthcoming.

Background Documents:-

Minutes of Policy, Finance and Development Committee 19th July 2016

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Implications	
Financial (CR)	All works need to met from within current budget allocations.
Legal (AC)	No significant implications.
Risk (MAS)	CR5 Effective utilisation of assets/buildings.
Equalities (MAS)	No significant implications.
	Equality Assessment:- <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information
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Title: **Operations Services Update**

Author: **Brian Kew (Operations Manager)**

1. Introduction

This report covers progress and developments within the Operations Services setting out achievements and work in progress.

2. Recommendations

That Members note the information provided within the report.

3. Waste & Recycling

- 3.1. Leicestershire County Council has now made its decision regarding recycling and therefore recycling credits will cease as from April 2018. LCC will also direct us where the recycling will be delivered to and they are about to start the procurement process now. Each of the seven councils will be a lot that will be bid for and this will have a major effect on the MRF based at the depot unless we bid for our own recycling.

There is a planned meeting with officers and members to discuss the way forward with waste on the 24th January 2017.

- 3.2. The 2015/16 waste figures have now been published and OWBC is 7th in the country for the lowest amount of household waste generated.

Lowest Household Waste Generation per Head (2015/16)

Authority	Collected household waste per person (kg) (Ex BVPI 84a)
Tower Hamlets LB	251.3
Lambeth LB	266.9
Ealing LB	267.0
Islington LB	268.5
East Devon District Council	277.3
Exeter City Council	277.9
Oadby and Wigston Borough Council	281.2
Crawley Borough Council	281.3
Gosport Borough Council	284.5
Lewes District Council	286.0

3.3 Recycling Rate

The recycling rate has only dropped slightly from 48.8% in 2014/15 to 48.6% in 2015/16. This is in line with the all the other councils in Leicestershire as they all

appear to be about the same as last year

Authority	2015/16	2014/15
Harborough District Council	57.5%	57.5%
Hinckley & Bosworth Borough Council	51.6%	52.7%
Blaby District Council	49.1%	48.8%
Oadby & Wigston Borough Council	48.6%	48.8%
Charnwood Borough Council	48.4%	48.4%
Melton Borough Council	47.6%	46.6%
North West Leicestershire DC	46.5%	46.6%

3.4 Garden Waste

The collection of garden waste has ceased for the winter period and will recommence on the 27th February 2017.

4. Grounds Maintenance

Works are being undertaken during the winter months. The main ones are:

- Trees have had their crowns reduced at William Peardon as part of the rolling programme
- Revamping of the shrubberies at the front of William Peardon is due to be completed
- Pruning of shrubbery at Willow Park
- Parks and Open spaces – pruning and clearing epicormic growth.

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Implications	
Financial (CR)	No significant implications.
Legal (AC)	No significant implications.
Risk (BK)	CR1 Decreasing Financial Resources - In relation to waste collection. CR4 Reputation Damage - Failure to provide or reduce services.
Equalities (BK)	No significant implications.
	Equality Assessment <input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable



Service Delivery Committee	Tuesday, 17 January 2017	Matter for Information
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Title: **Customer Services Transformation Update**

Author: **Jacky Griffith (Welfare and Taxation Manager)**

1. Introduction

This report provides an update on delivery of services at the Customer Service Centre in Bell St and progress of the Customer Service Transformation programme to introduce online forms.

2. Recommendations

That Members note the information provided within this report.

3. Information

3.1. Customer Service Centre

The Customer Service Centre celebrated its first year anniversary on 12 October 2016. In the first year of operation the service centre dealt with more than 85,000 customer enquiries from walk in customers and telephone enquiries which represents a 51% increase in the number of enquiries compared to the previous 12 months when the service was delivered from Bushloe House.

In addition the number of enquiries dealt with in November 2016 compared to November 2015 (both months based solely at Bell St) also shows an increase exceeding 50% which shows that our residents are used to accessing services at Bell St and are making even more use of front line services; demonstrating a confidence in the service provided.

This has been further evidenced by two customer satisfaction surveys have been carried out in April and October 2016 with a 100% customer satisfaction rate on both occasions. These surveys measure both the face to face service and telephone call handling. The latest survey in October is attached at Appendix 1

In spite of the considerable increase in customer enquiries, the team are still maintaining an average customer waiting time of 6 minutes and telephone call waiting time of 26 seconds (though the average call waiting times for October and November 2016 have been 17 seconds and 16 seconds respectively - within the target of 20 seconds).

Early in the New Year, the Customer Service Team will start taking first line planning calls which will allow the back office service to dedicate their resource to the technical aspects of their roles.

3.2. Phase 2 of Customer Service Transformation

To develop the service further and to give customers more options of how they access the council's services, work is ongoing to deliver a suite of online forms and a My Account facility whereby customers can view details relating to their Council Tax account and Housing Benefit and Council Tax Support entitlements.

This functionality is going through a robust testing programme and will be launched in early 2017.

Background Documents:-

None.

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Implications	
Financial (CR)	There is budgetary provision for customer services transformation.
Legal (AC)	No significant implications
Risk (JG)	CR1 – Decreasing financial resources. CR4 – Reputational damage.
Equalities (JG)	No significant implications
	Equality Assessment:-
	<input type="checkbox"/> Initial Screening <input type="checkbox"/> Full Assessment <input checked="" type="checkbox"/> Not Applicable

Customer Service Satisfaction Survey - October 2016

Customer satisfaction surveys were carried out between Tuesday 24th October and Thursday 3rd November 2016. We asked 100 customers in the face to face environment and 100 different customers in the telephone environment what they thoughts of our customer service.

We achieved **100%** satisfaction in both areas again.

See highlighted results below:

Q. How satisfied were you with the service you received today from the customer service team?	
Face to Face	Phone Team
100% customer said they were satisfied, with 84% saying they were very satisfied.	100% customer said they were satisfied, with 86% saying they were very satisfied.

Q. How would you rate the advisors knowledge in relation to your enquiry?	
Face to Face	Phone Team
99% rated our customer services officers knowledge as Excellent or Very good, with the remaining 1% saying it was fair	99% rated our customer services officers knowledge as Excellent or Very good, with the remaining 1% saying it was fair

Q. How would you rate the advisors customer service skills?	
Face to Face	Phone Team
98% rated our officers customer services skills as Excellent or Very good, with the remaining 2% saying it was fair	98% rated our officers customer services skills as Excellent or Very good, with the remaining 2% saying it was fair

Q. Which statement best describes your waiting time today?	
Face to Face	Phone Team
99% of our customers said their waiting time was reasonable with 76% saying they were seen quickly.	100% of our customers said their waiting time was reasonable with 78% saying their call was answered quickly.

Q. Is the location of the Bell Street Customer Service Centre convenient to you?	
Face to Face	Phone Team
99% of our customers said it was convenient or very convenient	78% of our customers said it was convenient or very convenient

We asked some other questions about the layout of the centre and our messaging on the telephony system; all feedback will be useful in shaping the service further.