



### TO COUNCILLOR:

Mrs R H Adams (Mayor)  
N Alam  
L A Bentley  
G A Boulter  
J W Boyce  
Mrs L M Broadley  
F S Broadley  
D M Carter  
M H Charlesworth

Mrs H E Darling JP  
M L Darr  
Mrs L Eaton JP  
D A Gamble  
F S Ghattoraya  
Mrs S Z Haq  
Miss P V Joshi  
J Kaufman (Deputy Mayor)  
Mrs L Kaufman

Miss A Kaur  
Ms C D Kozlowski  
Mrs H E Loydall  
K J Loydall  
D W Loydall  
Mrs S B Morris  
R E R Morris  
Dr I K Ridley

I summon you to attend the following meeting for the transaction of the business in the agenda below.

**Meeting:** Full Council  
**Date and Time:** Tuesday, 12 July 2022, 7.00 pm  
**Venue:** Council Offices, Bushloe House, Station Road, Wigston, Leicestershire, LE18 2DR  
**Contact:** Democratic Services  
**t:** (0116) 257 2775  
**e:** democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices  
Wigston  
**04 July 2022**

**Mrs Anne E Court**  
Chief Executive



**Meeting ID: 2237**



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### ITEM NO.

### AGENDA

### PAGE NO'S

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~ Page 1 ~



OadbyWigstonBC



@Oadby\_Wigston

A direct link to the live stream of the meeting's proceedings on the Council's YouTube Channel is below.

<https://youtu.be/YK0osJMbHso>

**1. Calling to Order of the Meeting**

The meeting of the Council will be called to order to receive Her Worship The Mayor and Deputy Mayor.

**2. Apologies for Absence**

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 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**

To read, confirm and sign the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

**a. Full Council - Tuesday, 5 April 2022, 7.00 pm** **5 - 10**

**b. Full Council, AGM (2022/23) - Tuesday, 10 May 2022, 7.00 pm** **11 - 14**

**5. Action List Arising from the Previous Meeting**

There as no Action List arising from the previous meeting.

**6. Motions on Notice**

To consider any Motions on Notice in accordance with Rule 14 of Part 4 of the Constitution.

**a. The State of Pollution of Rivers in England** **15 - 16**

Proposed by Councillor Michael Charlesworth  
Seconded by Councillor Mrs Linda M Bradley

**7. Petitions, Deputations and Questions**

To receive any Petitions, Deputations and, or, to answer any Questions by Members or the Public in accordance with Rule(s) 11, 12, 13 and 10 of Part 4 of the Constitution and the Petitions Procedure Rules respectively.

**a. Preservation of Christopher Dresser's Significant Works** **17**

Question of Councillor Michael H Charlesworth

**9. Mayor's Announcements**

To receive any announcements from the Mayor in accordance with Rule 2 of Part 4 of the Constitution.

**a. Official Mayoral / Deputy Mayoral Engagements** **18 - 19**

**10. Leader's Statement**

To receive any statement from the Leader of the Council in accordance with Article 2.9.2(ii) of Part 2 of the Constitution.

- 11. Pay Policy Statement (2022/23)** **20 - 27**  
Report of Chief Executive / Head of Paid Service
- 12. Special Severance Payments by Local Authorities** **28 - 44**  
Report of Head of Law & Democracy / Monitoring Officer
- 13. UK Shared Prosperity Fund Investment Plan** **45 - 56**  
Report of the Economic Regeneration Manager
- 14. Leicester and Leicestershire Statement of Common Ground (2022)** **57 - 104**  
Report of the Head of Built Environment
- 15. New Vision for the Council (Presentation)**  
Presentation of the Strategic Director
- 16. Brocks Hill / Office Relocation Project (Part I) (Open)** **105 - 111**  
Report of the Strategic Director / Section 151 Officer
- 17. Exclusion of the Press and Public**  
The press and public are likely to be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the item(s) below on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph(s) 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item(s) outweighs the public interest in disclosing the information.
- 18. Brocks Hill / Office Relocation Project (Part II) (Exempt)** **112**  
Exempt Appendix of the Strategic Director / Section 151 Officer
- 19. Revised 2022/23 Capital Programmes (Exempt)** **113 - 129**  
Exempt Report of the Head of Finance / Deputy Section 151 Officer

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**Full Council**

Tuesday, 12 July 2022, 7.00 pm

*Printed and published by Democratic Services,  
Oadby and Wigston Borough Council, Council Offices,  
Station Road, Wigston, Leicestershire, LE18 2DR*



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**MINUTES OF THE MEETING OF THE FULL COUNCIL HELD AT THE COUNCIL OFFICES,  
BUSHLOE HOUSE, STATION ROAD, WIGSTON, LEICESTERSHIRE, LE18 2DR ON  
TUESDAY, 5 APRIL 2022 COMMENCING AT 7.07 PM**

## **PRESENT**

Mrs R H Adams Deputy Mayor  
D M Carter Acting Vice-Chair



Meeting ID: 2104

## **COUNCILLORS**

L A Bentley  
G A Boulter  
J W Boyce Leader of the Council  
Mrs L M Broadley  
F S Broadley  
M H Charlesworth  
Mrs H E Darling JP  
M L Darr  
F S Ghattoraya Deputy Leader of the Opposition  
Mrs S Z Haq Deputy Leader of the Council  
Miss P V Joshi Leader of the Opposition  
J Kaufman  
Dr I K Ridley

## **OFFICERS IN ATTENDANCE**

T Bingham Strategic Director / Section 151 Officer  
A E Court Chief Executive / Head of Paid Service  
P Fisher Head of Customer Service & Transformation  
D M Gill Head of Law & Democracy / Monitoring Officer  
R Helliwell Communications and Marketing Manager  
A Thorpe Head of Built Environment  
S Tucker Democratic & Electoral Services Manager / Deputy Monitoring Officer

## **REMOTE ATTENDANCE**

C Campbell Head of Finance / Deputy Section 151 Officer  
J Wells Senior Strategic Development Manager

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

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

A minute's silence was observed in memory of the late former Chief Constable of Leicestershire Police, Simon Cole.

### **140. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillors N Alam, Lynda Eaton JP, L Kaufman, A Kaur, Ms C D Kozlowski & R E R Morris.

In the absence of Her Worship the Mayor, Councillor L Kaufman, by affirmation of the meeting it was

**UNANIMOUSLY RESOLVED THAT:**

**Councillor D M Carter be appointed Acting Vice-Chair for the duration of the meeting.**

**141. DECLARATIONS OF INTEREST**

Councillor K J Loydall JP declared a non-pecuniary interest in item 12 of the agenda, insofar as he is acquainted with two members of the Independent Remuneration Panel (IRP).

**142. MINUTES OF THE PREVIOUS MEETING**

By affirmation of the meeting, it was

**UNANIMOUSLY RESOLVED THAT:**

**The minutes of the previous meeting held on Thursday, 24 February 2022 be taken as read, confirmed and signed.**

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

There was no Action List arising from the previous meeting held on Thursday, 24 February 2022.

**144. MOTIONS ON NOTICE**

**144a. USE OF FIRST PAST THE POST FOR GENERAL ELECTIONS**

The Council gave consideration to the motion as set out on page 12 of the agenda, calling for the government to reject the use of first past the post for UK Parliamentary elections.

Following a debate, the motion was put to the vote and carried.

**Votes For:           16**  
**Votes Against:     3**  
**Abstentions:        0**

**145. PETITIONS, DEPUTATIONS AND QUESTIONS**

**145a. SUBSIDISING FUNERALS/BURIALS IN THE BOROUGH**

The Deputy Mayor confirmed that two questions had been received from Councillors under Rule 13.2 of Part 4 of the Constitution of the Council.

1. Question from Cllr Michael H Charlesworth (Wigston All Saints Ward) to Councillor Garth (Bill) A Boulter, Chair of Service Delivery Committee:

**Has the Council ended the practice of subsidising funerals/burials for residents whose faith is not catered for in the Borough?**

Response:

The grant is available for a death occurring up to midnight on 31 March 2022. Generally, the notification of a death comes to OWBC via Leicester City Council and therefore there is a possibility of a grant request being made in early April for a death that occurred up to and including 31 March 2022. However, the availability of the grant was removed from the 2022-2023 Scale of Charges, a decision agreed by Full Council on 21 December 2021. Advance notification of the grant ceasing has been communicated to Oadby Central Mosque, the Muslim Burial Council of Leicestershire and Leicester City Council.

2. Question from Cllr Michael H Charlesworth (Wigston All Saints Ward) to Councillor Garth (Bill) A Boulter, Chair of Service Delivery Committee:

**If a life-long resident of the Borough has to go into long-term care outside the Borough (sometimes for years) and then dies, will they be allowed to be buried in the Borough at residents' rates or will they be charged at non-resident rates?**

Response:

It is common practice for Burial Authorities to charge additional interment fees (usually double) for non-residents. In some local authority areas this additional charge applies immediately once a person no longer resides within the administrative areas. In the case of Oadby and Wigston Borough Council (acting as the Burial Authority) the following definition of a resident applies and is published annually on the Council's Scale of Charges:

For Interments a *resident* is defined as:

- i) A person who had resided at a private address within the Borough for 5 consecutive years immediately preceding the date of death; OR
- ii) A person who had at the time of death, resided in a residential or nursing home (or similar establishment) outside of the Borough for 3 years or less but had resided at an address within the Borough for the 5 consecutive years (or more) immediately preceding moving to the residential or nursing home; OR
- iii) A person who had resided within the Borough for 5 consecutive years (or more) but had within the 6 months immediately preceding the date of death moved from the Borough.

Supplementary Question from Cllr Michael H Charlesworth:

**In a case where people who lived in the Borough for over 50 years and developed a degenerative disease which meant they had to go into long-term care, and under rule number (ii) after 3 years they couldn't come back to be buried at the resident rate. Can I ask Councillor Boulter and the Council to please look at those rules again?; they are rare cases but I don't think you should be asked to pay extra for that privilege.**

Response:

Our provisions are far more generous than most other Council's at the present time, however I'm sure that we can have a look at this in exceptional cases. As a Council we have always been sympathetic to people like that.

**146. MAYOR'S ANNOUNCEMENTS**

**146a. OFFICIAL MAYORAL / DEPUTY MAYORAL ENGAGEMENTS**

By affirmation of the meeting, it was:

**UNANIMOUSLY RESOLVED THAT:**

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

**147. LEADER'S STATEMENT**

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

**148. LOCAL GOVERNMENT ASSOCIATION (LGA) CORPORATE PEER CHALLENGE (2022)**

The Council gave consideration to the report as set out on pages 17 - 45 of the agenda, which asked it to note the findings of a recent Local Government Association (LGA) Peer Review and the next steps of preparing an Action Plan to implement the recommendations arising from the review.

It was moved by Councillor Mrs S Z Haq, seconded by Councillor G A Boulter and

**UNANIMOUSLY RESOLVED THAT:**

- (i) The LGA's Feedback report, as published on 18 March 2022 on the Council's website and attached to the report at Appendix 1 be noted;**
- (ii) The requirement for the publication of an Action Plan within 8 weeks of the date of the published report be noted, with the Action Plan setting out how the Council will deliver the Peer team recommendations; and**
- (iii) The Action Plan to be reported to the first Council meeting in the 2022/23 municipal year is to include proposals for Members to develop a new long-term vision for the Borough with local stakeholders.**

**149. COMMUNICATION STRATEGY & ACTION PLAN (2022-25)**

Cllr M L Darr left the Chamber at 7.44pm and did not return.

The Council gave consideration to the report as set out on pages 46-70 of the agenda, which asked it to approve the Council's Communication Strategy and Action Plan for 2022-25.

The report was welcomed by Members, who acknowledged the importance of the Council maximising digital opportunities whilst also maintaining accessible channels of communication with vulnerable and harder to reach residents. It was requested that the Strategy be kept under regular review, with progress and achievements reported back to Members at an appropriate time.

It was moved by Councillor Mrs S B Morris, seconded by Councillor Mrs S Z Haq and

**UNANIMOUSLY RESOLVED THAT:**

**The Communication Strategy and Action Plan for 2022-25 be approved.**

**150. SCHEME OF MEMBERS' ALLOWANCES (2022/23)**

The Council gave consideration to the report as set out on pages 71-79 of the agenda, which asked it to consider and adopt a Members' Allowance Scheme for the municipal year 2022/23.

It was moved by the Leader of the Council, seconded by Councillor M H Charlesworth and

**RESOLVED THAT:**

**The Scheme of Members' Allowances for 2022/23 as recommended by the Independent Remuneration Panel (IRP) be adopted.**

<b>Votes For</b>	<b>17</b>
<b>Votes Against</b>	<b>0</b>
<b>Abstentions</b>	<b>1</b>

**151. STATEMENT OF GAMBLING POLICY (2022-2025)**

The Council gave consideration to the report as set out on pages 80-116 of the agenda, which asked it to approve and adopt the final proposed Statement of Gambling Policy 2022- 2025 for commencement on 9 May 2022.

It was noted that the Draft Policy had been presented to the meeting of Licensing & Regulatory Committee on 10 March 2022, at which a request was made that the Head of Law & Democracy write to the Gambling Commission on behalf of the Chair in relation to gambling advertisements and to the Transport Secretary in relation to e-scooters. A copy of the letter sent to the Gambling Commission and a copy of the reply subsequently received is attached to the minutes at **Appendix 2A and 2B**. A copy of the letter sent to the Transport Secretary, currently awaiting a reply, is attached to the minutes at **Appendix 3**.

It was moved by Mrs L M Broadley, seconded by F Broadley and

**UNANIMOUSLY RESOLVED THAT:**

**The final proposed Statement of Gambling Policy 2022-25 be approved and adopted for commencement on 9 May 2022.**

**152. EXCLUSION OF THE PRESS AND PUBLIC**

By affirmation of the meeting, it was

**UNANIMOUSLY RESOLVED THAT:**

**The press and public be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the item(s) below on the grounds that it involved the likely disclosure of exempt information, as defined in the respective paragraph 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item outweighed**

**the public interest in disclosing the information.**

**153. REFUSE AND RECYCLING REVIEW (EXEMPT PRESENTATION)**

The Committee gave consideration to the exempt presentation, delivered in closed session by the Senior Strategic Development Manager.

By affirmation of the meeting it was

**UNANIMOUSLY RESOLVED THAT:**

**The content of the presentation be noted.**

**THE MEETING CLOSED AT 9.03 pm**



**Mayor / Deputy Mayor**

**Tuesday, 12 July 2022**

*Printed and published by Democratic Services, Oadby and Wigston Borough Council, Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

**MINUTES OF THE ANNUAL GENERAL MEETING (AGM) OF THE FULL COUNCIL HELD AT  
THE COUNCIL OFFICES, BUSHLOE HOUSE, STATION ROAD, WIGSTON,  
LEICESTERSHIRE, LE18 2DR ON TUESDAY, 10 MAY 2022 COMMENCING AT 7.00 PM**

## **PRESENT**

Mrs L Kaufman                      Mayor  
Mrs R H Adams                     Deputy Mayor



**Meeting ID: 2105**

## **COUNCILLORS**

N Alam  
L A Bentley  
G A Boulter  
J W Boyce                             Leader of the Council  
Mrs L M Broadley  
F S Broadley  
D M Carter  
M H Charlesworth  
M L Darr  
D A Gamble  
Mrs S Z Haq                          Deputy Leader of the Council  
J Kaufman  
Miss A Kaur  
Mrs H E Loydall  
K J Loydall  
D W Loydall  
Dr I K Ridley

## **OFFICERS IN ATTENDANCE**

S J Ball                                 Legal & Democratic Services Manager / Deputy Monitoring Officer  
A E Court                               Chief Executive / Head of Paid Service  
D M Gill                                 Head of Law & Democracy / Monitoring Officer

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

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

### **2. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillors Mrs H E Darling JP, Mrs L Eaton JP, F S Ghattoraya, Miss P V Joshi, Ms C D Kozlowski, Mrs S B Morris and R E R Morris.

### **3. DECLARATIONS OF INTEREST**

None.

### **4. MAYOR'S ANNOUNCEMENTS**

None.

**5. MAYOR'S AWARD(S)**

On behalf of Her Worship the Mayor, Councillor Mrs L M Broadley spoken upon and commended that a Mayor's Award be conferred upon the South Leicestershire Litter Wombles ("the Wombles").

The Mayor presented the Wombles with an award certificate as a token of recognition.

**6. ADDRESS BY HER WORSHIP THE MAYOR**

The Mayor thanked her fellow Members, the Council's Senior Leadership Management Team, the Deputy Mayor and her Chaplain for all their support during the past year. She reflected on the highlights and challenges experienced during her term of office. She also extended her thanks to Officers for their assistance with chairing hybrid meetings.

**7. APPRECIATIONS**

The Leader of the Council, Councillor J W Boyce, led the appreciations for the outgoing Mayor's term of office.

**8. ELECTION OF THE MAYOR (2022/23)**

It was moved by Councillor Mrs L M Broadley, seconded by Councillor Mrs L Kaufman and

**UNANIMOUSLY RESOLVED THAT:**

**Councillor Mrs Rosemarie H Adams be duly elected to the Office of Mayor for the ensuing municipal year 2022/23.**

The newly-elected Mayor read aloud the Declaration of Acceptance of Office and duly signed the Register. Her worship the Mayor and her Consort, Mr Paul Tacey, were invested with their respective Chains and Insignia of Office.

The Mayor addressed the meeting, thanking the outgoing Mayor for her excellent work, together with her Proposer and Secunder for their nominations.

It was announced that Voluntary Action South Leicestershire would be the Mayor's nominated charity for the municipal year.

**9. ELECTION OF THE DEPUTY MAYOR (2022/23)**

It was moved by Councillor D M Carter, seconded by the Deputy Leader of the Council and

**UNANIMOUSLY RESOLVED THAT:**

**Councillor Jeffrey Kaufman be duly elected to the Office of Deputy Mayor for the ensuing municipal year 2022/23.**

The newly-elected Deputy Mayor read aloud the Declaration of Acceptance of Office and duly signed the Register. The Deputy Mayor and his Consort, Councillor Mrs Lily Kaufman, were invested with their respective Chains and Insignia of Office.

The Deputy Mayor addressed the meeting, thanking his Proposer and Secunder for their nominations and pledging his full support to the Mayor for the ensuing year.



**10. APPOINTMENT OF COUNCIL BODIES AND MEMBERSHIP SIZES (2022/23)**

The Council gave consideration to the report and appendix (as set out on pages 4 - 8 of the of the agenda reports pack) which asked it to appoint the Committees, Sub-Committees, Boards, Panels, Forums and Working Groups of the Council ("Council bodies") and the number of Members to serve thereon for the ensuing municipal year 2022/23.

It was moved by the Leader of the Council, seconded by Councillor D M Carter and

**UNANIMOUSLY RESOLVED THAT:**

- (i) The Council bodies and the number of Members to serve thereon (as set out at paragraph 2 of the report) for the ensuing municipal year 2022/23 be approved; and**
- (ii) Delegated authority be given to the Head of Law & Democracy / Monitoring Officer to make all the necessary amendments to the Constitution therefrom accordingly.**

**11. APPOINTMENT OF OFFICE HOLDERS AND MEMBERS TO COUNCIL AND OUTSIDE BODIES (2022/23)**

The Council gave consideration to the report and appendices (as set out on pages 9 - 22 of the of the agenda reports pack) which asked it to appoint the relevant Office Holders of the Council and the Chairs, Vice-Chairs and Members to serve on the Committees, Sub-Committees, Boards, Panels, Forums and Working Groups of the Council ("Council bodies") for the ensuing municipal year 2022/23.

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

**UNANIMOUSLY RESOLVED THAT:**

- (i) The nominated appointments of the Office Holders and the Chairs, Vice-Chairs and Members to serve on the Council bodies for the ensuing municipal year 2022/23 (as set out at Appendix 1 to the report) be approved; and**
- (ii) The current political balance of the Council and the proportionality arrangements as a result thereof in terms of eligible Member representation and allocation of seats on Council bodies by political group (as set out at Appendices 2 and 3 to the report) be noted.**

**12. SCHEDULE OF COUNCIL AND ALLIED MEETINGS (2022/23)**

The Council gave consideration to the report and appendices (as set out on pages 23 - 47 of the of the agenda reports pack) which asked it to approve and adopt the Schedule of Council and Allied Meetings ("the Schedule") for the municipal year 2022/23.

It was moved by the Leader of the Council, seconded by Councillor Mrs L M Broadley and

**UNANIMOUSLY RESOLVED THAT:**

**The Schedule of Council and Allied Meetings for the municipal year 2022/23 (as**

**set out at Appendix 1 and Appendix 2 to the report) be approved and adopted.**

**13. NEWLY-ELECTED MAYOR'S ANNOUNCEMENTS**

Her Worship The Mayor expressed her steadfast commitment to champion the Borough of Oadby and Wigston for the ensuing year and asked her fellow Members for their support in doing so. The Mayor invited the representatives of her nominated charity in attendance to speak about the work undertaken by the organisation.

**THE MEETING CLOSED AT 7.42 pm**



**Mayor / Deputy Mayor**

**Tuesday, 12 July 2022**

*Printed and published by Democratic Services, Oadby and Wigston Borough Council, Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

## MOTION ON NOTICE

Full Council | Tuesday, 12 July 2022

### **1. That Oadby and Wigston Borough Council (“the Council”) notes:**

- 1.1. Every river in England is now polluted beyond legal limits;
- 1.2. Appointing a Councillor to represent the Council on the Plastic Free Oadby Steering Group;
- 1.3. The Environment Agency rated only 14% of rivers as ‘Good’ in 2019;
- 1.4. This chemical pollution is mostly caused by sewage discharges from water companies and the run-offs of nutrients from farms;
- 1.5. 36% of rivers have been damaged by water companies;
- 1.6. In England, water companies released untreated human waste directly into our waterways over 400,000 times for a total of 3 million hours in 2020 alone;
- 1.7. Government funding to the Environment Agency to monitor river quality and regulate farms and water companies has dropped 75% since 2010/11;
- 1.8. In 2020 just 3.6% of pollution complaints made to the agency resulted in penalties;
- 1.9. Farms are now almost never inspected, water quality is rarely tested, and water companies can pump raw sewage into rivers with virtual impunity;
- 1.10. In addition. Tyre particles, metals from brake pads, and hydrocarbons from vehicle emissions wash off road surfaces and into rivers introducing potentially carcinogenic material into the water supply;
- 1.11. Our local rivers are particularly threatened by further sewage discharges; and
- 1.12. Making information about the reduction of plastic use available to local residents via all Council-ran communication channels, including on the Council’s website, its social media platforms and Letterbox.

**2. That the Council believes that the UK Government should commit to:**

- 2.1. Restoring Environment Agency budgets to deliver the necessary oversight; and
- 2.2. Increase inspection regularity of water companies and farms, and rigorously prosecute offenders.

**3. That the Council resolves to request the Chief Executive write to:**

- 3.1. The Secretary of State for Environment, Food and rural affairs calling for the Government to make these commitments;
- 3.2. The Chairperson of the Parliamentary Environmental Audit Committee to advocate for greater enforcement of existing regulatory powers;
- 3.3. The Chief Executive(s) of local utility companies calling for urgent action to address the impact of waste-water discharges on our local rivers;
- 3.4. The Regional Director of the National Farmers Union requesting clarification on the action being taken locally by farmers to prevent nutrient run-off; and
- 3.5. The charities River Action and The Rivers Trust expressing this Council's support for their campaign to restore the health of Britain's rivers.

Councillor Michael Charlesworth  
(Proposer)

Councillor Mrs Linda M Broadley  
(Seconder)

The above motion was duly received by the Head of Law & Democracy on 1 July 2022 in accordance with Rule 14, Section 1 of Part 4 of the Constitution of the Council.

## **QUESTION ON NOTICE**

Full Council | Tuesday, 12 July 2022

- 1. What protection is/will be in place to preserve the significant works attributed to Christopher Dresser when Bushloe House is sold?**

Councillor Michael H Charlesworth

The above questions were duly received by the Head of Law & Democracy on 01 July 2022 in accordance with Rule 13, Section 1 of Part 4 of the Constitution of the Council.

## Events attended by the Mayor May 2022 – Present

### MAY

19 Rainbows Lark Rise and Beyond

### JUNE

1 Oadby & Wigston BC – Queen’s Platinum Jubilee Staff and Community BBQ/Tea Party  
 2 Oadby & Wigston BC – Queen’s Platinum Jubilee Brocks Hill Beacon Lighting  
 4 Oadby & Wigston BC – Queen’s Platinum Jubilee Bell Street Big Lunch  
 5 Oadby & Wigston BC – Queen’s Platinum Jubilee South Wigston Big Lunch  
 6 Salvation Army Carers Week Event  
 12 Oadby & Wigston Lions Club International Happy & Glorious Concert  
 15 North Warwickshire & South Leicestershire College Creative Arts Exhibition  
 17 Oadby and Wigston BC – Queen’s Platinum Jubilee Jubilee Shop Window Front Competition  
 22 Voluntary Action South Leicestershire Support for Carers Event  
 27 Oadby & Wigston BC Raising of the Flag – Armed Forces

### JULY

6 High Sheriff of Rutland & High Sheriff of Leicestershire Osprey Cruise - Rutland Water  
 7 Muslim School Oadby Annual Results Evening  
 10 League of Jewish Women, Leicester Mitzvah Day Charity Goods Collection  
 13 Cllr David Carter, Oadby and Wigston BC Pride of the Borough  
 21 University of Leicester School of Medicine and Allied Health Graduation (and lunch)  
 28 Chairman, Leicestershire County Council Summer Evening Buffet Reception

### AUGUST

13 Aylestone Lane Allotment Association Aylestone Lane Allotment Day

### NOVEMBER

13 Royal British Legion, Oadby Parade for Remembrance

## Events attended by the Deputy Mayor May 2022 – Present

### MAY

15	Chairman, Leicestershire County Council	County Service for Leicestershire
21	Charnwood Borough Council	Mayor's Civic Service
29	Project Polska	Polish Heritage Day

### JUNE

24	Active Together	Leicestershire & Rutland School Games Summer Festival
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### JULY

4	Leicestershire Scouts	Leicestershire Scout Council AGM
5	Leicester Grammar School	Annual Celebration of Achievement

### August

12	Leicestershire, Northamptonshire & Rutland ACF	Army Cadet Force Annual Camp Visitors Day
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# Agenda Item 11



<b>Full Council</b>	<b>Tuesday, 12 July 2022</b>	<b>Matter for Decision</b>
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**Report Title:**

**Pay Policy Statement (2022/23)**

**Report Author(s):**

**Anne Court (Chief Executive / Head of Paid Service)**

<b>Purpose of Report:</b>	Officers agreed at the Full Council Meeting on 18 February 2022 that they would give members an update once the Pay Award had been settled. This Pay Award was settled in March 2022 and this report is to notify members of the new Pay Policy Statement 2022/2023.
<b>Report Summary:</b>	<p>The Council is committed to transparency and fairness in its pay and remuneration of all its employees. The 2011 Act requires the Council to produce an Annual Policy statement that covers a number of matters concerning the pay of the Council's staff, namely its Chief Officers and its comparison to the authority's lowest paid employees.</p> <p>For the purposes of this Policy Statement, remuneration includes basic salary, bonuses and other allowances or entitlements related to employment. <b>Appendix 1</b> attached to this report is the updated Pay Policy Statement now that the pay award has been settled.</p> <p>Once approved by Full Council, this Policy Statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time. The Council is required to publish the Pay Policy Statement for 2022/2023 immediately after approval by Full Council.</p>
<b>Recommendation(s):</b>	<p><b>A. That the content of the report and appendix be noted;</b>  <b>B. That Council approves the Pay Policy Statement for 2022/23 (as set out at Appendix 1 to this report).</b></p>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	Anne Court (Chief Executive / Head of Paid Service) (0116) 257 2602 <a href="mailto:anne.court1@oadby-wigston.gov.uk">anne.court1@oadby-wigston.gov.uk</a>
<b>Corporate Objectives:</b>	Providing Excellent Services (CO3)
<b>Vision and Values:</b>	"A Stronger Borough Together" (Vision) Accountability (V1) Respect (V2)
<b>Report Implications:-</b>	
Legal:	There are no implications directly arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Reputation Damage (CR4)
Equalities and Equalities	There are no implications arising from this report.



Assessment (EA):	EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	As the author, the report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	None.
<b>Appendices:</b>	<b>1.</b> Pay Policy Statement (2022/23)

## **1. Background**

- 1.1 At the Full Council Meeting on 18 February 2022, Officers agreed that they would give an update at the next Full Council Meeting, when agreement had been reached between the National Joint Council (NJC) and the Trade Unions. The final pay award offer has now been made to the Trade Unions and has been accepted.
- 1.2 The Council is required to publish a Pay Policy Statement for 2022/23 and this new Statement for 2022/23 is attached at **Appendix 1**.

## **2. 2021/22 Pay Award**

- 2.1 Agreement was reached between The National Joint Council (NJC) and Trade Unions and a final offer on the pay award for 2021/22 is as follows at 1.9 per cent.
- 2.2 As agreed at Full Council on 18 February this updated report advises the new pay structure incorporated NJC pay award.
- 2.3 The Real Living Wage (RLW) which the Council is committed to paying has increased in November 2021 to £9.90 per hour and has been implemented from by 9 May 2022. This is being reflected in the salaries of those employees affected.
- 2.4 The Local Government Transparency Code 2015 requires publications of posts with salaries over £58,200. The Accounts and Audits (England) Regulations 2011 require posts with salaries over £50,000 to be published in the annual accounts.
- 2.5 If approved by Council, the Statement will take immediate effect, superseding the 2022/23 Statement of February, and will be published on the Council's website.

# Appendix 1

## OADBY AND WIGSTON BOROUGH COUNCIL REVISED PAY POLICY STATEMENT (2022/2023)

### 1. Introduction

- 1.1 Oadby and Wigston Borough Council recognise that remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to the service of the public. However, in the context of managing scarce public resources with ever decreasing funds and further spending cuts to be made, such remuneration needs to avoid being unnecessarily generous or otherwise excessive.
- 1.2 It is important that local authorities are able to determine their own pay structures in order to address local priorities and to compete in the local labour market.
- 1.3 In particular, it is recognised that senior management roles in local government are complex and diverse functions in a highly politicised environment where often national and local pressures conflict. The Council's ability to continue to attract and retain high calibre leaders capable of delivering this complex agenda, particularly during times of financial challenge, is crucial if the Council is to retain its current high performance levels.

### 2. Legislation

- 2.1 Section 38 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement for each financial year thereafter, by the 31 March.
- 2.2 In determining the pay and remuneration of all employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010, The Fixed Term Employment (Prevention of Less Favourable Treatment) Regulations 2002, and where relevant, the Transfer of Undertakings (Protection of Employment) Regulations 2006.
- 2.3 With regard to the equal pay requirements contained within the Equality Act 2010, the Council ensures there is no pay discrimination in its pay structures and that all pay differentials are objectively justified through the use of an equality-proofed job evaluation mechanism, which directly relates salaries to the requirements, demands and responsibilities of the role.
- 2.4 The Localism Act 2011 and supporting statutory guidance provides details of matters that must be included in this statutory pay policy but also emphasises that each local authority has the autonomy to take its own decisions on pay and pay policies.
- 2.5 The format of this policy statement was approved by Full Council in April 2012 and is subject to review in accordance with the relevant legislation prevailing at that time, currently annually.

### 3. Scope

- 3.1. This Pay Policy Statement includes a policy on:-

The level and elements of remuneration for each Chief Officer;

- (a) The remuneration of the lowest paid employees;
- (b) The relationship between the remuneration of Chief Officers and other officers; and

- (c) Other specific aspects of Chief Officer remuneration, fees and charges and other discretionary payments.

3.2. Remuneration in this context is defined widely to include not just pay but also charges, fees, allowances, benefits in kind, increases in enhancements of pension entitlements and termination payments.

#### **4. Senior Pay**

4.1 In this policy the senior pay group covers posts in the top two tiers of the Council. These include the Chief Executive and the Strategic Directors.

4.2 The numbers in the above posts are as follows:-

- Chief Executive (1)
- Strategic Director and S151 Officer (1)
- Strategic Director (1)

4.3 The policy for each group is as follows:-

#### **4.4 Chief Executive**

- (a) The Chief Executive's pay is a locally agreed and the Pay Grade currently in the following range:- C1 - 3 £97,020 to £106,773
- (b) This salary was approved by Full Council and no additional bonus, performance, honoraria or ex gratia payments have been made.
- (c) Salary is subject to annual cost of living increases agreed by Joint Negotiating Committee for Chief Officers (JNC) for Local Authority Chief Executives national conditions.

#### **4.5 Strategic Directors**

The Strategic Director posts have been evaluated externally and independently under the HAY Job Evaluation Scheme and the pay grade for these posts is currently D1-4 £82,977 to £87,855.

These salaries were approved by Full Council and no additional bonus, performance, honoraria or ex gratia payments have been made.

- (a) Salaries are subject to annual cost of living increases agreed by the Joint Negotiating Committee for Chief Officers (JNC) for Local Authority Services.

#### **4.6 Heads of Service**

- (a) The Heads of Service posts have been evaluated using the Greater London Provincial Council Job Evaluation Scheme and the Management Levels 1-4 were agreed locally and are currently within the following range:- Heads of Service Management Levels 1 – 4 £52,624 to £73,709.
- (b) Salary is subject to annual cost of living increases agreed by the National Joint Committee (NJC) for Local Authority Services.

#### 4.7 **Electoral fees**

Fees are paid for Returning Officer duties with regards to fulfilling Election duties. This does not form part of the post holder's substantive role and these fees are payable as required and can be made to any senior officer appointed to fulfil the statutory duties of this role. The Returning Officer is an Officer of the Borough Council who is appointed under the Representation of the People Act 1983. The role of the Returning Officer involves and incurs personal responsibility and accountability and is statutorily separate from duties as an employee of the Borough Council, hence the additional remuneration which is paid. As Returning Officer, the employee is paid a separate allowance for each election for which they are responsible.

#### 5. **Lowest paid employees**

5.1. The National Living Wage to be paid from 1st April 2022 is £9.50 (2021 - £8.91) per hour and the age threshold sits at 23 years. Below age 23 years, The National Minimum Wage applies on a sliding age band scale. The rates to be paid from April 2022 are:-

- 21-22 yrs - £9.18 (2021- £8.36)
- 18-20 yrs - £6.83 (2021- £6.56)
- Under 18 - £4.81 (2021- 4.62)

5.2 There are different rates that apply for those employees classed as an apprentice these rates are set out below. It is compulsory that employers pay the National Living Wage and national Minimum Wage to employees.

5.3 However on 15 March 2013, Councillors resolved to implement the Real Living Wage. The Real Living Wage is distinct from the National Living Wage and National Minimum Wage and is calculated by the Centre for Research in Social Policy which is an independent third party. The Centre for Research in Social Policy focuses on the wage rate that is necessary to provide workers and their families with a basic but acceptable standard of living. The minimum standard of living is socially defined and is often intrinsically linked to other social goals such as the fulfilment of care responsibilities. Any increase to the Real Living Wage is announced on an annual basis in November each year the Real Living Wage rate for November 2021 onwards was set at £9. 90 per hour.

5.4 The lowest pay band within the council is Band 1 Scale Point 3. The pay scale points 1 & 2 are removed due to the real living wage increase.

5.5 The Council also operates an apprenticeship programme that is designed to give young people the opportunity to gain a relevant qualification through study and on-the-job training. The training opportunities afforded to individuals through the apprenticeship programme are not directly comparable to other positions filled by employees within the Council. These apprentices are employed under the Government's National Minimum Wage legislation which from April 2022 will attract a flat rate of £4.81 per hour (2021- £4.30).

## **6. Pay Structure**

- 6.1. The pay structure for all employees except the Chief Executive, Strategic Directors and Heads of Service is established using NJC for Local Authorities Services National Pay Spine.
- 6.2. All posts bar those of the Chief Executive and the Strategic Director posts are evaluated using the Greater London Provincial Council Job Evaluation Scheme, which is recognised by employers and trades unions nationally. This Scheme allows for robust measurement against set criteria resulting in fair and objective evaluations and satisfies equal pay requirements. In some instances from time to time, the ability to recruit to certain posts is dictated by market forces.
- 6.3. Job evaluation has been carried out in partnership with Trade Unions and in consultation with employees at all levels across the Council. Every post on the establishment has been evaluated and ranked using the Greater London Provincial Council Scheme (Green Book employees) and Hay (Chief Officers and Chief Executive). Both schemes were approved at the Full Council meeting in December 2003.
- 6.4. Following the outcome of the rank order exercise, a new pay and grading structure was designed, agreed and adopted by Full Council on 23 February 2006. Full implementation was achieved in May 2006 and backdated to 1 April 2005. Thereafter all subsequent new or altered jobs have been evaluated by the same scheme.
- 6.5. Progression within the band for all staff is subject to satisfactory performance on 1st April each year, provided that the employee has completed a minimum of 6 months service when an increment is awarded up to the maximum of the band. If the employee has not completed 6 months service, the increment will be payable in the employee's 6th month with the Council subject to satisfactory performance.

## **7. Multipliers**

- 7.1 The current establishment has 183 FTE posts. Publishing the pay ratio of the organisation's top earner to that of its lowest paid earner and median earner has been recommended to support the principles of Fair Pay (Will Hutton, 2011) and transparency.
- 7.2 The Chief Executive's post is the highest paid post at the Council and is paid at £106,773 (1 FTE) per annum and is currently at the top of the pay scale. This is 4.3 times the average earnings in the Council which is £24,920. The Chief Executive's pay is 5.6 times the lowest pay which is £19,100 (this is with the previous increase to the real living wage at £9.90 per hour).

## **8. Payments/Charges and Contributions**

- 8.1 From 1st April 2014, there have been significant changes to the Local Government Pension Scheme.
- 8.2 All employees automatically become a member of the Local Government Pension Scheme, unless they exercise the opt-out clause. They will automatically be enrolled onto the "main scheme", where they meet the qualifying criteria.
- 8.3 The level of contribution payable by an employee in the "main scheme" will depend upon their actual salary received, rather than a full time equivalent. This means that part-time employees would only pay against their actual gross salary per annum and would not be

expected to pay the higher rate of their full time equivalent. The employee contributions range from 5.5% to 12.5 %.

- 8.4 As an alternative to the “main scheme”, employees have the option to enrol onto the “50/50 scheme”. If they opt to join the “50/50 scheme” then, rather than making the full contributions as set out above, they will only have to contribute one half of what they ordinarily would in the “main scheme”; however, the Council continues to pay a full contribution as though the employee were in the “main scheme”. This will obviously reduce the amount of contributions made by the employee to their pension which will have an effect on the overall value of the benefits due to them under the Local Government Pension Scheme (LGPS) when they retire. Members of the LGPS can switch between the main scheme and 50/50 scheme at any time and the appropriate form to do so can be obtained from the People Team.
- 8.5 Under the 2014 regulations of the LGPS, employees who meet the qualifying criteria will automatically be enrolled into the scheme and can only opt-out when they have become an active member. Employees, who elect to opt out of the scheme, must obtain a form to opt out directly from Leicestershire County Council (the scheme providers). The Council cannot opt any employees out of the scheme under the new ruling, nor can it provide the form to do so.
- 8.6 The Council makes employer’s contributions into the scheme; the current rate is 19.4% of the whole time salary.
- 8.7 Employees who are not automatically enrolled onto the 2014 scheme because they did not meet the qualifying criteria can elect to join the People Team. The membership will be effective from the next payroll date.
- 8.8 Employees who had already opted-out of the scheme on or after the Council’s staging date (1 April 2014) will automatically be enrolled under the 2014 ruling on 1 October 2017. This is the final date on which the Council is able to postpone auto enrolment. Once an employee has become an active member of the LGPS they can still choose to opt-out as per the process set out above. This auto-enrolment process will be repeated every three years.

## **9. Discretionary Payments**

- 9.1 The policy for the award of any discretionary payments is the same for all staff regardless of their pay level. The following arrangements apply: ‘Redundancy payments under regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006.’
- 9.2 The Council has based redundancy payment calculations on an unrestricted week’s pay but using the statutory age and service related redundancy scale to determine the number of weeks to be used in the calculation. This is payable to employees made redundant with two or more years local government service.
- 9.3 Severance payments under regulation 6 Redundancy – The Council has not elected to pay any additional discretionary compensation in excess of the redundancy payment.
- 9.4 Regulation 18 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 – Requirements as to time of payment (Flexible Retirement) The Council had agreed to consider applying discretion when a scheme member who is over 55 reduces their hours and/or grade and wishes to receive their accrued pension benefits without having retired from employment. However, under the

changes to the Local Government Pension Scheme which came into effect from 1 April 2014, the employee will be advised that early retirement will have an adverse effect on their entitlement to benefits used under the Scheme, and such benefits will be significantly reduced. Under the 2014 Regulations, employees will only be entitled to full benefits under the LGPS when they have reached state pension age.

- 9.5 No additional membership for revision purposes under regulation 12 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 is awarded.
- 9.6 No additional pension under regulation 13 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 is awarded.

## **10. Decision Making**

10.1 Decisions on remuneration are made as follows:-

- Chief Executive Officer local pay level approved by Full Council;
- Pay structure for all other posts approved by Full Council.

## **11. Disclosure**

11.1 The Local Government Transparency Code 2015 requires publications of posts with salaries over £58,200. The Accounts and Audits (England) Regulations 2011 require posts with salaries over £50,000 to be published in the annual accounts. The Pay Policy Statement will be published on the Council's website.

11.2 The posts are as follows:-

- Chief Executive
- Strategic Director and S151 Officer
- Strategic Director
- Head of Law and Democracy
- Head of the Built Environment
- Head of Customer Service and Transformation
- Head of Finance

## **12. Performance related pay**

12.1 There are no performance related pay schemes in place.

## **13. Equality and Diversity**

13.1 This Pay Policy Statement will assist the Council in monitoring remuneration across the Council and provide a fair system which avoids discrimination.

### **For further information please contact:-**

Anne Court, Chief Executive / Head of Paid Service  
Telephone: (0116) 257 2702: E-mail: [anne.court1@oadby-wigston.gov.uk](mailto:anne.court1@oadby-wigston.gov.uk)

# Agenda Item 12



<b>Full Council</b>	<b>Tuesday, 12 July 2022</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Special Severance Payments by Local Authorities**

**Report Author(s):** **David Gill (Head of Law & Democracy / Monitoring Officer)**

<b>Purpose of Report:</b>	To inform Council of the publication and contents of the Statutory Guidance issued by the Department for Levelling Up, Housing and Communities in relation to the making and publication of Special Severance Payments by Local Authorities.
<b>Report Summary:</b>	The report sets out the statutory guidance all local authorities are required to have regard to in making Special Severance Payments, the types of payments that fall within the purview of the guidance, the processes to be followed and the amendments to delegations required to the Constitution in order to facilitate compliance with the guidance.
<b>Recommendation(s):</b>	<b>A. That the content of the report and appendices be noted; B. That Council approves the amendments to the Constitution (as set out in paragraphs 5.7, 5.8 and 5.9 of the report).</b>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Philippa Fisher (Strategic Director) (0116) 257 2677 <a href="mailto:philippa.fisher@oadby-wigston.gov.uk">philippa.fisher@oadby-wigston.gov.uk</a></p> <p>David Gill (Head of Law &amp; Democracy / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Not applicable.
<b>Vision and Values:</b>	Accountability (V1)
<b>Report Implications:-</b>	
Legal:	The Council is required to comply with the Statutory Guidance to ensure that any Special Severance Payments are lawful.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications directly arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.



Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	As the author, the report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	<a href="#">Report entitled 'Special Severance Payments by Local Authorities' to the Policy, Finance and Development Committee on 28 June 2022</a>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Statutory Guidance on Special Severance Payments</li> <li>2. Special Severance Payment</li> </ol>

## 1. Background

- 1.1 This report introduces to Members the content of the Best Value Statutory Guidance regarding the making and publication Special Severance Payments by Local Authorities issued by the Department for Levelling Up, Housing and Communities on 12 May 2022. The Guidance replaces the revoked Restrictions on Public Sector Exit Payment Regulations.
- 1.2 This report was presented to the Policy, Finance and Development Committee at its meeting on 28 June 2022, at which the Committee unanimously resolved to note the contents of the report and its appendices and to recommend to Council that the Constitution be amended (as set out in paragraphs 5.7, 5.8 and 5.9) accordingly as set out at recommendation B.

## 2. What are Special Severance Payments?

- 2.1 The guidance explains that Special Severance Payments are payments made to employees, officeholders, workers, contractors, and others outside of statutory, contractual or other requirements when leaving employment in public service. It also explains that employers may sometimes consider making such a payment in situations where the individual concerned resigns, is dismissed, or agrees a termination of contract.
- 4.1 The following do not constitute Special Severance Payments:
- Statutory redundancy payments;
  - Contractual redundancy payments, whether applicable to voluntary or compulsory redundancy, and whether agreed by collective agreement or otherwise
  - Redundancy payments made in line with the requirements of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006;
  - Payment for untaken annual leave;
  - Payments ordered by a court or tribunal or agreed as part of a judicial or non-judicial mediation;
  - Payments made to compensate for ill-health, injury or death of the worker.
- 2.3 The following types of payments are likely to constitute Special Severance Payments:
- Any payments reached under a settlement agreement between the employer and employee to discontinue legal proceedings without admission of fault;
  - The value of any employee benefits or allowances which are allowed to continue beyond the employee's agreed exit date;
  - Write-offs of any outstanding loans;
  - Any paid special leave, such as gardening leave;

- Any honorarium payments or gifts;
- Any hardship payments;
- Any payments to employees for retraining related to their termination of employment.

2.4 The following types of payments may constitute Special Severance Payments, depending on the terms of the individual's contract, relevant statutory provisions, any non-statutory applicable schemes and other relevant terms and conditions:

- Pay or compensation in lieu of notice (depending on the contractual basis for its payment);
- Pension strain payments arising from employer discretions to enhance standard pension benefits.

### **3. When should Special Severance Payments be paid?**

3.1 The guidance recognises that there may be exceptional circumstances where the existing statutory or contractual entitlements, or both, are insufficient to facilitate an exit or to offer sufficient compensation for loss of employment or office.

3.2 The guidance also states that councils may also consider a Special Severance Payment in order to settle disputes, where it can be properly demonstrated that other routes have been thoroughly explored and excluded. After receiving appropriate professional advice, it may then possibly be concluded that a special severance payment is the most suitable option and prudent use of public money.

### **4. What should the process be for authorising Special Severance Payments?**

4.1 Local authorities must comply with the duty of Best Value. In considering whether it is appropriate to make a Special Severance Payment, local authorities therefore need to consider whether such a payment would be a proper use of public money. The draft guidance explains that councils should be able to demonstrate their economic rationale behind proposed Special Severance Payments including consideration of:

- Whether there is any feasible possibility of exiting the individual at a lower cost. Only where there is no such possibility should a Special Severance Payment be considered;
- How the exit payment will be perceived by the public and whether it is in line with the duty to manage taxpayers money appropriately;
- What alternative use could be made of that expenditure. All Special Severance Payments necessarily reduce the funds that would otherwise be available to deliver important public services;
- The setting of any potential precedent (e.g. where a Special Severance Payment is made to certain employees and not others);
- Evidence for additionality, i.e. that those offered Special Severance Payments would not have, under any circumstances, been willing to leave with their statutory and contractual benefits alone.

4.2 The guidance also states that councils should seek legal advice on the prospects of successfully defending an employment tribunal claim, if an employee were to take a legal route to appeal any grounds of their employment being terminated. The chance of success and the costs likely to be incurred should be noted and weighed up against the costs of making a Special Severance Payments.

4.3 The Council should also:

- ensure that these payments are not used to avoid management action, disciplinary processes, unwelcome publicity or avoidance of embarrassment;
- consider aligning with private sector practice, where payments are typically less generous. This is important given the added duty in the public sector to prudently manage taxpayers' money; and
- manage conflicts of interest to ensure that individuals who are the subject of complaints play absolutely no role in deciding whether cases should be settled from public funds.

4.4 The guidance explains that those approving a Special Severance Payment related to a settlement agreement should be provided with appropriate evidence that attempts were made to resolve disputes before they escalated to a legal claim. They should also bear in mind that even if the cost of defeating an apparently frivolous or vexatious claims will exceed the likely cost of that settlement to the employer, it may still be desirable to take the case to formal proceedings. This is because winning such cases will discourage future frivolous or vexatious claims and demonstrate that the council does not reward such claims.

## **5 Who should approve any Special Severance Payment and what should the process at Oadby and Wigston Borough Council be?**

5.1 The guidance states that any Special Severance payments over £100,000 will require the approval of Full Council and that any Special Severance Payment between £20,000 and £100,000 should be personally approved and signed off by the Head of Paid Service, with a clear record of the Leader's approval and that of any others who have signed off the payment. Special Severance Payments below £20,000 may be approved by any other authorised officer and it is proposed that both Strategic Directors are given appropriate delegation.

5.2 The guidance also says that as part of their duties, an authority's s151 Officer, and where appropriate, the Monitoring Officer, should take a close interest in and be able to justify any special severance payments that are made by that authority and in particular any payments made that are not consistent with the content of this guidance. Clearly, however, if any of the senior officers mentioned here are to be the recipient of the payment, they should not play any part in the decision-making process.

5.3 In order to adopt the approach referenced in the guidance and provide the appropriate written evidence, legal and HR advice to support any decision on a Special Severance Payment it is proposed that a pro forma report be completed with HR and legal input. The proposed pro forma is at **Appendix 2** and adopts the format of the pro forma for HM Treasury Approval for Special Severance Payments.

5.4 The only exception to the completion of a pro forma report in advance of an agreement being reached that is proposed is that for an urgent case such as agreeing a settlement payment during an employment tribunal case or settling on the court steps where the ability to agree the best possible resolution for the Council can be time dependent. In these cases it is proposed that the Head of Law and Democracy continues to have the delegated authority to settle proceedings in the best interests of the Council and that the pro forma report be prepared as soon as reasonably practicable after the event and be provided to the Head of Paid Service and Leader with an explanation as to why urgent agreement was required.

- 5.5 In so far as a limit on these officer's authority then the Localism Act 2011 requires the Council to prepare a pay policy statement for each financial year. Section 40 of the Act includes provision for the Secretary of State to issue guidance on the content and application of senior pay statements. The Council must have regard to this guidance in the exercise of its functions under the pay accountability provisions.
- 5.6 The guidance makes clear that full council should be given the opportunity to vote before large salary packages are offered in respect of a new appointment and that the Secretary of State considers that £100,000 is the right level for that threshold to be set. The guidance also provides that full council should have the opportunity to vote before large severance packages beyond a particular threshold are approved for staff leaving the organisation. As with salaries on appointment, the Secretary of State considers that £100,000 is the right level for that threshold to be set.
- 5.7 It is therefore proposed that the constitution be amended to include delegation to the Head of Paid Service with the approval of the Leader and in consultation with the Section 151 Officer/ Deputy Section 151 Officer, Monitoring / Deputy Monitoring Officer and a Senior HR officer to approve any Special Severance Payment above £20,000 and below £100,000 upon receipt of the completed report.
- 5.8 Likewise it is also proposed that the constitution be amended to include delegation to the Strategic Directors in consultation with the Section 151 Officer/Deputy Section 151 Officer, Monitoring/Deputy Officer and a Senior HR Officer to approve any Special Severance Payment below £20,000.
- 5.9 Where the proposed payment is to the Head of Paid Service, to avoid a conflict of interest the guidance expects that the payment should be approved by a panel including at least two independent persons. It is therefore proposed to extend the delegation of the Appointments Committee (supplemented by at least 2 members of the Independent Remuneration Panel) to consider such matters and make recommendations to Full Council as necessary.

## **6 Annual Reporting**

- 6.1 In accordance with schedule 1 of the Accounts & Audit Regulations 2015 the Council discloses in its annual accounts the remuneration of senior employees including details of any severance payments.
- 6.2 It is proposed that at the same time that the annual accounts are presented that the Audit Committee be provided with the information as to any Special Severance Payment made during the financial year regardless of the seniority of employee. All reporting should be anonymised and comply with data protection law.

1. Home (<https://www.gov.uk/>)
  2. Regional and local government (<https://www.gov.uk/regional-and-local-government>)
  3. Local government (<https://www.gov.uk/regional-and-local-government/local-government>)
  4. Special Severance Payments (<https://www.gov.uk/government/publications/special-severance-payments>)
- Department for Levelling Up, Housing & Communities (<https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>)

Statutory guidance

# Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England

Published 12 May 2022

## Contents

1. Introduction
  2. What is a special severance payment?
  3. Considerations for local authorities on potential Special Severance Payments
  4. Exceptional circumstances in which it may be appropriate to consider making Special Severance Payments
  5. Accountability and disclosure
- List of bodies this guidance applies to



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## 1. Introduction

1.1 Most public sector workers enjoy statutory and contractual redundancy or severance terms that are significantly better than the minimum statutory redundancy entitlement and are often higher than the value of redundancy or severance payments made in the private sector. The government is of the view that paying additional, discretionary sums on top of these entitlements (“special severance payments”) do not usually provide good value for money or offer fairness to the taxpayers who fund them and so, should only be considered in exceptional cases.

1.2 This guidance forms part of the best value regime for local authorities in England. The best value duty, as set out in [section 3 of the Local Government Act 1999](#) (<https://www.legislation.gov.uk/ukpga/1999/27/section/3>) (“the 1999 Act”), provides that “A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. The best value duty is relevant to local authority duties to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services (including adult social care and children’s services) and secure value for money in spending decisions. This will include decisions to make Special Severance Payments.

1.3 Authorities subject to the best value duty (termed “best value authorities”) are defined in section 1 of the 1999 Act. [A list of these bodies can be found at the end of this guidance.](#)

1.4 This guidance also sets out the government’s position on the use of Special Severance Payments made by local authorities.

1.5 This guidance is issued under section 26 of the 1999 Act, the purpose of which is to:

- set out the government’s view that Special Severance Payments do not usually represent value for money and should only be considered in exceptional circumstances
- set out the criteria employers should consider in the exceptional circumstances in which it may be appropriate to make a Special Severance Payment
- give examples of the exceptional circumstances in which Special Severance Payments may be appropriate
- clarify the disclosure and reporting requirements for Special Severance Payments

1.6 Severance payments can be an important mechanism to allow employers to reform and react to new circumstances in the workplace, but employers have a responsibility to ensure that Special Severance Payments are only made when there is a clear, evidenced justification for doing so. They should also ensure that all relevant internal policies and procedures have been followed and all alternative actions have been fully explored and documented.

1.7 In the exceptional circumstances where it is decided that a Special Severance Payment should be paid, it is the responsibility of individual employers to ensure their Special Severance Payments arrangements are fair, proportionate, lawful and provide value for money for the taxpayer.

## 2. What is a special severance payment?

2.1 In the context of this guidance, Special Severance Payments are payments made to employees, officeholders, workers, contractors, and others outside of statutory, contractual or other requirements when leaving employment in public service. Employers may sometimes consider making such a



payment in situations where the individual concerned resigns, is dismissed, or agrees a termination of contract. Which types of payments are Special Severance Payments will vary according to an employee's particular circumstances, and therefore the examples below are illustrative only.

2.2 It is established case-law<sup>[footnote 1]</sup> that such payments, where in accordance with legislation, may only be made where there is a convincing case that they are in the interests of taxpayers. Local authorities may not be generous at the expense of taxpayers and must genuinely consider payments to be in the public interest. In taking decisions elected members must make all proper enquiries and consider all available material that can help in coming to a decision.

2.3 The following types of payments are likely to constitute Special Severance Payments:

- a) any payments reached under a settlement agreement between the employer and employee to discontinue legal proceedings without admission of fault
- b) the value of any employee benefits or allowances which are allowed to continue beyond the employee's agreed exit date
- c) write-offs of any outstanding loans
- d) any honorarium payments
- e) any hardship payments
- f) any payments to employees for retraining related to their termination of employment

2.4 The following types of payments may constitute Special Severance Payments, depending on the terms of the individual's contract, relevant statutory provisions, any non-statutory applicable schemes and other relevant terms and conditions:

- a) pay or compensation in lieu of notice where the amount of the payment is not greater than the salary due in the period of notice set out in the employee's contract
- b) pension strain payments arising from employer discretions to enhance standard pension benefits (for example under Regulation 30(5) where the employer has waived the reduction under Regulation 30(8) or because of the award of additional pension under Regulation 31)

2.5 The following do not constitute Special Severance Payments:

- a) statutory redundancy payments
- b) contractual redundancy payments, whether applicable to voluntary or compulsory redundancy, and whether agreed by collective agreement or otherwise
- c) severance payments made in accordance with that local authority's policy adopted pursuant to Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
- d) a strain cost paid to the relevant LGPS administering authority under LGPS Regulation 68(2) which results from a LGPS member's retirement benefits becoming immediately payable without reduction under Regulation 30(7), or under Regulation 30(6) where the employer has waived the reduction under Regulation 30(8)
- e) payment for untaken annual leave
- f) payments ordered by a court or tribunal or agreed as part of a judicial or non-judicial mediation



g) payments made as part of the ACAS Early Conciliation process

h) payments made to compensate for injury or death of the worker

i) payments made in consequence of the award of ill-health retirement benefits under Regulation 35 of the LGPS Regulations

### **3. Considerations for local authorities on potential Special Severance Payments**

3.1 This chapter provides guidance on relevant considerations for English local authorities in relation to making Special Severance Payments.

3.2 Local authorities must comply with the duty of Best Value explained in the introduction. In considering whether it is appropriate to make a Special Severance Payment, the government expects local authorities to consider whether such a payment would be a proper use of public money. Local authorities should also monitor and review their policies on the award of special severance payments to ensure that they are also consistent with their Public Sector Equality Duty under the Equality Act 2010.

#### **Economy**

3.3 Local authorities should be able to demonstrate their economic rationale behind proposed Special Severance Payments including consideration of:

- Whether there is any feasible possibility of exiting the individual at a lower cost. Only where there is no such possibility should a Special Severance Payment be considered
- How the exit payment will be perceived by the public and whether it is in line with the duty to manage taxpayers' money appropriately
- What alternative use could be made of that expenditure. All Special Severance Payments necessarily reduce the funds that would otherwise be available to deliver important public services
- The setting of any potential precedent (e.g. where a Special Severance Payment is made to certain employees and not others)
- Evidence for additionality i.e. that those offered Special Severance Payments would not have been willing, under any circumstances, to leave with their statutory and contractual benefits alone

#### **Efficiency and effectiveness**

3.4 In considering the impact of Special Severance Payments on efficiency and effectiveness, local authorities should:

- Seek legal advice on the prospects of successfully defending an Employment Tribunal claim (or claim to any other court or tribunal with jurisdiction), if an employee were to take a legal route to appeal any grounds of their employment being terminated. The chance of success and the costs likely to be incurred should be noted and weighed up against the costs of making a Special Severance Payment
- Ensure that these payments are not used to avoid management action, disciplinary processes, unwelcome publicity or avoidance of embarrassment

- Consider aligning with private sector practice, where payments are typically less generous. This is important given the added duty in the public sector to prudently manage taxpayers' money
- Manage conflicts of interest to ensure that individuals who are the subject of complaints play absolutely no role in deciding whether those complaints should be settled by making an award to the complainant from public funds

## 4. Exceptional circumstances in which it may be appropriate to consider making Special Severance Payments

4.1 There may be exceptional circumstances where the existing statutory or contractual entitlements, or both, are insufficient to facilitate an exit or to offer sufficient compensation for loss of employment or office. This can apply to office holders as well as staff. These circumstances, which we expect to be exceptional and provide value for money, may be taken into account by local authorities in deciding whether or not to make a Special Severance Payment.

4.2 Authorities may consider a Special Severance Payment in order to set aside what would otherwise be a reduction in entitlement caused by a break in continuity of service (e.g. where a member of staff has taken a break in service to accompany their spouse on military service overseas). Authorities may also consider that a Special Severance Payment is appropriate in circumstances where, to help recruitment and retention, it has resolved to recognise for severance payment calculation purposes past service with another non-Modification Order employer (such as service with the NHS prior to the transfer of public health functions to local government)<sup>[footnote 2]</sup>.

4.3 Authorities may also consider a Special Severance Payment in order to settle disputes, where it can be properly demonstrated that other routes have been thoroughly explored and excluded. After receiving appropriate professional advice, it may then possibly be concluded that a special severance payment is the most suitable option and prudent use of public money.

4.4 Those approving a Special Severance Payment related to a settlement agreement should be provided with appropriate evidence that attempts were made to resolve disputes before they escalated to a legal claim. They should also bear in mind that even if the cost of defeating an apparently frivolous or vexatious claims will exceed the likely cost of that settlement to the employer, it may still be desirable to take the case to formal proceedings. This is because successfully defending such cases will discourage future frivolous or vexatious claims and demonstrate that the local authority does not reward such claims.

## 5. Accountability and disclosure

### Accountability

5.1 The government expects that any Special Severance payments should be approved according to the following process:

- payments of £100,000 and above must be approved by a vote of full council, as set out in the Localism Act 2011
- payments of £20,000 and above, but below £100,000, must be personally approved and signed off by the Head of Paid Service, with a clear record of the Leader's approval and that of any others who have signed off the payment



- payments below £20,000 must be approved according to the local authority's scheme of delegation. It is expected that local authorities should publish their policy and process for approving these payments

5.2 Where the proposed payment is to the Head of Paid Service, to avoid a conflict of interest it is expected that the payment should be approved by a panel including at least two independent persons. A system of legal duties also requires elected members to spend public money with regularity and propriety. Under section 151 of the Local Government Act 1972, "every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers (the section 151 officer or Chief Finance Officer) has responsibility for the administration of those affairs". The section 151 officer has an important role in holding local authorities to account and has duties to alert elected members and the auditor in the case of unlawful expenditure.

5.3 This role is complemented and reinforced by authorities' duty under section 5 of the Local Government and Housing Act 1989 to appoint a Monitoring Officer, who must report to the local authority when any proposal, decision or omission is likely to lead to contravention of any enactment, rule of law or statutory code.

5.4 As part of their duties, an authority's s151 Officer, and where appropriate, the Monitoring Officer, should take a close interest in and be able to justify any special severance payments that are made by that authority and in particular any payments made that are not consistent with the content of this guidance.

## Disclosure

5.5 Clear and transparent reporting on exit payments is essential to make available better data on the number and level of exit payments made in local government. The availability of data on exit payments in the public domain by local authorities enables local accountability as well as effective management of public money and public confidence. In 2015, the Local Government Transparency Code was issued to increase democratic accountability through open access to information<sup>[footnote 3]</sup>. This sets a requirement for local authorities to publish, under the Account and Audit Regulations 2015:

- the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- details of remuneration and job title of certain senior employees whose salary is at least £50,000, and
- employees whose salaries are £150,000 or more must also be identified by name

In addition to this requirement, local authorities must publish, for all employees whose salary exceeds £50,000, a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and benefits-in-kind.

5.6 DLUHC has initiated a new annual collection of data on exit payments (initially collecting data from 2014 – 2021) and the results will be published into official statistics and made available on the gov.uk website, subject to any necessary anonymisation or redaction to comply with data protection law. This data will help others to assess the number and level of exit payments made in local government.

5.7 Section 38 of the Localism Act 2011 requires the local authority to produce and publish a pay policy statement, which must include the authority's policies on termination payments. Further guidance on the requirements of the Localism Act 2011 has been issued<sup>[footnote 4]</sup>.

5.8 In addition, Regulation 60 of the Local Government Pension Scheme Regulations 2013 requires local authorities to prepare a statement of its policy in relation to the exercise of the discretion to enhance pension benefits under Regulations 16(2)(e) and 16(4)(d) (funding of additional pension), Regulation 30(6) (flexible retirement), Regulation 30(8) (waiving of actuarial reduction); and Regulation 31 (award of additional pension).

5.9 Regulation 10 of the Accounts and Audit Regulations 2015 require authorities to publish an annual statement of accounts, governance statement and narrative statement. As well as following existing guidance<sup>[footnote 5]</sup> on reporting exit payments, local authorities should also disclose in their annual accounts all severance payments, pension fund strain costs and other special severance payments made in consequence of termination of employment or loss of office (but excluding payments on death or ill-health retirement). Apart from where otherwise required by law, reporting may be anonymised to comply with data protection requirements.

## List of bodies this guidance applies to

- An English local authority, including:
  - a county council in England, a district council or a London borough council
  - the Council of the Isles of Scilly
  - the Common Council of the City of London in its capacity as a local authority
  - the Greater London Authority so far as it exercises its functions through the Mayor
- A National Park authority for a National Park in England
- The Broads Authority
- The Common Council of the City of London in its capacity as a police authority
- A fire and rescue authority constituted by a scheme under [section 2 of the Fire and Rescue Services Act 2004](https://www.legislation.gov.uk/ukpga/2004/21/section/2) (<https://www.legislation.gov.uk/ukpga/2004/21/section/2>) or a scheme to which section 4 of that Act applies, and a metropolitan county fire and rescue authority in England
- The London Fire Commissioner
- An authority established under [section 10 of the Local Government Act 1985 \(waste disposal authorities\)](https://www.legislation.gov.uk/ukpga/1985/51/section/10) (<https://www.legislation.gov.uk/ukpga/1985/51/section/10>)
- An Integrated Transport Authority for an integrated transport area in England
- An economic prosperity board established under [section 88 of the Local Democracy, Economic Development and Construction Act 2009](https://www.legislation.gov.uk/ukpga/2009/20/section/88) (<https://www.legislation.gov.uk/ukpga/2009/20/section/88>)
- A combined authority established under [section 103 of that Act](https://www.legislation.gov.uk/ukpga/2009/20/section/103) (<https://www.legislation.gov.uk/ukpga/2009/20/section/103>)
- A sub-national transport body established under [section 102E of the Local Transport Act 2008](https://www.legislation.gov.uk/ukpga/2008/26/section/102E) (<https://www.legislation.gov.uk/ukpga/2008/26/section/102E>)
- Transport for London

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1. In *Re Hurlle-Hobbs's Decision* (1944) 1 All E.R. 249.
  2. Under the Employment Rights Act 1996 employees need two years service with their current or an "associated employer" to qualify for a redundancy payment. The purpose of the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999, as amended, is to provide a statutory list of 'associated employers' for the purposes of redundancy payments. The list set out in the Order includes all local authorities as well as various other, but not all, other local public service providers.

3. [Local government transparency code 2015 \(https://www.gov.uk/government/publications/local-government-transparency-code-2015\)](https://www.gov.uk/government/publications/local-government-transparency-code-2015).
  4. [Openness and accountability in local pay: guidance under section 40 of the Localism Act 2011 \(https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-supplementary-guidance\)](https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-supplementary-guidance).
  5. CIPFA, Code of Practice on Local Authority Accounting in the United Kingdom 2020/21.
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## Strictly Private and Confidential

### Special Severance Payment

This template is to be used for all special severance cases submitted for approval.

<b>Special Severance Business Case</b>	
Name of Requesting Department	
Date case is submitted	
Date decision is needed and why	
<b>Circumstances of the Case</b>	
Overview of the Case	
Terms of employment	
Breakdown of proposed exit payment	
Proposed ways of proceeding	
<b>Financial Considerations</b>	
The value for money consideration underlying the proposed payment	
[Include here consideration of:	

- whether there is any feasible possibility of exiting the individual at a lower cost. Only where there is no such possibility should a Special Severance Payment be considered;
- how the exit payment will be perceived by the public and whether it is in line with the duty to manage taxpayers money appropriately;
- what alternative use could be made of that expenditure. All Special Severance Payments necessarily reduce the funds that would otherwise be available to deliver important public services;
- the setting of any potential precedent (e.g. where a Special Severance Payment is made to certain employees and not others);
- evidence for additionality, i.e. that those offered Special Severance Payments would not have, under any circumstances, been willing to leave with their statutory and contractual benefits alone.]

**Non- Financial Considerations**

Performance management

Management procedures

**Repercussive risk**

Lessons learnt from this case

Wider impact and potential precedents

Any other useful information





<b>Full Council</b>	<b>Tuesday, 12 July 2022</b>	<b>Matter for Decision</b>
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**Report Title:** **UK Shared Prosperity Fund Investment Plan**

**Report Author(s):** **Jeffery Kenyon (Economic Regeneration Manager)**

<b>Purpose of Report:</b>	To seek Member approval to delegate the approval of the Oadby and Wigston Borough Council UK Shared Prosperity Fund Investment Plan, to the Leader of the Council in conjunction with the Strategic Director/151 Officer. The Investment Plan needs to be submitted by 1 August 2022 and is currently under development. The report outlines the work to date to meet this deadline.
<b>Report Summary:</b>	<p>The report provides brief background on the UK Shared Prosperity Fund, the successor to EU funding.</p> <p>Each Local Authority has been provided with an allocation to cover the period 2022/23 to 2024/25 upon Government approval of an Investment Plan; Oadby and Wigston Borough Council has been allocated £1,342,011.</p> <p>The report outlines the background work undertaken to identify issues in the Borough that could be addressed through the fund. A list of potential interventions is provided that are being developed at present. A draft Investment Plan will be published for a brief consultation period before the final Investment Plan is submitted.</p>
<b>Recommendation(s):</b>	<p><b>A. To note the content of the report and appendix;</b></p> <p><b>B. To approve that the Leader of the Council, in conjunction with the Strategic Director / Section 151 Officer be given delegated authority to approve the final OWB Investment Plan submitted to DHLUC as set out in paragraph 3.1; and</b></p> <p><b>C. To approve that the Strategic Director / Section 151 Officer be given authority to make required changes to the Council budget as set out in paragraph 2.1.</b></p>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Tracy Bingham (Strategic Director / Section 151 Officer) (0116) 257 2690 <a href="mailto:tracy.bingham@oadby-wigston.gov.uk">tracy.bingham@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Built Environment) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Jeffery Kenyon (Economic Regeneration Manager) (0116) 288 8961 <a href="mailto:jeffery.kenyon@oadby-wigston.gov.uk">jeffery.kenyon@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	<p>Building, Protecting and Empowering Communities (CO1)</p> <p>Growing the Borough Economically (CO2)</p>
<b>Vision and Values:</b>	"A Stronger Borough Together" (Vision)

	Accountability (V1) Teamwork (V3) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications directly arising from this report.
Financial:	The implications are as set out at Section 2 of this report.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Reputation Damage (CR4) Effective Utilisation of Assets / Buildings (CR5) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	The implications are as set out at paragraph 5.8 of this report. Initial EA Screening (See Appendices).
Human Rights:	There are no implications directly arising from this report.
Health and Safety:	There are no implications directly arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	<p>The UKSPF requires consultation to take place as part of the process of writing the Investment Plan. The Council has undertaken the following consultation:</p> <ul style="list-style-type: none"> <li>• Member engagement to identify projects in the Borough (13 June and 28 June 2022)</li> <li>• Officer engagement through Corporate Management Team (17 May and 28 June 2022)</li> <li>• Neil O'Brien MP (29 June 2022)</li> <li>• Individual engagement with: Canal and Rivers Trust, Everyone Active, Leicestershire County Council, DWP/JC+</li> </ul> <p>Following the drafting of the Investment Plan a targeted consultation will take place with wider Oadby and Wigston Borough organisations.</p>
<b>Background Papers:</b>	None.
<b>Appendices:</b>	<b>1.</b> UK Shared Prosperity Fund Equality Assessment

## 1. Background

- 1.1 The United Kingdom Shared Prosperity Fund (UKSPF) is the replacement for the former EU Structural Funds received when the UK was an EU member. The UKSPF therefore seeks to replace programmes such as the European Social Fund (ESF) and European Regional Development Fund (ERDF). It forms part of the Government's Levelling Up agenda and is integrated into the work of DLUHC (Department for Levelling Up, Housing and

Communities) who will oversee the fund.

1.2 The Fund is split into three themes:

- Communities and Place: focussing on activities around communities, town centres, visitors;
- Supporting Local Businesses: provision of support to local businesses, business development etc.; and
- People and Skills: volunteering, skills improvement etc.

1.3 Each Local Authority, including Oadby and Wigston Borough Council, has been designated a Lead Authority and have been provided with an allocated sum to disburse between the years 2022/23 and 2024/25. Combined Authorities, Unitary Authorities and County Councils are also Lead Authorities with allocations, but also additional responsibilities. OWBC has been allocated £1,342,011 to spend over the three years.

1.4 There are some key differences between the EU funds and the UKSPF:

<b>EU Funds</b>	<b>UKSPF</b>
7 year programme	3 year programme
Competitive access	Allocated funds
Spend restricted to eligible themes	Spend is restricted but much more flexible to respond to local needs
Match funding usually required	No match funding needed (but encouraged)
Geographically targeted at subregional level and above	Allocated to individual LAs (but encouraged to work across boundaries)
Revenue and Capital spend was split across ESF and ERDF programmes	Revenue and Capital spend is brought together into one fund

1.5 In order to access the funding each Lead Authority must submit an Investment Plan by 1 August 2022 for approval by DLUHC. This should outline the issues that the area faces, backed by data, and outline the types of investment proposed, relating back to the three themes, and how these will meet the needs of the local community. A full list of interventions is not required at this stage to cover all three years, however it must be agreed before spend can take place. As can be seen this approach does mean that this fund is more responsive to local needs and there is greater local control.

## **2. Funding allocation and profile**

2.1 OWBC has been allocated £1,342,011 to 2024/25. The spend profile for this is not even across all three years and there are some requirements of this spend. The table below provides an indication of the spend profile over the three years. Of note:

- 4% of the fund may be used to fund its administration, such as running the programme, undertaking monitoring, running procurement competitions, administering grant schemes etc. As OWBC is a small authority, it is proposed that a minimum of 4% is used for these purposes, providing additional officer support to make sure there is a single point of contact for the fund. This is explored further in section 5 of this report.
- There is a minimum amount of Capital spend per year and the figures in the table below represent the minimum amount. This amount can be increased. Note that

there is an allocation of capital spend in the first year.

- Spend totals per year must be achieved. If they are not then future funds may be withheld. Projects included therefore need to be able to be delivered within the timescales.

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
Admin (4%)	£6,442	£12,883	£34,355
Capital (minimum)	£16,104	£41,871	£171,777
Revenue	£138,495	£267,329	£652,755
<b>TOTAL</b>	<b>£161,041</b>	<b>£322,083</b>	<b>£858,887</b>

2.2 From the table above it can be seen that the final year, 2024/25 sees a significant increase in project spend. There are a number of reasons for this:

- Being the final year, and with the fund allowing for development works in all three themes, the final year will be one where projects that have been developed will be delivered
- The current EU programmes cease in 2023/24 and if there is a desire to continue these then this will happen in 2024/25. It is therefore likely that there will be minimal spend on Theme 3: People and Skills until the third year. Investment Plans must take this into account. These will be projects looking at numeracy, literacy, language skills currently provided through a range of ESF programmes. It should also be noted that County Councils and Unitary Councils also receive an element of UKSPF called 'Multiply' which focusses on skills. How Local Authority interventions interact with this needs to be carefully considered to avoid duplication.

### **3. Budgetary Implications**

3.1 At the time of writing this report, no guidance has been received from central government around the issue of in-year spending, although it is understood that this is planned and there will be some flexibility around this.

3.2 As a precaution, it is proposed that the Strategic Director/Section 151 Officer is given authority to make the required changes to the Council budget as set out in paragraph 2.1 above.

### **4. Investment Plan**

4.1 An online template has been provided to complete the investment Plan which seeks to bring out the issues affecting the local area and the types of interventions identified. Whilst the Council will be more specific in its 2022/23 projects, in order that the Investment Plan is approved quickly, those of future years is less defined. The Investment Plan will need to be reviewed by the local MP ahead of its submission on 1 August 2022. Due to the tight timescale to develop and submit the Investment Plan, it is requested that delegated approval for the final Investment Plan submitted be given to the Leader of the Council in consultation with the Strategic Director/151 Officer.

4.2 Furthermore, it is proposed that the Strategic Director/151 Officer be given authority to make required changes to the Council budget as this funding will be received in-year.

### **5. Oadby and Wigston approach**

Issues affecting the Borough

- 5.1 As part of the development of the Investment Plan, there is a need to provide an overview of the issues affecting the Borough so that these may form the basis of investment and show a direct correlation as to how these will tackle the issues. Officers have undertaken an exploration of the issues affecting the Borough. Given the limited time available to undertake this, a range of sources have been used from both the Council and supplied by partners.
- 5.2 A review of the data has been produced to bring together key information about the Borough. This includes information about residents to show how diverse our Borough is, such as skills levels, unemployment rates, occupations, deprivation etc.; information about our businesses, such as sectors, wages, business formation and death rates; and about the place such as crime rates, health inequalities, facilities etc. This information will form the basis for identifying the types of interventions the Investment Plan should seek to address so that they meet the needs of the Borough.

Project themes

- 5.3 Given the issues identified, the spend profile that must be achieved and the ability of projects to deliver, the following broad list of interventions are being considered for inclusion within the Investment Plan to respond to known issues and to have impact across our communities. These interventions are both capital and revenue in nature as well as representing combinations of grant scheme, specific interventions and programmes of activity. It should also be noted that some activities will fit under more than one theme. The table below provides an indication of interventions being considered so far:

Communities and Place	Shop front improvement schemes Town centre public realm schemes Work around accessibility and business training VE/Night-time economy promotion, in conjunction with events calendar
Supporting Local Business	Business support offer Business grant scheme for improvements Green grant scheme Digital skills support for businesses Funding support to VE/Tourism businesses to develop projects
People and Skills	Cycle infrastructure Volunteering projects Workplace health and wellbeing activity Sport and Physical Activity to engage workless people Skills for employability

- 5.4 A range of organisations have also approached Councils with offers of programmes that they could deliver. These programmes are able to be tailored to individual Councils to respond to local needs but at the same time provide a consistent approach across the County and use recognisable brands. Whilst the list below is not exhaustive, such offers include:

LLEP/Growth Hub	Business Support offer to provide triage for businesses, sector specific and generic support, marketing and promotion. There are a number of additional offers such as grant programmes and project management should Councils seek these services too.
NBV	Business start up and early years support for new businesses.
Visit Leicester	Providing a strategic tourism offer to the City and County

	area, this offer consists of two products – sustainable tourism and food offer.
Leicestershire County Council	An inward investment offer to target new businesses moving into the County specifically from outside it to provide support with their location.
Work and Skills Leicestershire	Based on a successful LCC programme, this provides support for people to gain skills over time to ensure that they are at less risk of becoming unemployed, such as CVs, training, advice etc.
Active Together	A range of projects looking at physical activity, mental health and getting people engaged in activity.

- 5.5 These offers, and others, have been explored and discussed by the Local Authorities to establish which are of interest and could be developed further in order that realistic and achievable costs for each can be identified before they become part of Investment Plans. It has been recognised by the organisations that the offers will need to be tailored to individual Local Authorities to meet their needs, rather than a blanket approach being adopted, and that the financial contribution from those Local Authorities taking part will need to be commensurate with their allocation and likely use of a service. This is key for Boroughs like Oadby and Wigston who have a smaller Investment Plan pot and cover smaller geographical areas.
- 5.6 Officers are actively exploring which of the offers best meet the needs of the residents and businesses of the Borough and have spoken with the various organisations to learn more. The offers from the LLEP, NBV, Visit Leicester, Work and Skills Leicestershire and Active Together are being looked at in detail at present. Once all the Local Authorities have considered these and know whether not they wish to be a part of a wider project, the financial elements and exact needs can be assessed.
- 5.7 The Investment Plan interventions will need to identify, from a series of outputs, what will be achieved. The outputs list has been provided by Government and form part of the submission. In parallel with interventions being identified, outputs will also become more apparent.
- 5.8 As part of this work, an Equality Assessment screening has been undertaken on the overall objective of the UKSPF (**Appendix 1**). The funding seeks to address local issues to Councils and is therefore flexible in how it may be spent. The interventions are based on an assessment of local need and are additional to services already offered. Any interventions need to be budgeted within the sum received by the Council which may lead to some interventions being prioritised ahead of others. The Council will ensure that interventions are based on robust evidence of need and are accessible across the Borough geographically. Once the full list of interventions is known these will be individually Equality Assessed.

### Consultation

- 5.9 There will need to be an element of consultation to inform the Investment Plan as outlined within the Consultees section of this report. Member feedback on the broad interventions was positive with a request that a minimum of 60% of the funds be spent within the Borough, rather than on partner projects.
- 5.10 Given the timescales for the production of the Investment Plan, the small amount of funding the Borough will receive and the need to be able to spend the funds within the Plan period, Officers have gathered information about existing projects and programmes delivered by other organisations, as outlined in paragraph 4.3. This has been augmented by

information from Members and Officers on projects that could be delivered. These are being compiled into a draft Oadby and Wigston Borough Investment Plan at present.

- 5.11 During early July the draft Investment Plan will be published on the Council website for a minimum of one week to enable comments to be received on its content. Working with the Communications team, an email will be sent out to all those registered on the Council contacts list for updates as well as other lists held by Services including to businesses, community and faith groups to ensure that people are aware of the proposals. Given the short timescale, comments will need to be received electronically to enable Officers to then examine responses and consider appropriate amendments to the Investment Plan ahead of its submission on 1 August. This timescale is outlined below.

1 July-8 July	Prepare Draft Investment Plan
w/c 11 July	Upload Draft Investment Plan to website and open consultation
	Promote opportunity to comment through Communications
w/c 18 July	Close consultation (1 week from start)
	Analyse responses and amend Draft Investment Plan as required
w/c 25 July	Approved Investment Plan
	Share with MP
1 August	Submit OWBC Investment Plan

## 6. Delivery of the Investment Plan

- 6.1 The Investment Plan needs to be submitted to Government by 1 August 2022. It will then be reviewed and early indications show that an outcome should be known in late September 2022 with the first tranche of funding being released in October 2022. The Council will then need to be in a position to start delivery and implementation of the activities in the Investment Plan, including any monitoring requirements on spend.
- 6.2 With Local Authorities required to manage the funding received the Council will need to make provision to oversee the fund, manage any processes within it and deal with any on-going monitoring. The Fund does allow for 4% of the funding to be used for administration of the funds, with a recognition in the guidance that a greater amount may be requested, especially for smaller Local Authorities who may not have the wider skills required and for whom the work of managing the fund would be more onerous given their size.
- 6.3 Officers propose that, as part of the Investment Plan development, the percentage for Administration that would be required by the Council is further examined to ensure that the level requested, likely to be above 4%, covers the cost incurred by the Council to oversee and administer the fund. The table below, a repeat of that in Section 2, outlines the basic spend profile of the fund year and clearly shows the 4% figure. If the Administration percentage is increased the capital and revenue amounts will be reduced as the funding is finite:

	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
Admin (4%)	£6,442	£12,883	£34,355
Capital (minimum)	£16,104	£41,871	£171,777
Revenue	£138,495	£267,329	£652,755
<b>TOTAL</b>	<b>£161,041</b>	<b>£322,083</b>	<b>£858,887</b>

- 6.4 The Economic Regeneration Manager will act as a single point of contact for the UKSPF within Oadby and Wigston Borough Council which will allow for close control to be kept around the project and to ensure there is oversight. Standard project management arrangements will also be utilised and will serve to ensure the council meets its obligations around monitoring.

## **7. Next Steps**

- 7.1 This Report outlines the basics of the UKSPF and how it will work in OWBC. The writing and submission of an Investment Plan has needed to be completed at speed resulting in this report providing Members with an outline of the key components proposed. Once submitted it is understood that Government will review with a view to signing off and commencing implementation from October 2022 onwards.
- 7.2 Furthermore, given that it is unlikely this will be the only round of UKSPF, officers will work with organisations and partners over the coming years so that when the next Investment Plan needs to be submitted a more inclusive and comprehensive view can be taken.





**Oadby & Wigston**  
BOROUGH COUNCIL

## EQUALITY ASSESSMENT

### PART 1 - INITIAL SCREENING

<b>Name of Policy/Function:</b>	X	This is <b>new</b>
UK Shared Prosperity Fund		This is a <b>change</b> to an existing policy
		This is an <b>existing</b> policy, Function, not previously assessed
		This is an existing policy/function for <b>review</b>

<b>Date of screening</b>	30 June 2022
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#### 1. Briefly describe its aims & objectives

The UK Shared Prosperity Fund (UKSPF) is a direct award of funding to Oadby and Wigston Borough Council by Government to be used to support projects in the Borough. It provides £1,342,011 of funding between 2022/23 and 2024/25. The Council is required to submit an Investment Plan providing a broad outline of how the funds will be spent to benefit the local community and respond to issues with interventions required to fall into one of three priorities:

- i. Communities and Place
- ii. Supporting Local Business
- iii. People and Skills

Government sign off the Investment Plan and release the funding.

The OWBC UKSPF Investment Plan will:

- Ensure that the interventions are based on robust evidence of need
- Ensure that there is spend across the Borough area
- Ensure that the interventions within it fall within the scope of the UKSPF

This EA screening considered the overall UK Shared Prosperity Fund, the interventions of which are not yet known in Oadby and Wigston. A EA screening will take place for each intervention once these are known.

#### 2. Are there external considerations?

*e.g. Legislation/government directive etc*

Levelling-up and Regeneration Bill
------------------------------------

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

The stakeholders are the residents and businesses within the Borough, who have an interest in the Council services provided and how they may access them.

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

The Council will want:

- Ensure that the funding is spent in accordance with the guidance and does not result in claw back;
- Ensure that the interventions the fund provides are in line with expectations and managed appropriately in order to deliver for our customers; and
- Ensure that the interventions provided address an identified need.

**5. Has any consultation/research been carried out?**

Yes

- Members and Officers have been asked to feed in intervention ideas for consideration;
- MP has been consulted on broad themes being pursued;
- Further consultation will take place once a draft Investment Plan has been produced. This will be placed on the Council website and feedback sought. Working with Communications, information about the consultation will be distributed to those on the Council email lists to make them aware, as well as other social media outlets. This will enable residents, businesses and organisations to comment on the proposed Investment Plan. Due to the timescale for submission of the Investment Plan, the consultation will be for a minimum of one week.

Additionally, the Council is in discussion with other Local Authorities around joining up programmes across borders to ensure there are fewer 'cliff edges' in terms of service provision and to encourage economies of scale.

**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.*

Yes.

The funding is finite which may mean that some interventions will not receive funding which will impact on those users. However interventions should be additional to standard service provision.

**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.  
The funding is likely to include the provision of learning and skills programmes that could positively impact on those who are unemployed.

**9. Are there any human rights implications?**

*Yes/No (If yes, please explain)*

No

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

*Yes/No (If yes, how will this be done?)*

Yes

- The funding seeks to provide interventions that benefit the local communities and directly respond to issues.
- The consultation will engage with a wider range of community members, residents, businesses and organisations to help shape the Investment Plan.

**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?**

Yes. Some interventions may be delivered by outside organisations who will be procured to deliver.

**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

**Please note that you should proceed to a Part 2, the full Equality Impact Assessment if you have identified actual, or the potential to cause, adverse impact or discrimination against different groups in the community.**

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

Completed by: Jeffery Kenyon      Date: 30 June 2022  
(Policy/Function/Report written)

Countersigned by: .....Date:.....  
(Head of Service)

Screened by:.....Date:.....

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

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



<b>Full Council</b>	<b>Tuesday, 12 July 2022</b>	<b>Matter for Decision</b>
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**Report Title:** **Leicester and Leicestershire Statement of Common Ground  
(Relating to Housing and Employment Land Needs)**

**Report Author(s):** **Adrian Thorpe (Head of The Built Environment)**

<b>Purpose of Report:</b>	The report seeks approval for Council to approve the Leicester and Leicestershire Statement of Common Ground relating to Housing and Employment Land Needs as a factual statement of the current position within the Leicester and Leicestershire Housing Market Area.
<b>Report Summary:</b>	This report provides information on a Statement of Common Ground (SoCG) which has been prepared by the Leicester and Leicestershire authorities to demonstrate the Duty to Cooperate in plan making. The key strategic matters covered are Leicester and Leicestershire Housing and Employment Needs to 2036, Unmet Need to 2036, and apportioning that unmet need to 2036.
<b>Recommendation(s):</b>	<b>That Council approves the signing of the Leicester and Leicestershire Statement of Common Ground relating to Housing and Employment Land Needs (2022).</b>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Tracy Bingham (Strategic Director / Section 151 Officer) (0116) 288 8961 <a href="mailto:tracy.bingham@oadby-wigston.gov.uk">tracy.bingham@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Built Environment) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Jamie Carr (Planning Policy and Development Manager) (0116 257 2652) <a href="mailto:Jamie.carr@oadby-wigston.gov.uk">Jamie.carr@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2)
<b>Vision and Values:</b>	"A Stronger Borough Together" (Vision) Teamwork (V3) Innovation (V4)
<b>Report Implications:-</b>	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Political Dynamics (CR3) Reputation Damage (CR4) Economy / Regeneration (CR9) Key Supplier / Partnership Failure (CR2)

Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	None.
<b>Appendices:</b>	1. Leicester and Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs (2022)

## Background

- 1.1 As part of the Local Plan process, local planning authorities must demonstrate that they have complied with the Duty to Cooperate on strategic matters, which can include housing and employment growth. A Statement of Common Ground (SoCG) is a tool that local planning authorities can use to demonstrate the Duty to Cooperate has been met. The local planning authorities across Leicester and Leicestershire are currently progressing plans which are all at different stages of development.
- 1.2 Leicester City Council has identified that it has an 'unmet need' in that it does not have sufficient land available to accommodate its housing and employment land needs in full. Leicester City Council has produced evidence to support its local plan which identifies the extent of capacity within its administrative area to accommodate their housing and employment need. Leicester's unmet need has increased as a result of revisions made by Government which included an increase of Leicester's housing need by 35%. The City's need now stands at 39,421 homes between 2020 and 2036. When compared to a supply of 20,720 homes, this leaves an unmet need of 18,700 homes to be accommodated in the Leicestershire Districts/Boroughs. The unmet employment need remains at 23 Hectares.
- 1.3 Members will be aware that a SoCG was produced in 2021 to set out the process for apportioning Leicester's unmet housing need in the Housing Market Area (HMA). This was done to support the Charnwood Local Plan and represented the latest agreed position on housing and employment needs in Leicester and Leicestershire (L&L) at that time. The statement explained: "The key strategic matters covered in this statement under the Duty to Cooperate are; Leicester and Leicestershire Housing and Employment Needs to 2036, Unmet Need to 2036 and the process of apportioning unmet need to 2036. This statement will be reconfirmed and updated as necessary, including for subsequent authorities' Local Plans."
- 1.4 The Council approved the signing of the previous version of the SoCG in 2021.

## Informing the Updated (2022) Statement of Common Ground

- 1.5 The 2021 SoCG set out the process for apportioning Leicester's unmet need. It identified

the following evidence to inform the apportionment:

- Housing and Economic Needs Assessment
- Sustainability Appraisal
- Strategic Growth Options and Constraints Mapping
- Strategic Transport Assessment

- 1.6 Specifically, the Housing & Economic Needs Assessment (HENA) and its associated housing and employment redistribution papers; and the Sustainability Appraisal are the key pieces of evidence that inform the Statement of Common Ground in apportioning Leicester's unmet need to 2036. These documents have now been completed.
- 1.7 The Strategic Transport Assessment and the Strategic Growth Options and Constraints Mapping take a longer-term perspective that will inform the next steps for the Leicester and Leicestershire Strategic Growth Plan to 2050.
- 1.8 The HENA Housing Distribution Paper identifies a number of steps in assessing the distribution of homes/unmet housing need across Leicester and Leicestershire as set out below.
- 1.9 The HENA considers housing provision across the HMA as a whole, having regard to a range of factors including, the functional relationship of each District/Borough with Leicester City, the balance of jobs and homes in each district/borough, and deliverability of the distribution of development, at a strategic level.
- 1.10 In the case of Oadby and Wigston, the starting point of the annual Local Housing Need (standard method) is 188 homes. When the functional relationship of migration and commuting with Leicester City is factored in, 260 homes are added to the starting point. There are no adjustments made in relation to the balance of jobs and homes or deliverability, however, in recognition of the land supply in Oadby and Wigston a reduction of 208 homes is made.
- 1.11 This brings the total overall housing figure for Oadby and Wigston to 240 homes per annum between 2020 and 2036. This includes a contribution of 52 homes per annum to account for Leicester's unmet housing need.
- 1.12 The HENA also identifies an unmet employment land need arising from Leicester of 23 hectares, however the HENA Employment Distribution Paper concludes that Charnwood Borough Council is best able to suitably meet this unmet need in full. This reflects the existing over-supply of employment land compared to the Borough's own needs; combined with the availability of employment sites and land which is close to the City and can contribute to delivering employment land which can service the needs of Leicester-based companies to 2036.
- 1.13 A Sustainability Appraisal (SA) is an important tool used in plan making by setting out the environmental, social and economic effects of different options and as such, has been carried out to test different scales and different distributions of unmet need to ensure a robust distribution within the SoCG.
- 1.14 The outcome of the SA has demonstrated that the distribution set out in the HENA Distribution Papers (as described above) performs as well or better than the alternative options for most sustainability topics and that, at this stage, the HENA distribution can be accommodated in a broadly sustainable way.

### **Statement of Common Ground (2022)**

- 1.15 Taking into account the proposed distribution contained within the HENA distribution

papers, and the conclusions of the Sustainability Appraisal, the SoCG sets out the recommended apportionment of housing and employment. Table 3 of the SoCG confirms how the unmet need of 1,169 dwellings per annum can be apportioned within the HMA.

- 1.16 It should be noted that the apportionment set out within the SoCG needs to be fully tested by individual councils through the preparation of their Local Plans. For Oadby and Wigston, the outcome of this testing will determine whether or not the Council can meet both its own need as well as the unmet need apportioned by the SoCG. The SoCG sets out that if any council evidences that it cannot meet this need, then the apportionment of unmet need will need to be jointly reviewed and updated so as not to cause undue delay to the preparation of Local Plans.

### **Matters of Disagreement**

- 1.17 National Guidance indicates that SoCGs should document where effective co-operation is and is not happening. As well as setting out where agreements have been reached on key strategic matters such as unmet need, including the process for reaching agreement, they are also a record where agreement has not been reached by all parties.
- 1.18 Hinckley & Bosworth Borough Council (HBBC) do not agree to the final step in the HENA Housing Distribution Paper which considers deliverability (including housing stock growth) and apportions 197 homes per year of Leicester's unmet housing need. HBBC consider the accommodation of the 197 homes per year shortfall should be tested as part of each authority's Local Plan process. HBBC consider that a contribution of 102 homes per year to be an initial justified apportionment of Leicester's unmet need for HBBC.
- 1.19 This position is not shared by the other authorities within the HMA. As such this is reflected in the matters of disagreement in the SoCG.

### **Conclusion**

- 1.20 Officers have been working with their counterparts from the other local planning authorities within the HMA in the appointment and management of the HENA and Sustainability Appraisal and are of the view they are robust evidence in informing the apportionment of unmet within the HMA. Officers have kept Place Shaping Working Group involved in the process and gave a detailed presentation on the SoCG at its meeting in May 2022.
- 1.21 SoCG are a key part of each individual authority's local plan evidence to demonstrate they have complied with the Duty to Cooperate and Government Policy (including the Tests of Soundness). Not approving the SoCG at all (with matters of agreement and/or disagreement) would therefore carry a substantial risk that a plan will fail at examination preventing that authority's ability to progress and adopt a local plan in future. Consequently the local planning authority becomes more vulnerable to speculative planning applications and more challenge to deliver strategic infrastructure.
- 1.22 It is therefore important that council signs the SoCG to allow the progression of the Local Plan work. As set out in paragraph 1.16, it is important to note, that the housing need figure set out in the SoCG, is not necessarily the figure that the Borough Council will adopt in the Local Plan. The need figure is to be fully tested through the Council's Local Plan process. The final requirement figure set out within the Council's Local Plan will be fully evidence led.
- 1.23 The SoCG is also being considered by other authorities in Leicester and Leicestershire with the same recommendation for approval.



## **Leicester & Leicestershire Authorities - Statement of Common Ground relating to Housing and Employment Land Needs (June 2022)**

### **1.0 The Leicester and Leicestershire HMA and FEMA**

1.1 The Leicester and Leicestershire Housing Market Area (HMA) and Functional Economic Area (FEMA) covers the administrative areas of eight local planning authorities and two transport authorities. The eight local planning authorities responsible for plan making are:

- Blaby District Council
- Charnwood Borough Council
- Harborough District Council
- Hinckley & Bosworth Borough Council
- Leicester City Council (Unitary)
- Melton Borough Council
- North West Leicestershire District Council
- Oadby & Wigston Borough Council

1.2 The two upper tier authorities in Leicester and Leicestershire (L&L), with statutory responsibilities for transportation, education, social care, flooding, minerals & waste planning and public health are:

- Leicester City Council (Unitary)
- Leicestershire County Council

1.3 This Statement has been prepared jointly by the eight plan making authorities and Leicestershire County Council as an additional signatory given their statutory responsibilities, hereafter referred to as “the authorities”. The Map in Appendix D shows the location and administrative areas covered by this statement. The Housing & Economic Needs Assessment 2022 (HENA) identifies this area as the Leicester & Leicestershire HMA and FEMA.

### **2.0 Purpose**

2.1 The key strategic matters addressed in this statement are; Duty to Cooperate; L&L Housing and Employment Needs to 2036; Unmet Need to 2036; and the Apportionment of unmet need to 2036. This statement will be reconfirmed and updated as necessary for subsequent authorities’ Local Plans.

### **3.0 Key Strategic Matters on which Authorities Agree**

#### **Duty to Cooperate**

3.1 The authorities agree there is a long track record of effective joint working on strategic matters across L&L. The authorities have continuously engaged with each other on the strategic matters set out in this statement and throughout the preparation of Local Plans across the area. This is most clearly evidenced through:

- The establishment of the Leicester & Leicestershire Members Advisory Group
- The joint preparation of evidence, including the Housing & Economic Needs Assessment (2022), Strategic Growth Options & Constraints Study (2022), and Strategic Transport Assessment (2022).

- The adoption of a non-statutory [Strategic Growth Plan 2018](#) which includes ‘notional’ housing figures.
- The preparation of a Joint Sustainability Appraisal to consider reasonable alternatives for apportionment of Leicester’s unmet need to 2036.
- The agreement of Joint Statements of Cooperation in 2017, 2018, 2020 and 2021 (Appendix E, F, G and H)

3.2 More information and details of engagement will be set out in individual authorities Duty to Cooperate Statements that accompany Local Plans. Authorities will continue to engage on an ongoing basis.

The June 2021 Statement of Common Ground (Appendix H)

3.3 The June 2021 Statement (Appendix H) was agreed by all authorities and included the following:

*“The authorities agree to carry out the following programme of work to inform the apportionment of unmet need from Leicester to the L&L Districts/Boroughs:*

- *Housing and Economic Needs Assessment*
- *Strategic Growth Options and Constraints Mapping*
- *Strategic Transport Assessment*
- *Sustainability Appraisal*

*This work will be commissioned in Spring 2021 and used to inform a Statement of Common Ground apportioning unmet need which is anticipated to be completed in Winter 2021/2022.”*

3.4 The Housing & Economic Needs Assessment (HENA) and the Sustainability Appraisal are now complete. These are the key pieces of evidence informing this Statement of Common Ground apportioning Leicester’s unmet need to 2036.

3.5 The Strategic Transport Assessment and the Strategic Growth Options & Constraints Mapping take a longer-term perspective that will inform the next steps for the [Strategic Growth Plan](#) to 2050 and will form part of the strategic evidence for Local Plans. This work will be completed later this year.

L&L Housing Need to 2036

3.6 The authorities agree the appropriate way to calculate local housing need is using the current standard method set out in government guidance which currently uses the 2014 based household projections. The authorities agree that local housing need (2020 - 2036) is as follows:

Table 1: Local Housing Need

Local Planning Authority	Total Housing Need 2020 – 2036	Houses per year 2020 - 2036
Blaby District Council	5,456	341
Charnwood Borough Council	17,776*	1,111*
Harborough District Council	8,544	534
Hinckley and Bosworth Borough Council	7,552	472
Leicester City Council	39,424	2,464
Melton Borough Council	3,696	231
North West Leicestershire District Council	5,952	372
Oadby and Wigston Borough Council	3,008	188
Leicester and Leicestershire HMA Total	91,408	5,713

\* In accordance with government guidance Charnwood’s Local Housing Need is set using the data from 2021 (including household growth for the 2021-31 and 2020 affordability ratio) as it submitted its Local Plan for Examination in December 2021.

- 3.7 The Government’s current standard method for calculating housing need suggests L&L need to provide 91,408 homes (5,713 per year 2020 to 2036).
- 3.8 The NPPF requires authorities to have a clear understanding of the land available in their area to meet housing need through the preparation of a strategic housing land availability assessment (SHLAA). In L&L, the SHLAAs have been prepared using an agreed methodology across the HMA as a whole.
- 3.9 Appendix A and B to this Statement have been prepared using the outputs of the standard method for calculating housing need and SHLAAs. It provides a summary of the need for new homes, and the theoretical capacity of both the HMA and each local authority.
- 3.10 To 2036 there is a theoretical capacity for some 173,721 homes across the HMA as a whole (Appendix B). When set against the need of 91,408 (2020-36), the authorities agree there is flexibility to meet L&L housing need within the HMA, including unmet need.

L&L Employment Need to 2036

- 3.11 The authorities agree the appropriate way to calculate employment need is using the jointly prepared Housing and Economic Needs Assessment 2022 (HENA) unless an up-to-date local assessment has been undertaken. Based on the HENA and local assessments of employment land need the authorities agree the need is as follows:

Table 2: Employment Land Needs

	Need		Total	Source
	B1	B2/B8 (small)		
<b>Blaby</b>	9.1	29.0	38.1	2021-36 need, HENA 2022
<b>Charnwood</b>	7.5	35.7	43.2	2021-36 need, HENA 2022
<b>Harborough</b>	6.8	39.3	46.1	2021-36 need, HENA 2022
<b>H&amp;B</b>	4.2	53.4	57.6	2021-36 need, HENA 2022
<b>Leicester</b>	46,100 sqm (2.3 ha)	67.3	69.6	2019-36 need, City EDNA 2020
<b>Melton</b>	2	38.1	40.1	2021-36 need, HENA 2022
<b>NWL</b>	8.9	31.8	40.7	2021-36 need, HENA 2022
<b>O&amp;W</b>	1	3.1	4.1	2021-36 need, HENA 2022
<b>L&amp;L Total</b>	41.8	297.7	339.5	

3.12 Table 2 above shows L&L have to provide 340 hectares of employment land to 2036. Appendix C has been prepared using outputs from the HENA and local assessments of employment need, and employment land supply. It provides a summary of the need for new employment land, and the supply of both the FEMA and each local authority. To 2036 there is a supply for some 354 hectares across the FEMA as a whole (Appendix C). When set against the need of 340 (2021-36), the authorities agree there is flexibility to meet L&L Employment Need within the FEMA, including unmet need.

Unmet need to 2036

3.13 The authorities agree that Leicester City Council is the only authority in the HMA to have declared and quantified (with evidence) an unmet need 2020 to 2036. Assisting Leicester to meet its unmet need is therefore a key element of the Duty to Co-operate across the HMA.

3.14 Leicester City Council consulted on a Draft Local Plan (regulation 18) in September to December 2020, with a view to publishing the Submission Version (regulation 19) in 2021. Leicester City declared an unmet housing need in February 2017 (Appendix I) which remained unquantified while further evidence was gathered to support the publication of their Draft Local Plan. During this time several authorities have adopted local plans.

3.15 The L&L authorities were made aware of the potential scale of unmet need in December 2019. Consultation on the Leicester Draft Local Plan (and associated evidence) was delayed due to the COVID-19 Pandemic until September to December 2020.

3.16 Leicester's Draft Local Plan consultation indicates a potential unmet need of 7,742 homes and 23 Hectares of employment land (B2 General Industrial and B8 Small Warehousing Units less than 9,000 sq.m) 2019 to 2036.

3.17 However, immediately after the consultation closed in December 2020 the Government published a new standard method for calculating housing need. The new method increased Leicester's housing need by 35%, adding a further 9,712 homes to their need between 2020 and 2036 (607 homes per year).

- 3.18 Although the supply of homes in Leicester may evolve as their local plan progresses, providing for this amount of additional homes in the City would require more than a doubling of the allocations set out in their recent Draft Local Plan. In this context the City consider that it will not be possible to meet NPPF policy obligations of a sound and deliverable plan, and so in the revised PPG context (Paragraph: 035 Reference ID: 2a-035-20201216) it will be necessary to seek to agree a Statement of Common Ground to deal with the recent increase in housing need.
- 3.19 Leicester's standard method Local Housing Need figure is now 2,464 homes per year generating a need for 39,424 dwellings over the 2020-36 period (see Table 1 above). This includes the 'cities and urban areas uplift' and the 2021 affordability ratios published in March 2022. Appendix A and B, and the June 2021 Statement of Common Ground (Appendix H) was informed by the evidence from the Leicester's Draft Local Plan which sets out the City's capacity to accommodate growth over this period as 20,721 dwellings. An unmet need of 18,700 dwellings is therefore identified based on the evidence at the current time. An unmet need figure of 18,700 dwellings is a reasonable working assumption for the City's unmet housing need to 2036.
- 3.20 The authorities acknowledge that the quantity of Leicester's unmet need may change as the Local Plan progresses (e.g. as evidence on land supply is developed further or the need for homes changes (see section 4.0 below)). The authorities therefore agree a working assumption of Leicester's unmet need of 18,700 homes and 23 Hectares of employment land (2020 – 2036). These figures are subject to testing through the Leicester Local Plan.

Apportionment of Leicester's Unmet Need (2020 – 2036)

- 3.21 The authorities agree the L&L Statement of Common Ground Sustainability Appraisal (2022), the Housing & Economic Needs Assessment (2022) and the associated Housing and Employment Distribution Papers provide the latest cooperatively produced evidence to inform the apportionment of Leicester's unmet needs.
- 3.22 This work is based on the agreed working assumption of an unmet need from Leicester of 18,700 homes. The work considers housing provision across the HMA as a whole having regard to a range of factors including, the functional relationship of each District/Borough with Leicester City, the balance of jobs and homes in each district/borough, and deliverability of the distribution of development. When all of these factors are brought together, they address the unmet need and result in a redistributed housing provision that differs from the standard method starting point. This evidence has informed the following apportionment:

Table 3: Apportionment of Leicester City’s Unmet Local Housing Need 2020 to 2036

Local Planning Authority	Average Annual unmet housing need contribution 2020 to 2036 (dwellings)*
Blaby District Council	346
Charnwood Borough Council	78
Harborough District Council	123
Hinckley and Bosworth Borough Council	187
Melton Borough Council	69
North West Leicestershire District Council	314
Oadby and Wigston Borough Council	52
Total	1,169

\*Note: the figures are presented as annual averages 2020-36. This does not imply that an authority’s unmet need apportionment must be phased evenly over this period. It will be for each Local Plan to determine appropriate phasing.

- 3.23 The authorities agree that the figures in the Table 3 above represent the agreed apportionment by District/Borough (apart from Hinckley & Bosworth – see Matters Not Agreed in Section 4 below), of the unmet housing need for Leicester, in order to meet the overall objectively assessed need for additional housing within the Leicester and Leicestershire Housing Market Area to 2036. These figures are subject to testing through each individual Local Planning Authority’s plan making.
- 3.24 Based on the agreed working assumption of an unmet need from Leicester of 23 hectares of employment land (B2 - General Industrial and B8 - Small Warehousing units less than 9,000sq.m), the joint evidence has informed the following apportionment:

Table 4: Apportionment of Leicester City’s Unmet Employment Need 2020 to 2036

Local Planning Authority	Apportionment (Hectares)
Blaby District Council	0
Charnwood Borough Council	23
Harborough District Council	0
Hinckley and Bosworth Borough Council	0
Melton Borough Council	0
North West Leicestershire District Council	0
Oadby and Wigston Borough Council	0
Total	23

3.25 The authorities agree that the figures in the Table 4 above represent the agreed apportionment by District/Borough, of the unmet employment need for Leicester, in order to meet the overall objectively assessed need for employment land within the Leicester and Leicestershire FEMA to 2036. These figures are subject to testing through each individual Local Planning Authority's plan making.

#### **4.0 Key Strategic Matters on which Authorities Do Not Agree**

4.1 Hinckley & Bosworth Borough Council (HBBC) do not agree to the step in the HENA Housing Distribution Paper (2022) methodology from paragraph 6.21 to 6.24 and the subsequent table 6.9 which apportions 187 dwellings per year of Leicester's unmet housing need. HBBC note the capping of the redistribution of Charnwood's numbers to 1189 and believe that the accommodation of the resulting 187 dpa shortfall should be tested as part of each LPAs Local Plan process, including the current Charnwood Local Plan. HBBC consider that an apportionment of 102 dwellings per year (85 dwellings per year lower than the apportionment in Table 3) to be an initial justified apportionment of Leicester's unmet need for HBBC to test through their Local Plan work and through further strategic work. HBBC disagrees with the methodology from para 6.21 to 6.24 and the subsequent table 6.9 as it is not suitably justified and does not follow the evidence. The use of stock growth is not a measure of deliverability. It does not consider housing need, does not reflect market demand or the deliverability of developing housing in a particular area. The capping of redistribution based on 1.4% stock growth levels is considered to be arbitrary and is not supported by the evidence. Para 6.24 seeks to justify the uplift for HBBC by referencing job opportunities but this has already been considered earlier in the methodology.

4.2 HBBC is of the view that the June 2021 SoCG was clear that the apportionment of unmet need would be informed by 4 pieces of work. Only two of these pieces have been completed, the HENA and the SA. Therefore, as reflected in this Statement, the apportionment is a starting point for testing and may be amended based on the completion of the Strategic Growth Options and Constraints mapping work and the Strategic Transport Assessment and the subsequently updated Sustainability Appraisal and the outcome of any local plan 'testing'.

4.3 The other authorities do not agree with HBBC and consider the apportionment of 187 dwellings per year in Table 3 is justified by the evidence.

#### **5.0 Maintaining and Updating this Statement**

5.1 The authorities acknowledge the Government intend to reform the planning system and have previously consulted on potential future changes, including the Planning for the Future - White Paper (August 2020). The Levelling Up and Regeneration Bill, introduced to Parliament on 11<sup>th</sup> May 2022, proposes a number of reforms to the planning system, including potentially repealing the 'duty to cooperate' contained in existing legislation.

5.2 At present these reforms do not impact housing need or emerging Local Plans as they are proposals (rather than legislation) and could be subject to significant change before achieving Royal Assent and becoming law.

5.3 Government advice is that authorities should get up-to-date Local Plans in place (Appendix J) and some authorities in L&L are at an advanced stage of plan preparation.

- 5.4 The authorities agree the Duty to Cooperate is an ongoing process, and should the amount of unmet need change significantly, the apportionment of unmet need will be jointly reviewed to assess whether it needs updating. The process for updating and maintaining this statement will be managed through ongoing joint work between the authorities.
- 5.5 The above apportionment (Table 3 and 4 above) is intended to be implemented through individual local plans. These figures will therefore need to be tested through each authority's Local Plan process. The authorities agree that if an authority's local plan process identifies that it is not able to provide for their own objectively assessed needs as well as any unmet need apportioned in this statement (as set out in paragraph 11b of the NPPF), the apportionment of unmet need will need to be jointly reviewed and updated as necessary. The process used for this review will be proportionate to the scale of the issue and should not cause undue delay to the preparation of Local Plans.



## **Appendix A - Leicester and Leicestershire Housing Land Supply, 2020 to 2031**

The table below compares housing land supply to local housing need based on the Governments Standard Method.

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>Authority</b>	<b>Local Housing Need 2020 - 2031</b>	<b>Commitments<sup>1</sup> projected for delivery 2020 to 2031</b>	<b>Allocations in an adopted Plan<sup>2</sup></b>	<b>Emerging allocations in a draft plan<sup>2</sup></b>	<b>Allowance for small site or windfall development to 2031</b>	<b>Total Projected Delivery to 2031 (B+C+D+E)</b>	<b>SHLAA Capacity to 2031<sup>3</sup></b>	<b>Total Theoretical Capacity to 2031 (F+G)</b>
<b>Blaby</b>	3,751	4,467	758		240	5,465	5,408	10,873
<b>Charnwood</b>	12,221	7,080	1,385	7,894	640	16,999	10,529	27,528
<b>Harborough</b>	5,874	3,693	4,332		864	8,889	5,873	14,762
<b>Hinckley &amp; Bosworth</b>	5,192	2,692	557		584	3,833	15,902	19,735
<b>Leicester City</b>	27,104	9,047		6,602	1,650	17,299	0	17,299
<b>Melton</b>	2,541	2,704	3,145		189	6,038	1,108	7,146
<b>NW Leics</b>	4,092	5,862	790		320	6,972	3,821	10,793
<b>Oadby &amp; Wigston</b>	2,068	1,010	1,203		189	2,402	0	2,402
<b>HMA total</b>	62,843	36,555	12,173	14,496	4,676	67,897	42,041	109,938

<sup>1</sup> Includes sites under construction; with planning permission (including sites with a resolution to grant), as at 31/03/2020

<sup>2</sup> projected delivery up to 31/03/2031; includes allocated sites from local and neighbourhood plans

<sup>3</sup> To avoid duplication SHLAA sites that have planning permission or are allocated in an adopted or emerging plan have been removed from this figure

## Appendix B - Leicester and Leicestershire Housing Land Supply, 2020 to 2036

The table below compares housing land supply to local housing need based on the Governments Standard Method.

	A	B	C	D	E	F	G	H
Authority	Local Housing Need 2020 - 2036	Commitments <sup>1</sup> projected for delivery 2020 to 2036	Allocations in an adopted Plan <sup>2</sup>	Emerging allocations in a draft plan <sup>2</sup>	Allowance for small site or windfall development to 2036	Total Projected Delivery to 2036 (B+C+D+E)	SHLAA Capacity to 2036 <sup>3</sup>	Total Theoretical Capacity to 2036 (F+G)
Blaby	5,456	4,918	984		440	6,342	18,956	25,298
Charnwood	17,776	8,820	1,990	9,024	1,040	20,874	19,938	40,812
Harborough	8,544	3,693	5,679		864	10,236	9,819	20,055
Hinckley & Bosworth	7,552	2,992	1,497		949	5,438	23,130	28,568
Leicester City	39,424	9,865		8,456	2,400	20,721	0	20,721
Melton	3,696	2,704	3,891		334	6,929	3,635	10,564
NW Leics	5,952	7,013	1,427		520	8,960	13,281	22,241
Oadby & Wigston	3,008	1,010	1,203		189	2,402	3,060	2,402
<b>HMA total</b>	<b>91,408</b>	<b>41,015</b>	<b>16,671</b>	<b>17,480</b>	<b>6,736</b>	<b>81,902</b>	<b>91,819</b>	<b>173,721</b>

<sup>1</sup> Includes sites under construction; with planning permission (including sites with a resolution to grant), as at 31/03/2020

<sup>2</sup> projected delivery up to 31/03/2036; includes allocated sites from local and neighbourhood plans

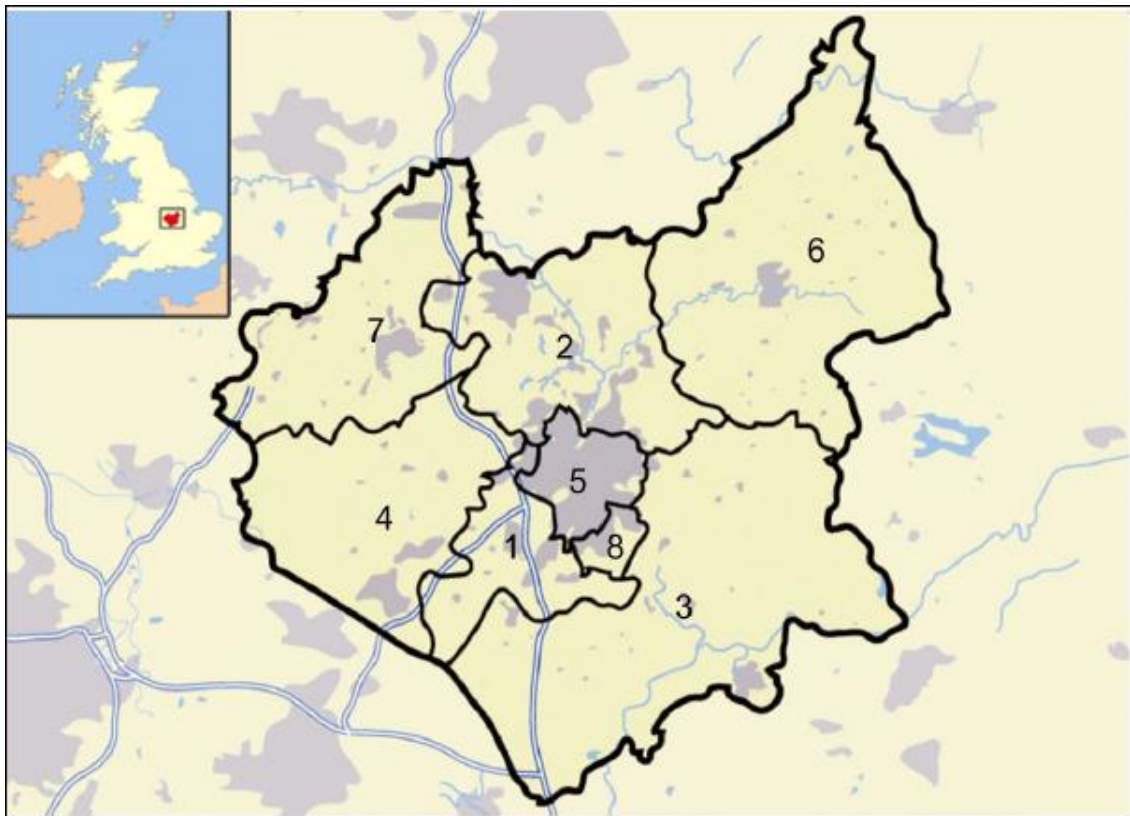
<sup>3</sup> To avoid duplication SHLAA sites that have planning permission or are allocated in an adopted or emerging plan have been removed from this figure

**Appendix C - Employment Demand and Supply Balnace 2021 to 2036 (excluding Strategic Warehousing)**

	Need		Supply		Balance		Notes*
	B1	B2/B8 (small)	B1	B2/B8 (small)	B1	B2/B8 (small)	
<b>Blaby</b>	9.1	29.0	10.5	13.3	1.4	-15.7	2021-36 need, HENA '21 . Supply based on permissions pipeline. Mixed permissions divided by use class. Supply at April 2020
<b>Charnwood</b>	7.5	35.7	15.1	66.7	7.6	31.0	2021-36 need, HENA '21. Supply based on Local Plan trajectory Exc. Loughborough Science and Enterprise Park.
<b>Harborough</b>	6.8	39.3	18.0	41.7	11.2	2.4	2021-36 need, HENA '21 . Supply based on net permissions pipeline at April 2020
<b>H&amp;B</b>	4.2	53.4	4.2	38.9	0.0	-14.5	2021-36 need, HENA '21. Supply based on Local Plan Reg19 Feb '22
<b>Leicester</b>	46,100 sqm (2.3 ha)	67.3	43,000 sqm (2.1 ha)	44.0	-3,100 sqm (-0.2 ha)	-23.3	2019-36 need / office supply, City EDNA '20 (sqm, converted to ha at 2.0 ratio) Industrial supply based on Local Plan Reg19 Feb '22.
<b>Melton</b>	2	38.1	2.6	34.4	0.6	-3.7	2021-36 need, HENA '21 . Supply based on permissions and allocations pipeline. Supply at April 2020
<b>NWL</b>	8.9	31.8	17.1	36.5	8.2	4.7	2021-36 need, HENA '21 . Supply based on permissions and allocations pipeline. Supply at April 2020
<b>O&amp;W</b>	1	3.1	2.8	5.7	1.8	2.6	2021-36 need, HENA '21 . Supply based on permissions and allocations pipeline. Supply at April 2020
<b>L&amp;L Total</b>	41.8	297.7	72.4	281.2	30.6	-16.5	Excludes 50 ha at Loughborough Science and Enterprise Park. Excludes -44,600 sqm offices for Leicester

Source: Various as identified in notes

## Appendix D – Location and Administrative Areas



### Key to Map Two

- |  |   |
|--|---|
| 1. Blaby District Council                | 5. Leicester City Council                     |
| 2. Charnwood Borough Council             | 6. Melton Borough Council                     |
| 3. Harborough District Council           | 7. North West Leicestershire District Council |
| 4. Hinckley and Bosworth Borough Council | 8. Oadby and Wigston Borough Council          |

## **Appendix E – L&L Joint Statement of Cooperation, November 2017**

### **L&L Joint Statement of Cooperation**

#### **Leicester & Leicestershire Authorities**

#### **Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing November 2017**

##### **1.0 The Leicester and Leicestershire HMA**

1.1 The Leicester and Leicestershire Housing Market Area (HMA) covers the administrative areas of eight local authorities and two highway authorities. The eight local planning authorities are:

1. Blaby District Council
2. Charnwood Borough Council
3. Harborough District Council
4. Hinckley & Bosworth Borough Council
5. Leicester City Council
6. Melton Borough Council
7. North West Leicestershire District Council
8. Oadby & Wigston Borough Council

1.2 The two highways authorities are:

1. Leicester City Council
2. Leicestershire County Council

1.3 The purpose of this Joint Statement of Co-operation (the 'Joint Statement') is to support those authorities which are seeking to produce a Local Plan in advance of the Strategic Growth Plan (SGP), and to set out how the local authorities will collaborate further to ensure that the necessary joint evidence is in place to support subsequent Local Plans. The document has been received by the Members' Advisory Group overseeing the preparation of the Strategic Growth Plan and will proceed through the normal governance procedures of individual authorities as necessary.

##### **2.0 Background**

###### *Duty to Cooperate*

2.1 The Joint Statement is intended to provide evidence of effective co-operation on planning for issues with cross-boundary impacts. A Housing and Economic Development Needs Assessment (HEDNA) has been completed, the purpose of which is to identify the Objectively Assessed Need (OAN) for housing and employment for the HMA and Functional Economic Market Area (FEMA) in the periods 2011-2031 and 2011-2036. In the case of Leicester & Leicestershire, the HMA and FEMA are coincident. The HEDNA was commissioned jointly by the nine

local authorities together with the Leicester & Leicestershire Enterprise Partnership (LLEP).

*Objectively Assessed Need for Housing*

- 2.2 The National Planning Policy Framework (NPPF) requires local planning authorities to ensure that their Local Plans meet the full OAN for market and affordable housing in the HMA as far as is consistent with the policies set out in the NPPF (paragraph 47).
- 2.3 To enable an understanding of capacity to accommodate additional housing, the NPPF further requires local planning authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) to establish realistic assumptions about availability, suitability and likely economic viability of land to meet the identified need for housing over the plan period (paragraph 159). In Leicester & Leicestershire, the SHLAAs have been prepared using an agreed methodology across the HMA as a whole.
- 2.4 Table 1 has been prepared using the outputs of the joint HEDNA and SHLAAs. It provides a summary of the agreed OAN for housing, and the theoretical capacity of both the HMA and each local authority; the theoretical capacity has been derived from an understanding of existing commitments and SHLAA information. The partner authorities agree that the OAN for the HMA (and each local authority) is that set out in the table.
- 2.5 The HEDNA explains that the OAN is set at the level of the HMA although the OAN for each local authority is also identified; the OAN for each individual authority is considered to be secondary to that of the HMA as a whole. Table 1 indicates that the OAN for the HMA as a whole, based on demographic analysis, is some 96,580 dwellings for the period 2011-31 (4,829 dpa). For the period, 2011-2036, the figure is some 117,900 dwellings (4,716 dpa).
- 2.6 A similar analysis has been undertaken of the need for housing based on the economic development needs of the area; in this case, it has been concluded that the need for new housing, based on economic development needs across the FEMA, is lower than the demographic need. On that basis, there is no need for adjustment of this figure at the level of the HMA/FEMA although there is some misalignment at the level of individual authorities. As a result, there may be an alternative distribution of housing to meet economic needs whilst still ensuring that the demographic need of 4,829 or 4,716 dpa is met across the HMA/FEMA as a whole in line with paragraph 47 of the NPPF.
- 2.7 In terms of the housing capacity, Table 1 also indicates that there is a theoretical capacity for some 207,069 dwellings across the HMA as a whole. When this is set against the OAN of 96,580 (2011-31) and 117,900 (2011-36) dwellings, it is clear that there is considerable flexibility to meet the defined housing need across the HMA.
- 2.8 It is recognised that the ability of each local authority to meet its own OAN will vary. Table 1 demonstrates that, theoretically, and with the exception of Leicester City Council, all authorities are able to accommodate their own needs in the period 2011-36. In the period 2011-36, neither Leicester City Council nor Oadby & Wigston Borough Council will be able to meet their needs. It is important to note, however, that further testing will be required by the respective authorities through their Local Plan processes. Should an HMA authority identify, quantify and provide robust evidence to demonstrate an unmet need in the future, it will be incumbent upon the

HMA authorities jointly to resolve any cross-boundary matters with HMA partners under the Duty to Co-operate.

- 2.9 Following publication of the HEDNA, both Leicester City Council and Oadby & Wigston Borough Council declared that they would not be able to accommodate their full objectively assessed needs (OAN) for housing within their own boundaries. Letters were sent out by Leicester City Council in February 2017 and by Oadby & Wigston Borough Council in March 2017, to all other authorities within the Leicester & Leicestershire Housing Market Area, setting out the position and their formal declarations of unmet housing need. Since that time, and based on evidence, Oadby & Wigston Borough Council has determined that it will be able to accommodate its needs in the period 2011-2031 but not in respect of the period 2011-36. Oadby & Wigston Borough Council issued a further letter in November 2017 confirming its position. Both Leicester City Council and Oadby & Wigston Borough Council are yet to formally and finally evidence the extent of their unmet need, however it is necessary to include provision to accommodate unmet need arising from these two Council areas, for the relevant periods, within the HMA as a whole; this may include an element of a flexibility allowance in local plans currently in preparation, should the need arise.
- 2.10 In terms of determining housing targets to be included in their Local Plans, local planning authorities should take account of the requirements of both national policy and local circumstances, including the need to base Local Plans on a strategy that seeks to meet the OAN for housing. In this regard, it is recognised that all authorities are at different stages of plan preparation and that this situation must be accommodated. In determining their housing target over the relevant plan period, therefore, each authority will take into account the HEDNA and other relevant evidence.
- 2.11 In addition, the nine local authorities and the LLEP have jointly agreed to produce a Strategic Growth Plan, a non-statutory strategic plan looking forward to around 2050. As part of their work on the Strategic Growth Plan, the partner organisations may choose to redistribute development across the HMA as appropriate but the process of preparing the Strategic Growth Plan is not anticipated to be complete until the end of 2018 and will not, therefore, be available for all authorities to use prior to preparing their Local Plans. At the same time, Government has made it clear that it wants Local Plans for individual authorities to be in place without delay; and where no Local Plan has been produced, Government may choose to intervene in the process. As a result, the partner organisations understand that some authorities might wish to progress their Local Plans in advance of the Strategic Growth Plan.
- 2.12 The Written Ministerial Statement by the Minister for Housing and Local Government (21 July 2015) re-emphasises that Local Authorities cannot plan in isolation and must work together to provide the land for the housing needed across HMAs. It states: "*As we have made clear in planning guidance a commitment to an early review of a Local Plan may be appropriate as a way of ensuring that a Local Plan is not unnecessarily delayed by seeking to resolve matters which are not critical to the plans soundness or legal competence as a whole*". It also refers to a note prepared by the Planning Advisory Service which local authorities should consider; this sets out circumstances in which Local Plans have been found sound, subject to a commitment to an early review.

- 2.13 Taking this into account, the HMA authorities reached agreement in summer 2016 on appropriate trigger mechanisms that would be inserted into all Local Plans coming forward before the Strategic Growth Plan. In this respect the partner authorities agree that should the Strategic Growth Plan identify a significant change which would require local authorities to re-consider the amount of housing and employment land, an early review or partial review of affected Plan(s) will be brought forward to address this matter, unless there is sufficient flexibility already provided for within the Plan. Such flexibility may, for example, be secured by a Local Plan that specifies a requirement which materially exceeds the FOAN identified by the HEDNA. The agreement is based on the principle that the trigger mechanisms would be applied on a consistent basis across the HMA, ensuring that all Local Plans submitted in advance of the Strategic Growth Plan contain the necessary flexibility to respond to any significant change that might arise.



**Table 1: OAN as defined in HEDNA (January 2017) and Theoretical Capacity based on assumptions set out in notes.**

	OAN* <sup>1</sup> (2011- 2031)	OAN* <sup>1</sup> (2011 - 2036)	Theoretical Total Capacity* <sup>2</sup>
Blaby	7,400	9,025	24,096* <sup>3</sup>
Charnwood	20,620	24,850	34,756* <sup>3</sup>
Harborough	10,640	12,850	30,578* <sup>3</sup>
Hinckley & Bosworth	9,420	11,350	25,498* <sup>3</sup>
Leicester City	33,840	41,700	26,230* <sup>3</sup>
Melton	3,720	4,250	36,650* <sup>3</sup>
Northwest Leics	9,620	11,200	26,301* <sup>3</sup>
Oadby & Wigston	2,960	3,875	2,960* <sup>3</sup>
<b>HMA Total*<sup>4</sup></b>	<b>96,580</b>	<b>117,900</b>	<b>207,069*<sup>3</sup></b>

\*<sup>1</sup> The OAN is set out in the agreed HEDNA (January 2017)

\*<sup>2</sup> This figure is based on information on completions, commitments, windfalls (in some authorities) and SHLAAs as at 1<sup>st</sup> April 2016.

\*<sup>3</sup> The final figure will be determined by each authority through the Local Plans process.

\*<sup>4</sup> The Total received OAN for the HMA is lower than the sum of the OAN for individual authorities because the OAN for Melton BC and North West Leicestershire DC has been increased in the HEDNA to meet economic needs locally.

**Note:**

It should be noted that nothing in this statement should be taken to prejudice any representations made by individual authorities on any partner Local Plan.

**Appendix F – L&L Joint Position Statement, March 2018**



**Leicester & Leicestershire  
Joint Position Statement on Housing and  
Employment Land Supply  
2011 to 2031**

**March 2018**



## Evidence Base – the Leicester and Leicestershire HEDNA (January 2017)

The Leicester and Leicestershire Housing and Economic Development Needs Assessment (January 2017) provides the baseline for the identification of housing and employment land requirements to 2031. This report is known as the HEDNA and it assesses future housing needs, the scale of future economic growth and the quantity of land required for certain economic development uses. The HEDNA report was prepared by a consultancy team comprising GL Hearn, Justin Gardner Consulting and Oxford Economics. It took into account feedback from the development industry, including local estate, letting and commercial agents, on the proposed assessment geography and methodologies.

The HEDNA identifies Leicester and Leicestershire as the relevant Housing Market Area (HMA) and Functional Economic Market Area (FEMA) for plan-making purposes. The HMA definition reflects the high level of self-containment of migration flows. 84% of the households moving into a home in the area are moving from a different home elsewhere within Leicester or Leicestershire; there are strong migration flows between Leicester and its adjoining authorities. The definition also reflects similarities in housing costs, whilst recognising an urban/rural distinction and local influences on prices. It is also supported by analysis of commuting flows.

The Leicester Travel to Work Area, as defined by the Office for National Statistics (ONS) and based on 2011 Census data, extends across much of Leicestershire and includes all of the main towns within the County, supporting the definition of common housing and functional economic market areas. Around 78% of commuting flows are contained within the Leicester and Leicestershire authorities. The FEMA definition is also supported by wider evidence including Leicester's role as a retail, leisure and cultural destination. The HEDNA recognises that the economic geography can vary for different sectors of the economy and that, for the logistics and distribution sector in particular, the area forms part of a wider Midlands market area. There is a particular concentration of activity and demand within the 'Golden Triangle' formed broadly by the M42, M1 and M6 motorways which sit at the heart of the country. The triangle has strong accessibility to the major UK consumer markets and represents an optimum location for national distribution centres.

The HEDNA was produced having full regard to the National Planning Policy Framework and the relevant National Planning Practice Guidance documents. It uses trend-based demographic projections as its starting point, but then considers economic dynamics and growth potential, market signals and affordable housing need to produce an objective assessment of housing needs (OAN) to 2031 both at overall HMA level and for individual authority areas. The annual requirement for the HMA to 2031 is 4,829 dwellings, or 96,580 for the period 2011-2031. It goes on to identify a range of factors which influence the need for different types of homes. This includes demographic trends, and in particular a growing older population; market dynamics and affordability; the Government's ambitions and initiatives to boost home-ownership and self/custom-build development; and the growth in student numbers and accommodation.



## Housing Land Supply

Housing schemes already in the development pipeline are poised to deliver the overwhelming majority of the identified need to 2031. As at April 2017 over 22,000 homes had been built (2011-2017), while a further 41,000 homes are committed (under construction or with planning permission and projected to be built by 2031). Land for a further 19,000 homes projected for delivery by 2031 is identified by allocations made in a mixture of adopted and published draft local plans.

The table shown below includes an allowance for delivery on small scale sites that are currently unidentified. Whilst for plan-making purposes such allowances are sometimes discounted, it can reasonably be expected that a number of suitable sites will continue to be promoted through the development management process. Based on local experience, the estimate is that around 5,000 additional homes will be delivered on these small sites.

Finally, the plan period for each of the current Local Plans for Charnwood, Hinckley & Bosworth and the City of Leicester ends before 2031. These plans are in the process of being rolled forward to cover a longer term period, but the draft plans are not yet published. For the purposes of this position statement a provisional figure has been shown in the table for each of these three areas to illustrate the approximate level at which notional new housing capacity (to 2031) could be made in future local plans. They are provided solely to inform estimates of overall capacity and do not pre-empt or fetter the due local plan process. Whilst this in no way pre-determines the plan making process for any of these areas, in the absence of such estimates this statement would not have provided a proper overview of the potential overall position.

The delivery trajectory illustrates an anticipated shortage of housing land supply in the City of Leicester. The published Joint Statement of Co-operation (November 2017) confirms that any shortfall can be met in other parts of the HMA when a shortfall is identified and robustly quantified. The proposed distribution is to be confirmed via the agreement of a memorandum of understanding (MoU).

In early 2017 it was anticipated that the MoU would be adopted by January 2018, having regard to the anticipated programme for preparing the new Leicester Local Plan. That programme has been revised; it is now anticipated that the MoU will be published once the City Council's unmet need is robustly quantified, probably in summer 2018, and that it will accompany the publication of the City's draft plan, also in summer 2018. In the meantime, this Joint Position Statement is being produced as evidence to show that the OAN can be met across the HMA for the 2011 – 31 period.



The MoU, when published, will reflect the City Council's confirmed position on the extent of its unmet need to 2031 and the arrangements then agreed across Leicestershire to meet the unmet need in other parts of the HMA. This joint position statement does not constitute the MoU and neither does it avoid the need for the MoU. It has been prepared to illustrate that the supply of housing land across the HMA (as assessed at 31 March 2017) is likely to be sufficient to meet the overall needs of the HMA over the period 2011 to 2031.

It is understood by all partners that should the MoU, once adopted, set out a housing requirement for an area that differs significantly to that contained in an adopted plan for that area then, unless there is sufficient flexibility already provided for within that plan, an early review or partial review of the affected plan will be brought forward to address this matter. To take this into account appropriate trigger mechanisms will be inserted in all local plans coming forward.

In considering the supply it is appreciated that in the short term there will be a limited number of largely small scale permissions that will lapse. However, the Government's stated commitment to accelerate the delivery of new homes makes it reasonable to believe that the vast majority of the homes now 'in the pipeline' will be built by 2031. Indeed, on those large-scale sites where the delivery trajectory extends beyond 2031, it may prove possible to deliver a greater number of new homes by that date than is currently expected.

Having regard to the above, the authorities are satisfied that the overall supply collectively arising from these processes will see new homes provided in numbers sufficient to meet, at the minimum, the OAN for housing across the HMA over the period 2011-2031. It is notable that the current commitments already identify sites that are expected to deliver over 7,000 homes in the period beyond 2031.





## Housing Land Supply as at 31 March 2017

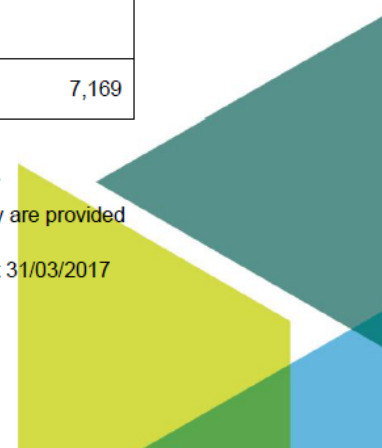
Authority	OAN 2011-2031	Completions 2011 to 2017	Commitments <sup>1</sup> projected for delivery 2017 to 2031	Allocations in an adopted Local Plan <sup>2</sup>	Emerging allocations in a draft plan <sup>2</sup>	Allowance for small site or windfall development <sup>2</sup>	Notional guide figure for estimated supply in currently unpublished plans <sup>3</sup>	Projected total delivery to 2031	Commitments <sup>4</sup> not projected for delivery until beyond 2031
Blaby	7,400	2,749	5,561		795	420		9,525	398
Charnwood	20,620	4,259	7,741	3,100		720	4,800	20,620	3,390
Harborough	10,640	2,462	5,056		4,267	1,015		12,800	
Hinckley & Bosworth	9,420	2,973	4,636	1,817		560	1,878	11,864	570
Leicester City	33,840	5,955	9,373	3,675		2,100	2,900	24,003	
Melton	3,720	639	1,588		3,198	100		5,525	
NW Leics	9,620	3,073	6,591	790		560		11,014	2,811
Oadby & Wigston	2,960	578	768		1,614	70		3,030	
<b>HMA total</b>	<b>96,580</b>	<b>22,688</b>	<b>41,314</b>	<b>9,382</b>	<b>9,874</b>	<b>5,545</b>	<b>9,578</b>	<b>98,381</b>	<b>7,169</b>

<sup>1</sup> Includes sites under construction or with the benefit of planning permission, including sites with a resolution to grant, as at 31/03/2017

<sup>2</sup> In each case the figure relates solely to projected delivery during the period prior to 31/03/2031; includes plans published since 31/03/2017

<sup>3</sup> The figures given represent working assumptions of the notional capacity (to 2031) of new allocations to be made in future local plans; they are provided solely to inform estimates of overall capacity and do not pre-empt due local plan process.

<sup>4</sup> Includes sites with the benefit of planning permission, including sites with a resolution to grant, plus allocations in an adopted plan, all as at 31/03/2017



## Employment Land Supply

Turning to employment growth, the HEDNA assessment is based on modelling which relates the sectors used in the economic forecasting to the planning use classes. This exercise uses an average employment density (sqm floorspace per job) to estimate net growth in floorspace. It then makes assumptions on plot ratios to assess the land area required.

There is an assessed need for between 142ha and 198ha of land for office development (use classes B1a and B1b), 132ha of land for industrial development (use classes B1c and B2) and 93ha for 'non-strategic' warehouse/distribution floorspace (use class B8). The HEDNA advises that these be regarded as minimum figures as the quantitative analysis does not take account of the potential 'replacement' demand for floorspace arising from the loss (planned or otherwise) of existing poorer quality employment buildings.

As regards strategic warehouse/distribution floorspace (defined as involving units in excess of 9,000m<sup>2</sup>), the HEDNA references the separate study undertaken by MDS Transmodal and corroborates the strong market demand for additional development land. The assessed need to 2031 is for a minimum additional 361ha.

In terms of employment land supply, the table below summarises the known position for B class uses excluding strategic warehousing/distribution. It is expected that, particularly as regards land for office development, the authority-level distribution of sites is likely to differ from that projected in the HEDNA. The supply figures show the net position and it is evident that, most notably around Hinckley, land previously in employment use has been redeveloped to provide strategic B8 units (as reflected in the separate analysis below).

### Employment Land Supply as at 31 March 2017

Authority	Assessed need 2011-2031 (ha)	Projected supply 2011-2031 (ha)	Notes
Blaby	62-70	62	Completions at 3ha plus commitments at 44ha, emerging allocations of 15ha
Charnwood	46-69	67	Completions at 8ha plus commitments at 59ha, emerging allocations tbc
Harborough	44-51	75	Completions at 5ha plus commitments at 12ha, emerging allocations of 58ha
Hinckley & Bosworth	41-62	17	Completions at -14ha plus commitments at 31ha, emerging allocations tbc
Leicester	53-57	17	Completions at 12ha plus commitments at 5ha, emerging allocations tbc
Melton	45-53	49	Completions at 12ha plus commitments at 6ha, emerging allocations of 31ha
NW Leics	65-66	50	Completions at 5ha plus commitments at 29ha, allocations of 16ha
Oadby & Wigston	5	9	Commitments at 3ha, emerging allocations of 6ha
<b>FEMA Total</b>	<b>367-423</b>	<b>346</b>	

Note – figures are net and are rounded to the nearest hectare

Whilst completions, commitments and sites in published plans collectively fall just short of identifying sufficient land to meet the minimum requirements, it is known that three authorities (as identified in the housing supply commentary) are working towards the publication of new local plans that will identify fresh proposed allocations of land. In addition North West Leicestershire DC is about to commence a plan review process that will address the shortfall in that district. Taking all this into account, it is a reasonable expectation that the available supply will mean that the minimum requirements for additional land over the period to 2031 will be exceeded.

In terms of the need for strategic warehousing/distribution land, the position across Leicester and Leicestershire, again as at March 2017, is that 98ha has been built out, a further 322ha has the benefit of planning permission and 135ha is allocated for development. This represents a total of 555ha against the minimum requirement figure of 361ha. As such it is again a reasonable expectation that the available supply will mean that the minimum requirements for additional land will be met (and are likely to be exceeded) over the period to 2031.

## **Endorsement of this Joint Statement**

Each of the nine local planning authorities that have contributed to the preparation of this statement confirm that the information provided for their area is accurate as at 31 March 2017 and therefore that the joint position shown here as regards the supply of housing and employment land for the period 2011 to 2031 is both fair and robust.

The joint statement has been prepared by the following authorities:

- Blaby District Council
- Charnwood Borough Council
- Harborough District Council
- Hinckley & Bosworth Borough Council
- Leicester City Council
- Leicestershire County Council
- Melton Borough Council
- North West Leicestershire District Council
- Oadby & Wigston Borough Council

March 2018







## **Leicester & Leicestershire Authorities**

# **Joint Position Statement relating to Leicester's Housing and Employment Land Needs**

**September 2020**



## **1. The Leicester and Leicestershire HMA and FEMA**

- 1.1 The Leicester and Leicestershire Housing Market Area (HMA) and Functional Economic Area (FEMA) covers the administrative areas of eight local planning authorities and two highway authorities. The eight local planning authorities are:
2. Blaby District Council
  3. Charnwood Borough Council
  4. Harborough District Council
  5. Hinckley & Bosworth Borough Council
  6. Leicester City Council
  7. Melton Borough Council
  8. North West Leicestershire District Council
  9. Oadby & Wigston Borough Council
- 1.2 The two upper tier authorities in Leicester and Leicestershire, with statutory responsibilities for transportation, education, social care, flooding, minerals & waste planning and public health are:
10. Leicester City Council
  11. Leicestershire County Council
- 1.3 The purpose of this Statement is to set out how the authorities continue to work together to accommodate a potential unmet need for housing and employment land identified in the Leicester City Draft Local Plan Consultation (Sept 2020). The authorities have a long track record of cooperation across Leicester and Leicestershire (L&L) and have adopted a non-statutory Strategic Growth Plan which includes 'notional' housing figures (<http://www.llstrategicgrowthplan.org.uk/wp-content/uploads/2019/01/Final-LL-SGP-December-2018-1.pdf> ). It is envisaged a Statement of Common Ground will be completed in 2021, setting out how any unmet need from Leicester will be redistributed amongst the other authorities in L&L.

## **2.0 Background**

### Summary

- 2.1 The National Planning Policy Framework (NPPF) requires local plans, as a minimum, to provide for the objectively assessed need for housing and other uses, as well as any needs that cannot be met within neighbouring areas (unless the NPPF provides a strong reason for restricting development; or the adverse impacts of doing so significantly and demonstrably outweigh the benefits when assessed against the NPPF).
- 2.2 Plans should be informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where practical and sustainable to do so, and based on effective cross-boundary joint working as evidenced in a Statement of Common Ground (SCG).

- 2.3 Leicester City Council is consulting on a Draft Local Plan (regulation 18) in September 2020, with a view to publishing the Submission Version (regulation 19) in 2021. Leicester City declared an unmet housing need in February 2017 which remained unquantified while further evidence was gathered to support the publication of their Draft Local Plan. During this time several authorities have adopted local plans.
- 2.4 The L&L authorities were made aware of the potential scale of unmet need in December 2019. Consultation on the Leicester Draft Local Plan (and associated evidence) was delayed due to the COVID-19 Pandemic and is anticipated to start in September 2020.
- 2.5 Leicester's Draft Local Plan consultation indicates a potential unmet need of 7,742 homes and 23 Hectares of employment land 2019 to 2036. The authorities in L&L have been progressing work on a Sustainability Appraisal to assess options for where this unmet need could be appropriately distributed across L&L. This will inform a Statement of Common Ground setting out how any unmet need from Leicester will be distributed amongst the HMA authorities, which is intended for completion in early 2021.

### **3.0 Unmet Need in Context**

#### Housing

- 3.1 The Governments current Standard Method for calculating housing need uses 2014-based household projections, and suggests L&L have to provide 82,739 homes (4,867 per year 2019 to 2036). In this context an unmet need in Leicester of 7,742 homes is about 9% of the overall need for L&L over this period.
- 3.2 The NPPF requires authorities to have a clear understanding of the land available in their area to meet housing need through the preparation of a strategic housing land availability assessment (SHLAA). In L&L, the SHLAAs have been prepared using an agreed methodology across the HMA as a whole.
- 3.3 Appendix A and B to this Statement have been prepared using the outputs of the Standard Method for calculating housing need and SHLAAs. It provides a summary of the need for new homes, and the theoretical capacity of both the HMA and each local authority.
- 3.4 To 2036 there is a theoretical capacity for some 174,412 homes across the HMA as a whole (Appendix B). When set against the need of 82,793 (2019-36), it is clear there is considerable flexibility to meet housing need within the HMA, including Leicester's unmet need of 7,742 homes.
- 3.5 Housing supply in L&L is strong. Up to 2031 (Appendix A) there is already sufficient supply in the pipeline to meet the needs of the HMA. The L&L housing need 2019-31 is 58,404 using the standard method. Taking into account commitments, allocations (including emerging allocations in Leicester and Charnwood Draft Plans) and windfalls, there is a supply of 70,371 which is 11,967 (20%) higher than the HMA-wide need. Leicester City Council is the only authority to declare an unmet need at present.

- 3.6 Up to 2036 (Appendix B) the supply situation remains relatively strong given that most local plans cover up to, or close to, 2031. The L&L housing need to 2036 is 82,739 using the standard method. Assuming as minimum all District and Borough authorities will meet their own housing need, housing commitments, allocations (including emerging allocations in Leicester and Charnwood Draft plans) and windfalls suggest there is a supply of 85,767 which is 3,028 (4%) higher than the HMA wide need.

#### Employment

- 3.7 The most up-to-date FEMA-wide assessment of employment needs is the Housing and Economic Development Needs Assessment (2017). It identifies a need for 459 to 497 Hectares of employment in L&L (2011-2036). In this context, an unmet need of 23 Hectares is less than 5% and relatively small.

#### **4.0 Changing Context**

- 4.1 The Government intends to reform the planning system and is consulting on potential future changes, including:
- Planning for the Future - White Paper
  - Changes to the Current Planning System
- 4.2 At present these reforms do not impact housing need or emerging Local Plans as they are consultations. The Planning for the Future White Paper sets out plans for fundamental reform of the planning system and explains this would be accompanied by shorter-term measures. The 'Changes to the Current Planning System' consultation sets out potential shorter-term measures to improve the effectiveness of the current system, including a potential new standard method for calculating housing need.
- 4.3 There is no timetable for the reforms and the proposals could change following consultation. Against this background the Government encourages authorities to get up-to-date Local Plans in place and some authorities in L&L are at an advanced stage of plan preparation. In light of the uncertainty surrounding the content and timing of government reforms, the L&L authorities continue to cooperate on how Leicester's current unmet need could be distributed.
- 4.4 If the proposed changes to the Standard Method for calculating housing need (as set out in the 'Changes to the Current Planning System' consultation) are introduced unchanged, it would have implications for unmet need in L&L. For example, Leicester's unmet need for housing would be substantially lower or may not exist. On the other hand, most other authorities would see a significant increase in the number of homes needed.
- 4.5 The emerging situation will be kept under review as work progresses. The Duty to Cooperate is an ongoing process, and although Government reforms may remove the Duty, the Government also recognise the need for further consideration to the way in which strategic cross-boundary issues can be adequately planned for.

## Appendix A - Leicester and Leicestershire Housing Land Supply, 2020 to 2031

The table below compares housing land supply to local housing need based on the Governments Standard Method. The calculations are based on data available at 1<sup>st</sup> April 2020.

	A	B	C	D	E	F	G	H
Authority	Local Housing Need 2020 - 2031	Commitments <sup>1</sup> projected for delivery 2020 to 2031	Allocations in an adopted Plan <sup>2</sup>	Emerging allocations in a draft plan <sup>2</sup>	Allowance for small site or windfall development to 2031	Total Projected Delivery to 2031 (B+C+D+E)	SHLAA Capacity to 2031 <sup>3</sup>	Total Theoretical Capacity to 2031 (F+G)
<b>Blaby</b>	4,068	4,935	758		280	5,973	12,150	18,123
<b>Charnwood</b>	12,984	8,734	1,385	5,761	720	16,660	13,948	30,608
<b>Harborough</b>	6,504	4,064	4,526		330	8,920	4,835	13,755
<b>Hinckley &amp; Bosworth</b>	5,484	3,139	185		603	4,039	23,105	27,144
<b>Leicester City</b>	20,544	9,827		7,131	1,800	18,758	0	18,758
<b>Melton</b>	2,412	2,353	2,891		223	5,467	1,108	6,575
<b>NW Leics</b>	4,548	6,647	990		360	7,997	4,052	12,049

<b>Oadby &amp; Wigston</b>	1,860	791	1,449		159	2,399	0	2,399
<b>HMA total</b>	58,404	40,490	12,184	12,892	4,475	70,371	59,198	129,299

<sup>1</sup> Includes sites under construction; with planning permission (including sites with a resolution to grant), as at 31/03/2020

<sup>2</sup> projected delivery up to 31/03/2031; includes allocated sites from local and neighbourhood plans

<sup>3</sup> To avoid duplication SHLAA sites that have planning permission or are allocated in an adopted or emerging plan have been removed from this figure

## Appendix B - Leicester and Leicestershire Housing Land Supply, 2020 to 2036

The table below compares housing land supply to local housing need based on the Governments Standard Method. The calculations are based on data available at 1<sup>st</sup> April 2020.

	A	B	C	D	E	F	G	H
Authority	Local Housing Need 2020 - 2036	Commitments <sup>1</sup> projected for delivery 2020 to 2036	Allocations in an adopted Plan <sup>2</sup>	Emerging allocations in a draft plan <sup>2</sup>	Allowance for small site or windfall development to 2036	Total Projected Delivery to 2036 (B+C+D+E)	SHLAA Capacity to 2036 <sup>3</sup>	Total Theoretical Capacity to 2036 (F+G)
<b>Blaby</b>	5,763	5,314	878		480	6,672	15,003	21,675
<b>Charnwood</b>	18,394	10,474	1,990	7,252	1,120	20,836	20,161	40,997
<b>Harborough</b>	9,214	4,064	5,526		640	10,230	8,975	19,205
<b>Hinckley &amp; Bosworth</b>	7,769	3,949	185		938	5,184	30,114	35,298
<b>Leicester City</b>	29,104	9,827		8,985	2,550	21,362	0	21,362
<b>Melton</b>	3,417	2,350	3,886		358	6,594	3,635	10,229
<b>NW Leics</b>	6,443	7,775	1,317		560	9,652	13,707	23,359

<b>Oadby &amp; Wigston</b>	2,635	791	1,449		159	2,399	0	2,399
<b>HMA total</b>	82,739	44,544	15,231	16,237	6,805	82,817	91,595	174,412

<sup>1</sup> Includes sites under construction; with planning permission (including sites with a resolution to grant), as at 31/03/2020

<sup>2</sup> projected delivery up to 31/03/2036; includes allocated sites from local and neighbourhood plans

<sup>3</sup> To avoid duplication SHLAA sites that have planning permission or are allocated in an adopted or emerging plan have been removed from this figure





## **Appendix H - Leicester & Leicestershire Authorities - Statement of Common Ground relating to Housing and Employment Land Needs (June 2021)**

### **1.0 The Leicester and Leicestershire HMA and FEMA**

1.1 The Leicester and Leicestershire Housing Market Area (HMA) and Functional Economic Area (FEMA) covers the administrative areas of eight local planning authorities and two transport authorities. The eight local planning authorities responsible for plan making are:

- Blaby District Council
- Charnwood Borough Council
- Harborough District Council
- Hinckley & Bosworth Borough Council
- Leicester City Council (Unitary)
- Melton Borough Council
- North West Leicestershire District Council
- Oadby & Wigston Borough Council

1.2 The two upper tier authorities in Leicester and Leicestershire (L&L), with statutory responsibilities for transportation, education, social care, flooding, minerals & waste planning and public health are:

- Leicester City Council (Unitary)
- Leicestershire County Council

1.3 This Statement has been prepared jointly by the eight plan making authorities and Leicestershire County Council as an additional signatory given their statutory responsibilities, hereafter referred to as “the authorities”. The Map in Appendix C shows the location and administrative areas covered by this statement. The [Housing & Economic Development Needs Assessment 2017](#) (HEDNA) identifies this area as the Leicester & Leicestershire HMA and FEMA.

1.4 Local planning authorities across L&L are currently progressing plans at different stages. Appendix D sets out the latest position.

### **2.0 Purpose**

2.1 This statement has been prepared by the authorities to support the Charnwood Local Plan. The key strategic matters covered in this statement under the Duty to Cooperate are; L&L Housing and Employment Needs to 2036; Unmet Need to 2036; and the process of apportioning unmet need to 2036. This statement will be reconfirmed and updated as necessary, including for subsequent authorities’ Local Plans.



### 3.0 Key Strategic Matters on which Authorities Agree

#### Duty to Cooperate

3.1 The authorities agree there is a long track record of effective joint working on strategic matters across L&L. The authorities have continuously engaged with each other on the strategic matters set out in this statement and throughout the preparation of Local Plans across the area. This is most clearly evidenced through:

- The establishment of the Leicester & Leicestershire Members Advisory Group
- The joint preparation of evidence, including the Housing & Economic Development Needs Assessment (2017)
- The adoption of a non-statutory [Strategic Growth Plan](#) 2018 which includes ‘notional’ housing figures.
- The agreement of Joint Statements in 2017, 2018 and 2020 (Appendix E, G and F)
- The publication of this Statement of Common Ground.

3.2 More information and details of engagement will be set out in individual authorities Duty to Cooperate Statements that accompany Local Plans. Authorities will continue to engage on an ongoing basis.

#### L&L Housing Need to 2036

3.3 The authorities agree the appropriate way to calculate local housing need is using the current standard method set out in Government guidance which currently uses the 2014 based household projections. The authorities agree that local housing need (2020 - 2036) is as follows:

Local Planning Authority	Total Housing Need 2020 – 2036	Houses per year 2020 - 2036
Blaby District Council	5,520	345
Charnwood Borough Council	17,680	1,105
Harborough District Council	8,800	550
Hinckley and Bosworth Borough Council	7,232	452
Leicester City Council	37,456	2,341
Melton Borough Council	3,216	201
North West Leicestershire District Council	5,744	359
Oadby and Wigston Borough Council	2,672	167
Leicester and Leicestershire HMA Total	88,320	5,520

*Table 1: Local Housing Need*

3.4 The Government’s current standard method for calculating housing need suggests L&L need to provide 88,320 homes (5,520 per year 2020 to 2036).



- 3.5 The NPPF requires authorities to have a clear understanding of the land available in their area to meet housing need through the preparation of a strategic housing land availability assessment (SHLAA). In L&L, the SHLAAs have been prepared using an agreed methodology across the HMA as a whole.
- 3.6 Appendix A and B to this Statement have been prepared using the outputs of the standard method for calculating housing need and SHLAAs. It provides a summary of the need for new homes, and the theoretical capacity of both the HMA and each local authority.
- 3.7 To 2036 there is a theoretical capacity for some 173,147 homes across the HMA as a whole (Appendix B). When set against the need of 88,320 (2020-36), the authorities agree there is flexibility to meet L&L housing need within the HMA, including unmet need.
- 3.8 Housing supply in L&L is strong. Up to 2031 (Appendix A) there is already sufficient supply in the pipeline to meet the needs of the HMA. The L&L housing need 2020-31 is 60,720 using the standard method. Taking into account commitments, allocations (including emerging allocations in Leicester and Charnwood Draft Plans) and windfalls, there is a supply of 69,403 which is 8,683 (14%) higher than the HMA-wide need. Leicester City Council is the only authority to declare an unmet need at present.
- 3.9 Up to 2036 (Appendix B) the supply situation remains relatively strong given that most local plans cover up to, or close to, 2031. The L&L housing need to 2036 is 88,320 using the standard method. Taking into account housing commitments, allocations (including emerging allocations in Leicester and Charnwood Draft plans) and windfalls suggest there is a supply of 84,388 which is close to the HMA wide need.

L&L Employment Need to 2036

- 3.10 The authorities agree the appropriate way to calculate employment need is using the jointly prepared Housing and Economic Development Needs Assessment (HEDNA) unless a more recent assessment has been undertaken. Based on the HEDNA and local assessments of employment land need the authorities agree the need is as follows:



Local Planning Authority	Employment Need 2019 to 2036 (Hectares)*	Source
Blaby District Council	74.84 - 75.85 ha	HEDNA
Charnwood Borough Council	55.9 ha	HEDNA + Charnwood Employment Land Review (2018)
Harborough District Council	45 - 52 ha	HEDNA
Hinckley and Bosworth Borough Council	38.5 - 50 ha	EL&PS
Leicester City Council	67 ha	City Economic Development Needs Assessment 2020
Melton Borough Council	33.05ha	Employment Land Study 2015
North West Leicestershire District Council	47.7 ha	North West Leicestershire – The need for employment land (November 2020) Stantec
Oadby and Wigston Borough Council	10.31 ha	Employment Land and Premises Study, October 2017
Leicester and Leicestershire HMA Total	372 - 392 ha	

Table 2: Employment Land Needs. \*Note: the need has been adjusted to a base-date of 2019 taking into account completions as appropriate.

3.11 Table 2 above shows L&L have to provide 372 - 392 ha hectares of employment land to 2036. The authorities agree the L&L employment land needs (including unmet need) can be met within the FEMA.

#### Unmet need to 2036

3.12 The authorities agree that Leicester City Council is the only authority in L&L to have declared and quantified (with evidence) an unmet need to 2036. Assisting Leicester to meet its unmet need is therefore a key element of the Duty to Co-operate across L&L.

3.13 Leicester City Council consulted on a Draft Local Plan (regulation 18) in September to December 2020, with a view to publishing the Submission Version (regulation 19) in 2021. Leicester City declared an unmet housing need in February 2017 (Appendix H) which remained unquantified while further evidence was gathered to support the publication of their Draft Local Plan. During this time several authorities have adopted local plans.

3.14 The L&L authorities were made aware of the potential scale of unmet need in December 2019. Consultation on the Draft Leicester Local Plan (and associated evidence) was delayed due to the COVID-19 Pandemic until September to December 2020.

3.15 Leicester's Draft Local Plan consultation indicates a potential unmet need of 7,742 homes and 23 Hectares of employment land (B2 General Industrial and B8 Small Warehousing Units less than 9,000 sq.m) 2019 to 2036.



- 3.16 However, immediately after the consultation closed in December 2020 the Government published a new standard method for calculating housing need. The new method increased Leicester's housing need by 35%, adding a further 9,712 homes to their need between 2020 and 2036 (607 homes per year).
- 3.17 Although the supply of homes in Leicester may evolve as their local plan progresses, providing for this amount of additional homes in the City would require more than a doubling of the allocations set out in their recent Draft Local Plan. In this context the City consider that it will not be possible to meet NPPF policy obligations of a sound and deliverable plan, and so in the revised PPG context (Paragraph: 035 Reference ID: 2a-035-20201216) it will be necessary to seek to agree a Statement of Common Ground to deal with the recent increase in housing need.
- 3.18 The authorities agree the Government changes to the standard method on 16 December 2020 has significantly increased housing need in Leicester and acknowledge the quantity of Leicester's unmet need may change as the Local Plan progresses (e.g. as evidence on land supply is developed further).

#### Apportionment of Leicester's Unmet Need to 2036

- 3.19 The authorities remain committed to cooperating on strategic cross boundary matters, including agreeing the redistribution of any unmet housing and employment need. The authorities have been engaged in a process of testing reasonable alternative options for meeting Leicester's unmet need through a Sustainability Appraisal process with a view to agreeing an apportionment of the unmet need ahead of the submission of the Charnwood Local Plan (as set out in the agreed Joint Statement of September 2020 – Appendix G).
- 3.20 However, the authorities agree the change in Leicester's housing need on 16 December 2020 (resulting from Government changes to the standard method for calculating housing need) is so significant that it requires additional evidence. This means the Charnwood Local Plan will now be submitted ahead of the apportionment of housing being agreed.
- 3.21 The authorities agree to carry out the following programme of work to inform the apportionment of unmet need from Leicester to the L&L Districts/Boroughs:
- Housing and Economic Needs Assessment
  - Strategic Growth Options and Constraints Mapping
  - Strategic Transport Assessment
  - Sustainability Appraisal
- 3.22 This work will be commissioned in Spring 2021 and used to inform a Statement of Common Ground apportioning unmet need which is anticipated to be completed in Winter 2021/2022.



- 3.23 On 19th January 2021 the Government published a Written Ministerial Statement and wrote to all Local Planning Authorities in England reminding them of the continued importance of maintaining progress on producing up-to-date Local Plans (Appendix I). In the letter the Government make clear “it is essential that plans are kept up to date” and “it is critical that work should continue to progress Local Plans through to adoption by the end of 2023 to help ensure that the economy can rebound strongly from the COVID-19 emergency”. The Charnwood Local Plan is also critical to demonstrating and maintaining a five year supply of deliverable housing sites. Delay will lead to unplanned development and lack of certainty for communities, and private and public sector investors in the intervening period.
- 3.24 To maintain progress on producing an up-to-date Local Plan for Charnwood, the authorities agree that Charnwood Borough Council will continue to actively engage in the programme of work to redistribute unmet need and include a trigger policy to review and update the Local Plan, if the agreed apportionment of unmet need requires it.
- 3.25 Employment: The authorities agree a working assumption unmet need figure of 23 Hectares (B2 and Small B8) for Leicester. This will be subject to testing through the Leicester Local Plan. The authorities agree there is a sufficient supply of employment land in the Charnwood Local Plan (submission version) to accommodate this level of unmet need if this is found to be a sustainable approach, in the context of the programme of evidence work to inform the apportionment of unmet need.

#### **4.0 Maintaining and Updating this Statement**

- 4.1 The authorities acknowledge the Government intend to reform the planning system and recently consulted on a White Paper - Planning for the Future.
- 4.2 There is no timetable for the reforms and the proposals could change following consultations. Against this background the Government is encouraging authorities to get up-to-date Local Plans in place and some authorities in L&L are at an advanced stage of plan preparation.
- 4.3 This statement includes an agreed programme of work to apportion unmet need from Leicester. The authorities agree the Duty to Cooperate is an ongoing process and this statement will be kept up to date to reflect the latest position. The process for updating and maintaining this statement will be managed through ongoing joint work between the authorities. Once the agreed work is complete, the authorities agree this statement will be updated to include the apportionment of unmet need across L&L based on the evidence.





## **Appendix I – Letter from Leicester City Council**

Please ask for: Grant Butterworth  
Telephone: (0116) 454 1000  
Email: [planning@leicester.gov.uk](mailto:planning@leicester.gov.uk)  
Date: 13<sup>th</sup> February 2017



**Leicester**  
City Council

Mr J Newton  
North West Leicestershire District Council  
Council Offices  
Coalville  
Leicestershire  
LE67 3FJ

Planning  
115 Charles Street  
Leicester LE1 1FZ

[www.leicester.gov.uk/planning](http://www.leicester.gov.uk/planning)

Dear Mr Newton

### **Implications for Leicester City Council, of the Housing and Economic Development Needs Assessment (HEDNA).**

The Housing and Economic Development Needs Assessment (HEDNA) was approved by the Members Advisory Group on Thursday 26 January 2017. The HEDNA establishes a new objectively assessed need (OAN) for the Leicester and Leicestershire Housing Market Area (HMA), and for each local planning authority within the HMA. The HEDNA OAN replaces the OAN set out in the Strategic Housing Market Assessment (SHMA 2014).

The HEDNA establishes an OAN for the HMA of 96,580 dwellings for the period 2011-2031 (or 4,829 per year). For Leicester City over the same period the OAN is 33,840 dwellings (or 1,692 per year). Just over one third of the total OAN for the HMA arises within the city.

The HEDNA sets out a housing need significantly above that established in previous assessments of housing need, including the SHMA 2014 and in previous local, sub-regional and regional plans (including the Leicester Core Strategy 2014, Regional Plan 2009 and Structure Plan 2005).

The HEDNA also sets out increased new requirements for Employment land for Leicester :-

- 115,000 sqm (6ha) required for offices
- 15ha for warehousing/distribution
- 36ha for general employment

The HEDNA has significant implications regarding the ability of the city to continue to accommodate its full objectively assessed need for housing and employment within the administrative area of the city. The city's tightly drawn boundaries and built up nature, coupled with areas of significant flood risk means that there is limited land

available for further development. Whilst the City is currently unable to provide a definitive figure for the shortfall in the city (in advance of work on the emerging local plan), the scale of the need set out in the HEDNA is of such magnitude that it is concluded that there will be an unmet need arising in the city.

We will be working to meet these needs in our new Local Plan. However we will need support and co-operation from HMA partners. The Strategic Growth Plan will be the vehicle for these conversations.

The City Council looks forward to working closely with yourselves and the other HMA partners on ensuring the full OAN for the HMA is accommodated within the HMA by ensuring emerging plans are flexible enough to respond to addressing any unmet need which may be required to be addressed within those plans.

The attached note (Appendix 1) provides further background on the emerging land supply position in the city however it should be noted that further work on the capacity of the city, including potential new land allocations, is currently being undertaken through work on the new local plan for the city.

Yours sincerely,



Grant Butterworth  
Head of Planning  
Leicester City Council



## Appendix 1

### Housing Completions in Leicester since 2011

The table below shows housing completions in Leicester since 2011 compared to the HEDNA OAN. The table shows that the rate of housing completions in the city falls significantly below the HEDNA OAN. There is already a shortfall of 2,917 dwellings since 2011 (around 580 per year). Completions rates in the city have been relatively constant since the mid-2000s at around 1,100 per year. It does not seem likely that the rate of completions in the city will increase significantly above that level.

Year	Completions	HEDNA 2017 (2031)	Shortfall
2011/12	977	1,692	-715
2012/13	1,147	1,692	-545
2013/14	1,126	1,692	-566
2014/15	1,162	1,692	-530
2015/16	1,131	1,692	-561
<b>Total</b>	<b>5,543</b>	<b>8,460</b>	<b>2,917</b>

Should rates of completions in the city remain at around 1,100 per year, around 22,000 dwellings could be built between 2011 and 2031. This would leave a shortfall of around 11,840 against the HEDNA OAN to 2031.

It should also be noted that student completions account for a significant proportion of completions up to 2015/16 and, in light of the HEDNA (paragraphs 9.53-9.54), the City Council are currently reviewing the way in which student completions are counted towards meeting the OAN.

### Current supply of housing land in Leicester

The City Council are in the process of finalising an updated SHLAA to represent the position as at 31<sup>st</sup> March 2016, and this is due to be published shortly. The draft figures from this were used to set out the city's total capacity figure in table 1 of the Statement of Co-operation.

The draft SHLAA currently shows a total capacity for the city up to 2031 of 25,006 (including completions since 2011, commitments, windfall and other SHLAA sites). This is a shortfall of 8,834 over the HEDNA OAN to 2031).

### Emerging Local Plan position

The City Council intend to consult on the next stage of the new local plan later this year. This will include consultation on a wide range of sites. Following this the City Council will work towards a draft plan which is due to be published in spring 2018. Submission of the plan will follow in early 2019.

Given that the city currently does not have sufficient land allocated or identified to meet the level of need set out in the HEDNA we will be seeking to allocate new sites to help meet this need.

However at this early stage in the plan process it is not possible to know how many sites will be suitable, available and viable for housing development, nor how many of those will be successfully allocated in the final adopted plan. It is therefore not possible to know with any certainty, what contribution those sites can make towards addressing the housing OAN for the city and any consequent reduction in any unmet need remaining in the city. However it is clear that even if a significant number of new sites are identified, the scale of the need set out in the HEDNA is of such magnitude that it is concluded that there will be an unmet need arising in the city.

## **Appendix J - Written Ministerial Statement**



Ministry of Housing,  
Communities &  
Local Government

To: All Council Leaders in England  
CC: Local Authority Chief Executives

Rt Hon Christopher Pincher MP  
*Minister of State for Housing*

*Ministry of Housing, Communities and Local  
Government*  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Tel: 0303 444 3430  
Email: [christopher.pincher@communities.gov.uk](mailto:christopher.pincher@communities.gov.uk)

[www.gov.uk/mhclg](http://www.gov.uk/mhclg)

19 January 2021

Dear Local Authority Leader,

### **CONTINUING PROGRESS TO GET UP-TO-DATE LOCAL PLANS IN PLACE**

I am writing to all local planning authorities in England to remind you of the continued importance of maintaining progress on producing up-to-date Local Plans.

Despite the significant challenges that have been caused by the COVID-19 pandemic, I know that the majority of local planning authorities continue to do all they can to get Local Plans in place and keep them up to date. I would like to thank you for the important work that you do to deliver the homes, jobs and supporting infrastructure that make such a difference to your local communities.

The country needs more, better and greener homes in the right places. This Government's ambition is to deliver 300,000 homes per year by the mid 2020s and one million homes over this Parliament. Increasing the number of up-to-date Local Plans across England is central to achieving that goal. Local Plans not only unlock land for development and ensure that the right number of new homes are being built in the right places, they also provide local communities with an opportunity to have their say on how their local areas will change over the coming years, and how the local environment can be protected and enhanced.

Nine in ten local planning authorities have now adopted a Local Plan, which is excellent. My Department is committed to working with the remaining 10% to get a plan in place as soon as possible, and across the board it is essential that plans are kept up to date. In March 2020, the Government set a deadline of December 2023 for all authorities to have up-to-date Local Plans in place. It is critical that work should continue to progress Local Plans through to adoption by the end of 2023 to help ensure that the economy can rebound strongly from the COVID-19 emergency. Progressing Local Plans will help to ensure that we can build back better and continue to deliver the homes that are needed across England. As such, a Written Ministerial Statement was made today to remind all local planning authorities of the importance of maintaining progress to get up-to-date plans in place.

To support this, we recently rolled forward temporary changes that we made over the summer to ensure the planning system continues to operate effectively during the pandemic. In addition, we recently announced changes to the methodology for assessing Local Housing Need and published the 2020 Housing Delivery Test measurement. This should provide plan-makers with greater certainty over the homes they should plan for and whether they need to take additional measures to encourage delivery in their area.

The Housing Delivery Test measurement shows that the majority of local planning authorities continue to deliver the number of homes needed in their communities. However, 55 authorities

delivered less than three quarters of their housing need, and are therefore subject to the presumption in favour of sustainable development. Of these, 40 have a Local Plan that is more than 5 years old. This clearly demonstrates the importance of having an up to date Local Plan in place.

We also want to see Neighbourhood Plans continue to progress with the support of local planning authorities, to give more communities a greater role in shaping the development and growth of their local areas.

The Planning for the Future White Paper consultation closed in October. The White Paper sets out proposals to deliver a significantly simpler, faster and more predictable system. These proposals will need further development and it is important that authorities do not use this period as a reason to delay plan-making activities. Authorities who have an up-to-date plan in place will be in the best possible position to adapt to the new plan-making system.

I will consider contacting those authorities where delays to plan-making have occurred to discuss the reasons why this has happened, and to explore what support my Department can offer.



**RT HON CHRISTOPHER PINCHER MP**





<b>Full Council</b>	<b>Tuesday, 12 July 2022</b>	<b>Matter for Information</b>
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**Report Title:** **Brocks Hill / Office Relocation Project (Part I)**

**Report Author(s):** **Tracy Bingham (Strategic Director / Section 151 Officer)**

<b>Purpose of Report:</b>	To inform Members of the progress of the office relocation project.
<b>Report Summary:</b>	<p>This report outlines the progress made in respect of the project to date and shares the likely outcome of the procurement process to secure a contractor to undertake the works to Brocks Hill.</p> <p>The report also sets out the revised financial viability assessment of the project based on revised estimates and provides details on the next steps.</p>
<b>Recommendation(s):</b>	<b>That Council notes the progress of the office relocation project and resulting changes required to the Council Budget and Policy Framework which are being considered as a separate item on this meeting agenda.</b>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>Tracy Bingham (Strategic Director / Section 151 Officer) (0116) 257 2690 <a href="mailto:tracy.bingham@oadby-wigston.gov.uk">tracy.bingham@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Built Environment) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Ben Wilson (Corporate Project &amp; IT Manager) (0116) 257 2711 <a href="mailto:ben.wilson@oadby-wigston.gov.uk">ben.wilson@oadby-wigston.gov.uk</a></p> <p>Jeffery Kenyon (Economic Regeneration Manager) (0116) 288 8961 <a href="mailto:jeffery.keynon@oadby-wigston.gov.uk">jeffery.keynon@oadby-wigston.gov.uk</a></p> <p>David Garner (Regeneration Project Manager) (0116) 257 2623 <a href="mailto:david.garner@oadby-wigston.gov.uk">david.garner@oadby-wigston.gov.uk</a></p> <p>Comie Campbell (Head Of Finance) (0116) 257 2713 <a href="mailto:Comie.campbell@oadby-wigston.gov.uk">Comie.campbell@oadby-wigston.gov.uk</a></p>
<b>Corporate Objectives:</b>	Growing the Borough Economically (CO2) Providing Excellent Services (CO3)
<b>Vision and Values:</b>	"A Stronger Borough Together" (Vision) Accountability (V1) Respect (V2)



	Teamwork (V3) Innovation (V4) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	There are no implications directly arising from this report.
Financial:	The implications are as set out at paragraph 3 of this report.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Reputation Damage (CR4) Effective Utilisation of Assets / Buildings (CR5)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. No EA applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	As the author, the report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	None.
<b>Background Papers:</b>	None.
<b>Appendices:</b>	<b>1.</b> Floor Layout Plan <b>2.</b> Financial Documentation

## 1. Background

- 1.1 In September of 2021 Full Council approved the relocation of the Council Headquarters from Bushloe House to Brocks Hill. This move will allow the Council to work in a more agile and streamlined manner as since the pandemic there is less of a need for a traditional office building for staff, with facility to set down and hot desk being more appropriate and consequently resulting in fewer members of staff needing to be housed at any one time. The size and accommodation on offer at Bushloe House is therefore no longer needed for the Council to fulfil its functions and is more costly to operate and manage than a smaller more modern building.
- 1.2 A broad scope of works to adapt the Brocks Hill building into the new HQ was developed. This included the introduction of a mezzanine to provide additional floorspace within the existing building, and consideration of a number of smaller extensions such as the boxing in of the balcony area to provide more space and to allow the café space to grow. The new building should be able to accommodate staff in an agile manner, provide facilities for printing, provide appropriate space for the IT servers, a range of internal meeting spaces and facilities, the ability to form a Council Chamber, and importantly to retain the café which is well used by the public.

- 1.3 The Brocks Hill/Office Relocation Sub Committee was set up to oversee the process and comprises of five Members. It first met on 7 December 2021 and agreed its scope and Terms of Reference. This Committee has met at key points to discuss issues and agree actions as the project has progressed.
- 1.4 A design incorporating all of the possible alterations was landed upon and subsequently agreed by Development Control Committee on 26 May 2022. There were a number of alterations and clarifications sought including:
- The operation of the café which will remain open to the public upon completion but which will close during the works.
  - Staff parking, which will be provided in the overspill car parking area and will not impact on the existing parking area
- 1.5 At the same time as the design for the new space was being developed, Officers started the process for the disposal of the Bushloe House site with a preferred purchaser identified through a 'Best and Final Offers' process. The chosen bidder has provided a non-refundable deposit and the offer is subject to planning consent being approved; this process is currently on-going, with the proceeds of the sale being directed towards the works required at Brocks Hill.
- 1.6 Following the most recent meeting of the Sub-Committee (14 June), delegated authority was approved for the Strategic Director and Section 151 Officer in consultation with the Sub-Committee Chair to approve the tender packages and agree the final contract that includes the total revised budgetary framework.
- 1.7 At the time of the Brocks Hill Sub-Committee meeting, members were advised that final tender submissions were due W/C 20 June. That timetable has now been extended to W/C 11 July 2022. As such, this means members will be approving the revised capital programme based on final estimates relating to the construction costs rather than final tenders. As a mitigation, a letter of comfort has been provided by the Councils construction and project management partners (Kier & Perfect Circle). Officers will also provide a verbal update at the 12 July Council meeting.

## **2. Building Specification**

- 2.1 In order to develop the project and to undertake the design work to lead in to the planning application, the SCAPE procurement framework was utilised, an approach that was agreed with the Sub Committee. This allowed officers to engage a contractor to develop the project and ultimately seek costs for a range of work packages. This was achieved by engaging specialist companies to inform the specification required and to ensure that any works are cognisant of the relevant standards required. It also helped to clarify certain aspects of the project and what exactly was needed by the Council. This pricing process allows for a fixed cost for the works to be calculated which would then form the foundation for any subsequent delivery contract to actually undertake the work and ensure it is within the budget set by the Council.
- 2.2 The initial pricing process identified that the scope of the works was beyond the budget available and a process of 'value engineering' took place to see where costs could be reduced. This led to substantial alterations to the scope of the works and how the building would be used. Crucially, it sought to ensure that the planning consent applied for in parallel would not be affected, with the external features of the building intact. As the changes to the specification were major, and some were caused by looking once more at the internal layout, a process of re-pricing was required. This work has now been completed with a workable layout, please see **Appendix 1**, having been identified and a price for the works being brought in within budget.

2.3 **Appendix 1** shows the layout and includes:

- Workstations, both fixed and flexible, for around 30 staff members
- A flexible ground floor Council Chamber/meeting room space, using dividers and flexible furniture to allow multiple uses
- A ground floor secure meeting space for confidential discussions
- Staff welfare facilities throughout the two floors of dedicated staff toilets, kitchen space, quiet space etc.
- A selection of meeting spaces
- Dedicated spaces for IT, servers, and reprographics
- A public café space with toilet provision as existing

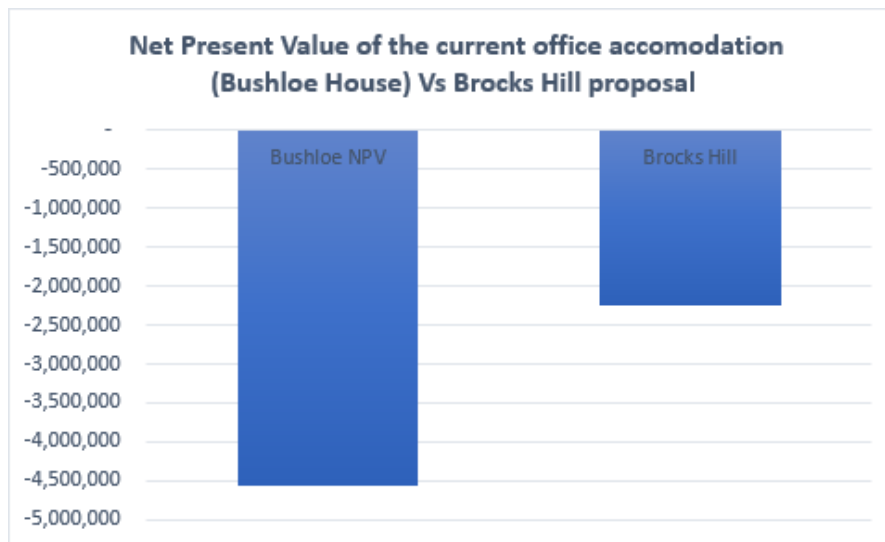
### **3. Financial Case**

- 3.1 Detailed financial modelling has been undertaken to consider the level of value for money the project provides. The assessment considers remaining at Bushloe House compared to disposing of the Bushloe House site in return for a capital receipt to be used to facilitate the move to Brocks Hill.
- 3.2 The financial assessment technique used is "net present value", which assesses all the future cashflows associated with the life of a project. The method adjusts anticipated values of cash expected over a period of time by the anticipated level of inflation and any borrowing costs. It then subtracts the total of "cash out" from the total of "cash in" expresses the resulting surplus or deficit position as "net present value," reflecting the value of the project in today's value.
- 3.3 A number of core assumptions are built into these projections including estimates originally detailed as part of the Bushloe House conservation plan, which determined that improvements to the building of in excess of £2.5m would be needed over the forthcoming five-year period.
- 3.4 As with any financial model, assumptions about future conditions drive the anticipated financial performance of the business as usual and alternative. Please see **Appendix 2** (at exempt agenda item 18) which outlines the net present value assumptions.
- 3.5 The outcome of the net present value assessment shows that the changed proposed to our accommodation costs significantly less over a 10-year period than our existing set up, as shown in the figure below. This shows that the Council will better its financial position, by some £2.3 million over the 10 year period as a result of the project.
- 3.6 The annual revenue savings are anticipated to be in the region of £94,000, which is a saving of 51% on the £183k payable at Bushloe House per annum.

(Continued overleaf)



**Chart 1 – Net Present Value of Scheme compared to Current Position**



3.7 Although the project has only been considered over a 10 year period as part of this assessment, it is acknowledged that over the 30 year period for which Brocks Hill is anticipated to remain fit for purpose, the savings on moving would likely be much higher.

#### **4. Budget Requirements**

4.1 To date, a total of £285k has been spent on the scheme and a further amount of £173k is committed. As detailed above, the costs associated with the move and construction works at Brocks Hill, and the forecast capital receipt arising on the sale of Bushloe House are now identified as being more than the original estimates presented to Council in September 2021.

4.2 Members should note that the £400k Transformation budget is already an approved part of the 2022/23 Capital Programme and represents effective utilisation of capital receipts as part of the Council's Flexible Use of Capital Receipts Strategy. The strategy allows for the utilisation of this budget for the purposes of funding revenue, where income generation or revenue reduction arises, and this project was identified in the strategy as being a project that meets the transformation criteria.

4.3 Delegation has granted to the Strategic Director and Section 151 Officer in consultation with the Chair of the Brocks-Hill Sub-Committee to approve the tender packages and agree the final contract for the construction works. For the purposes of this, the "budgetary framework" is meant to consist of the total budget provision of £3.610m.

4.4 Members should note that should the timetable of the scheme means that the capital receipt for Bushloe House will not be received until the sale transaction takes place (in Spring 2023) and that unsupported borrowing, as part of the Council's normal day-to-day treasury approach will be utilised to fund the capital works associated with Brocks Hill.

#### **5. Next Steps**

5.1 A timescale for delivery has been developed with the proposed delivery contractor. This anticipates that, subject to agreement and a signing of delivery contracts, a start on site in early August 2022 is achievable. This allows for a short mobilisation period and ordering of materials once the contract is signed. It is anticipated that the works will be completed in Spring 2023, with the final timetable to be agreed and monitored.

5.2 Officers will oversee the works closely so as to avoid unnecessary snagging and to check for

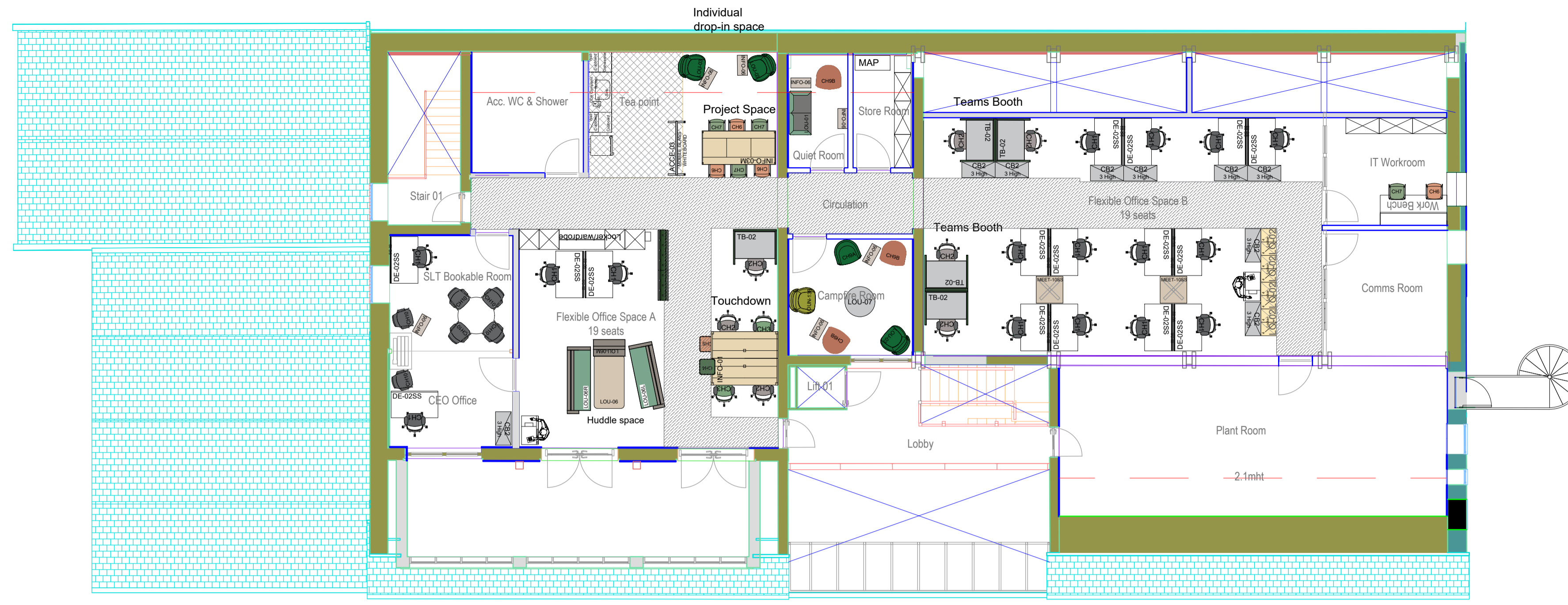
quality. The Sub Committee will be kept abreast of progress. It is intended that Members will be able to visit the site at key points to become familiar with the space before it is completed. Officers are also, separately working to ensure that the move from Bushloe House is seamless. Co-ordination of the move with the vacation and ultimate sale completion of Bushloe House will be key to ensure there is continued service provision for our residents and businesses.

- 5.3 We have a robust communication and engagement plan ready to commence with. This covers internal engagement with staff and we will be linking the Councils Agile working policy to the office relocation project. We will be communicating with Members around the move and discussing the expectations of the use of Brocks Hill from a Committee meeting perspective. We also have an external communication plan that will keep the users of Brocks Hill informed of the changes and looking to demonstrate how little they will be affected by the Council using the Brocks Hill building as Office accommodation.
- 5.4 It has been particularly important to carefully manage our external communications, particularly given that publication of the proposals submitted within the planning application and the subsequent public consultation generated a considerable amount of public interest. As such, a dedicated project workstream has been mobilised to plan and manage project communications. The Council's Communications Team are closely engaged on an ongoing basis with press releases and social media post being published at appropriate times, including when the planning application was submitted and most recently, when planning permission was granted.
- 5.5 Project staff are quantifying Bushloe House and determining a final action plan for decanting from Bushloe House. This includes the disposal of items, scanning of paperwork, shredding of confidential papers, and looking at potential items that can be sold. This planning also covers the IT transition and working towards having minimal disruption to Council Staff and stakeholders. Work will be undertaken to novate, cancel or change our contractual obligations relating to utilities and maintenance contracts at Bushloe House.

## **6. Recommendation**

- 6.1 Delegated authority now exists for the Strategic Director and Section 151 Officer in consultation with the Brocks Hill Sub-Committee Chair to agree to the tender packages and agree the final contract in line with the I revised budgetary framework.
- 6.2 Members are asked to note this report in connection with the proposed revised Capital programme that is to be covered on a separate item on this meeting agenda.

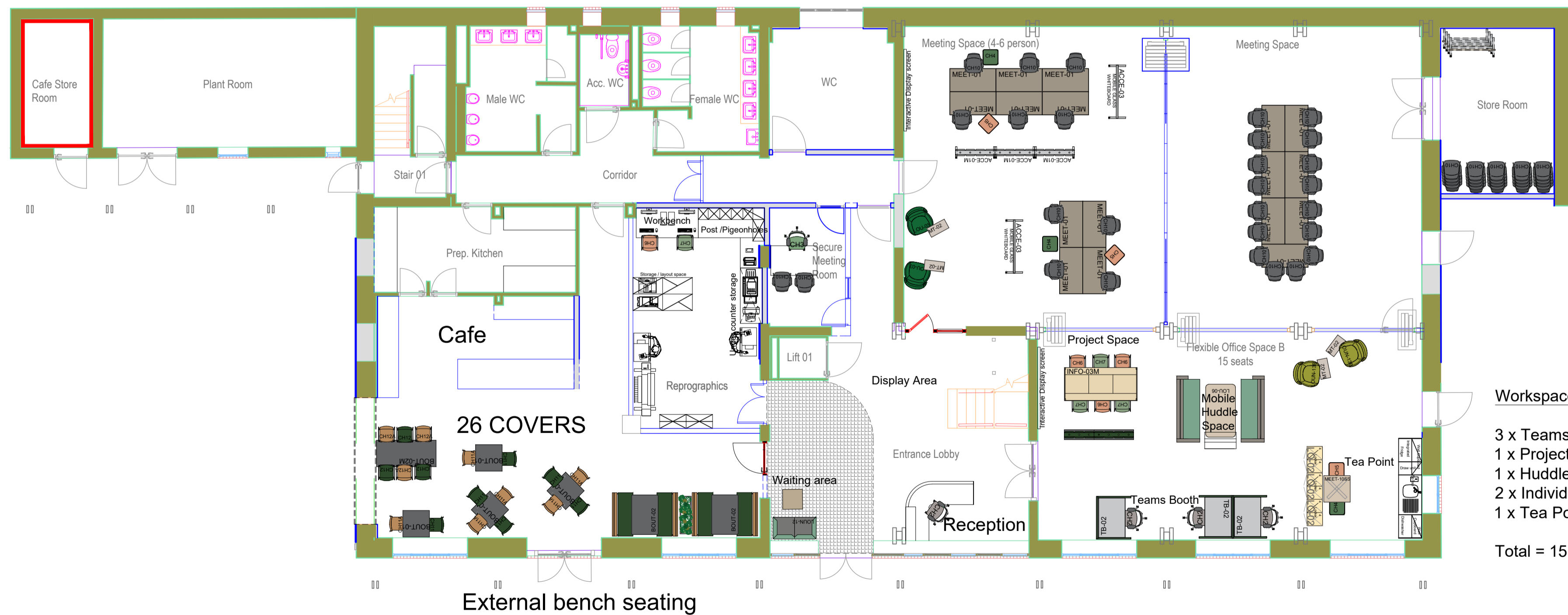




First Floor Layout B

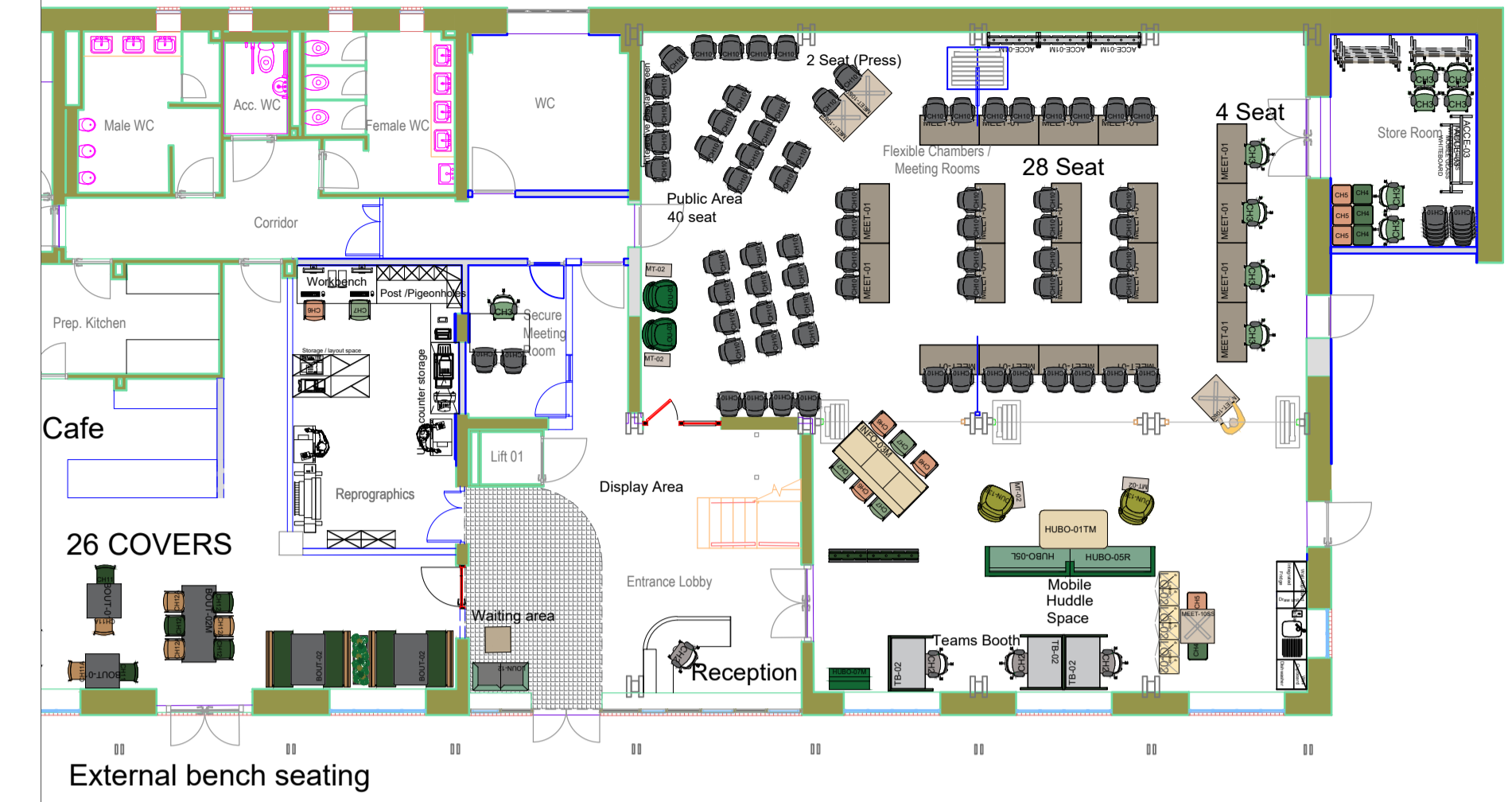
- Workspace Key**
- 1 x CEO Office
  - 1 x SLT Book-able Office
  - 14 x Standard Workspace
  - 5 x Teams/ High Focus Booths
  - 1 x Project Space (6 person)
  - 1 x Touchdown (4 person)
  - 1 x Huddle Space (4-6 Person)
  - 2 x Individual Drop-in Space
  - 2 x IT Workroom
  - Total = 37
  - 1 x Contemplation Rm (Quiet Space)
  - 1 x Campfire Rm ( 5 person)

Ground Floor Layout 1

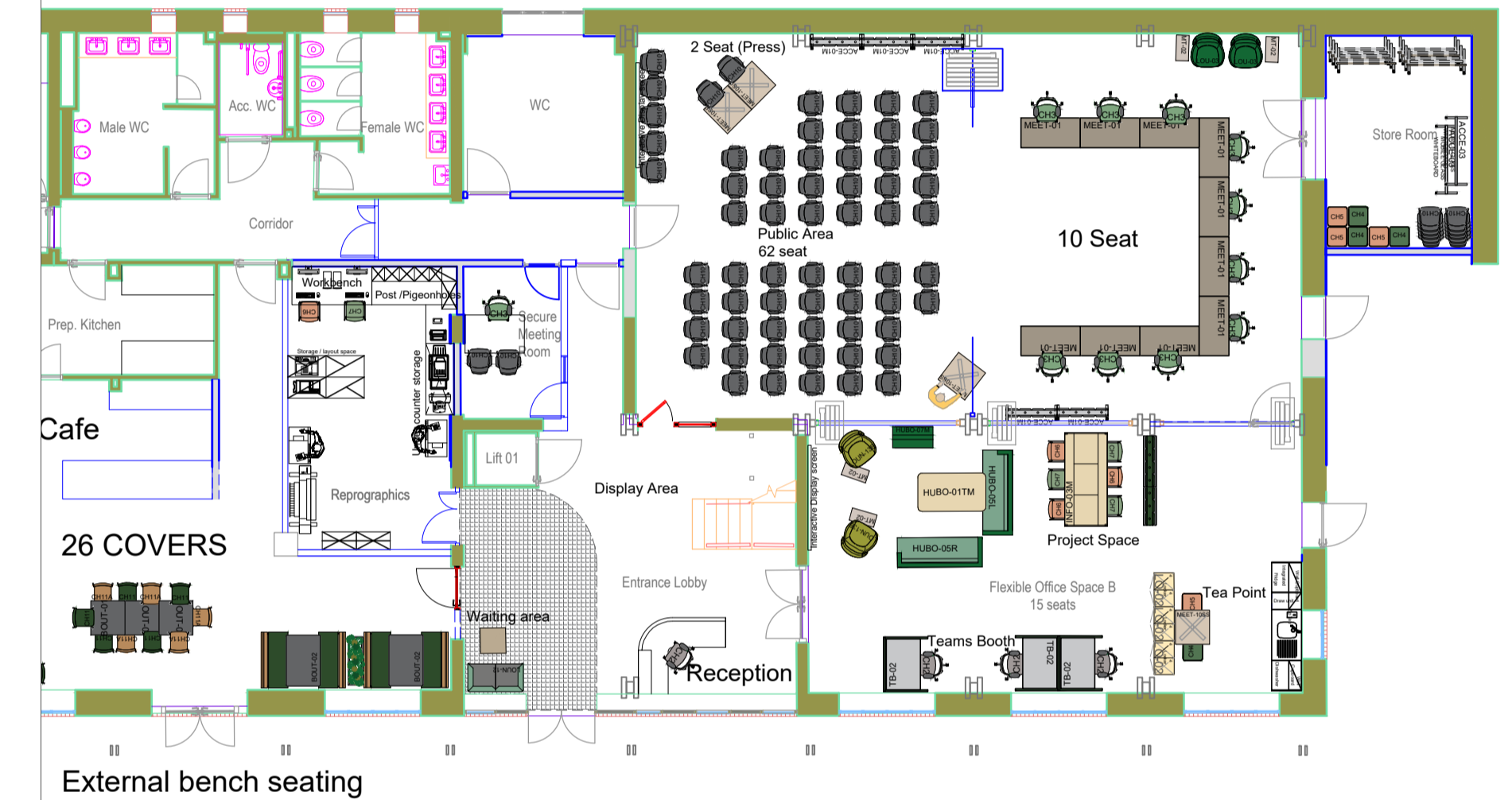


- Workspace Key**
- 3 x Teams/ High focus Booths
  - 1 x Project Space (6 person)
  - 1 x Huddle Space (4 person)
  - 2 x Individual Drop-in Space
  - 1 x Tea Point
  - Total = 15

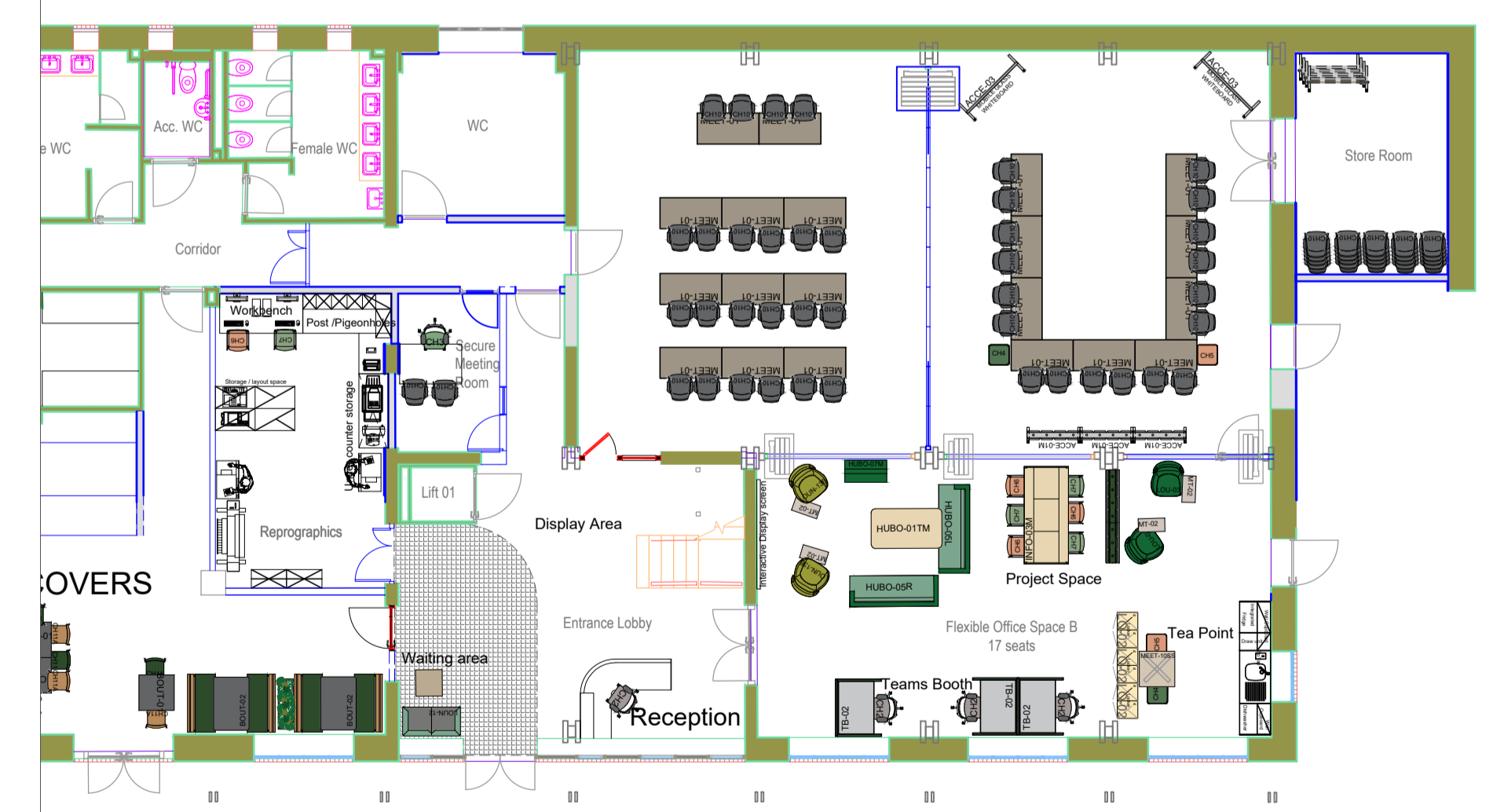
Ground Floor Layout 2



Ground Floor Layout 3



Ground Floor Layout 4



OPTION B 1m 2m 3m 4m 5m

PROJECT NOTES:

REVISION:	DATE:	DESCRIPTION:	BY:
A:	22/08/21	Update proposed layout as per MT 20/08/21	TS
B:	02.09.21	Revises layout as per meeting and client request	TS
C:	18.09.21	Updated layout - revit model .dwg	TS
D:	23.09.21	Revise layout as per site MT 23.09.21	TS
E:		COVID	
F:	16.03.22	Updated layout as per client request and latest building	TS

REVISION:	DATE:	DESCRIPTION:	BY:
G:	09.05.22	Revise /reduce workspace as per client request	TS
H:	13.05.22	Create new layout due to change in building requirements	TS
I:	27.05.22	Revised Option B for sign off	TS

STATUS:	Waiting Approval
SIGNED:	
PRINT NAME:	

DRAWING TITLE:	New Office Layout A
DRAWING NUMBER:	TD-005-TS-00-01-GA-J
OWNER:	Client
DRAWN BY:	T.Sellar
REVISION:	J
SCALE @ A1:	1:100
CHECKED BY:	

CLIENT:	OWBC
FLOOR:	00-01
DATE:	26.07.21
ADDRESS:	Brocks Hill
	Washbrook Lane, Leicester LE2 5JJ



# Agenda Item 18

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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