

**To Members of the Council**

Cllr. Cheryl Cashmore (Chairman)  
Cllr. Nick Chapman (Vice-Chairman)

Cllr. Shabbir Aslam  
Cllr. Royston Bayliss  
Cllr. Lee Breckon JP  
Cllr. Nick Brown  
Cllr. Adrian Clifford  
Cllr. Stuart Coar  
Cllr. Luke Cousin  
Cllr. Tony Deakin  
Cllr. Roy Denney  
Cllr. Alex DeWinter  
Cllr. Susan Findlay  
Cllr. Janet Forey

Cllr. Helen Gambardella  
Cllr. Hannah Gill  
Cllr. Nigel Grundy  
Cllr. Paul Hartshorn  
Cllr. Richard Holdridge  
Cllr. Mark Jackson  
Cllr. Becca Lunn  
Cllr. Antony Moseley  
Cllr. Les Phillimore  
Cllr. Terry Richardson  
Cllr. Tracey Shepherd  
Cllr. Dillan Shikotra

Cllr. Mike Shirley  
Cllr. Roger Stead  
Cllr. Ben Taylor  
Cllr. Matt Tomeo  
Cllr. Bob Waterton  
Cllr. Bev Welsh  
Cllr. Geoff Welsh  
Cllr. Jane Wolfe  
Cllr. Maggie Wright  
Cllr. Neil Wright

Dear Councillor,

A meeting of the **COUNCIL** will be held in the Council Chamber - Council Offices, Narborough on **TUESDAY, 25 JULY 2023** at **6.00 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



**Louisa Horton**  
**Corporate Services Group Manager and Monitoring Officer**

## **AGENDA**

### **SECTION 1 - INTRODUCTION**

To receive apologies for absence, disclosures of interest from Councillors, and Minutes of the previous Council meeting.

1. Apologies for absence
2. Disclosures of Interests from Members  
To receive disclosures of interests from Members (i.e. the existence and the nature of those interests in respect of items on this agenda).
3. Minutes (Pages 5 - 8)  
To approve and sign the minutes of the meeting held on 20 June 2023 (enclosed).

### **SECTION 2 - STANDARD COUNCIL BUSINESS**

To receive announcements from the Chairman and the statement of the Leader of the Council.

Any reports for consideration listed under this section will be moved in one block without discussion, unless any Member present requests otherwise.

4. Chairman's Announcements
5. Leader's Statement

### **SECTION 3 - PRESENTATIONS TO COUNCIL**

To consider any presentations from Council Officer's or an external body/partner agency.

### **SECTION 4 - QUESTIONS FROM THE PUBLIC & PRESENTATION OF PETITIONS**

To receive questions to Councillors submitted by members of the public and to receive any petitions submitted in accordance with the Council's petitions scheme.

6. Public Speaking Protocol  
Requests received by the Protocol deadline to be reported by the Monitoring Officer with details of the Agenda Item to which they relate. (Such persons entitled to use the Protocol attend for the purpose of making representations, answering questions or giving evidence relating to the business of the meeting and the time allocated to each person is a maximum of three minutes unless extended at the discretion of the Chairman).

## **SECTION 5 - MEMBERS' QUESTIONS**

To receive any questions submitted by Councillors.

7. Questions from Members  
Any Members wishing to submit questions must do so to the Monitoring Officer no later than 5 working days before the meeting.

The Monitoring Officer will report if any questions have been submitted.

## **SECTION 6 - REPORTS FOR DECISIONS**

To consider any reports submitted for consideration by Council.

8. Recommendations of the Cabinet Executive: Treasury Management Outturn 2021/22 (Pages 9 - 24)  
To consider the report of the Cabinet Executive (enclosed).
9. Licensing Act 2003 - Statement of Licensing Policy 2023 - 2028 (Pages 25 - 56)  
To consider the report of the Environmental Health Manager (enclosed).
10. Hinckley National Rail Freight Interchange (Pages 57 - 62)  
To consider the report of the Planning and Strategic Growth Group Manager (enclosed).
11. Local Development Scheme (Pages 63 - 86)  
To consider the report of the Development Strategy Manager (enclosed).

## **SECTION 7 - MOTIONS/ DEBATES/CONSULTATIONS & MEMBERS' FEEDBACK**

To consider Motions submitted by Councillors, take part in a debate or receive Member feedback from attendance at national briefings, key training initiatives or work on any Outside Bodies.

12. Motion under Council Rules of Procedure

Cllr. Paul Hartshorn to move the following motion, seconded by Cllr. Hannah Gill:

*Southey Road Recreation Ground (Wimpey Park)*

*Council believes that the best way to secure the long-term future of Southey Road Recreation Ground in Enderby, as a community asset, is to apply a Deed of Dedication, via Fields in Trust. Council requests a cabinet bring forward a time tabled plan to establish the Deed of Dedication, prior to further testing and transfer to Enderby Parish Council, at the next meeting of full Council.*

## **SECTION 8 - EXEMPT REPORTS**

To receive any reports submitted which require consideration under exempt status.

*There are no reports for consideration under this Section.*

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## **COUNCIL**

Minutes of a meeting held at the Council Offices, Narborough

**TUESDAY, 20 JUNE 2023**

### **Present:-**

Cllr. Cheryl Cashmore (Chairman)  
Cllr. Nick Chapman (Vice-Chairman)

Cllr. Royston Bayliss	Cllr. Helen Gambardella	Cllr. Mike Shirley
Cllr. Lee Breckon JP	Cllr. Hannah Gill	Cllr. Roger Stead
Cllr. Nick Brown	Cllr. Nigel Grundy	Cllr. Ben Taylor
Cllr. Adrian Clifford	Cllr. Paul Hartshorn	Cllr. Matt Tomeo
Cllr. Stuart Coar	Cllr. Richard Holdridge	Cllr. Bob Waterton
Cllr. Luke Cousin	Cllr. Becca Lunn	Cllr. Bev Welsh
Cllr. Tony Deakin	Cllr. Antony Moseley	Cllr. Geoff Welsh
Cllr. Roy Denney	Cllr. Les Phillimore	Cllr. Jane Wolfe
Cllr. Alex DeWinter	Cllr. Terry Richardson	Cllr. Maggie Wright
Cllr. Susan Findlay	Cllr. Tracey Shepherd	Cllr. Neil Wright
Cllr. Janet Forey	Cllr. Dillan Shikotra	

### **Officers present:-**

Julia Smith	- Chief Executive
John Richardson	- Executive Director
Sarah Pennelli	- Executive Director - S.151 Officer
Louisa Horton	- Corporate Services Group Manager & Monitoring Officer
Lisa Boland	- Service Transformation Group Manager
Sally Dorans	- Customer Insight, Experience and Engagement Service Manager
Katie Brooman	- Elections and Governance Manager
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Isaac Thomas	- Democracy Support Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer

### **Apologies:-**

Cllr. Shabbir Aslam and Cllr. Mark Jackson

**31. MINUTES SILENCE IN REMEMBRANCE**

A minutes silence was held in memory of Barnaby Webber, Grace O'Malley-Kumar and Ian Coates who tragically died in an incident in Nottingham on 13 June 2023.

**32. DISCLOSURES OF INTERESTS FROM MEMBERS**

No disclosures were received.

**33. MINUTES**

The minutes of the meetings held on 23 May 2023, as circulated, were approved and signed as a correct record.

**34. CHAIRMAN'S ANNOUNCEMENTS**

The Chair, Cllr. Cheryl Cashmore made announcements in respect of the following:

- 11 June 2023 – attended Bardi Wind Orchestra at De Montfort Hall hosted by Oadby and Wigston Lions, raising funds for RNLI.
- 24 June 2023 - A Place to Grow Open Day – the Chair invited all Members to attend and learn more about it.
- The Chair requested that Councillors forward any future community events invitations to herself or the PA, to enable her or the Vice-Chairman to attend and support events in the District.

**35. LEADER'S STATEMENT**

Cllr. Terry Richardson presented his Statement in respect of the following:

- Industrial Strike Action planned by the GMB Trade Union
- Hinckley National Rail Freight Interchange latest
- Fosse Foxes competition
- Meridian Way connections
- Blaby Planning Team shortlisted for award
- Saving our residents money on bills
- New Lubbethorpe latest news
- Wellbeing Hubs
- Community Fridge now open
- Annual accounts published
- 5G phone mast to be installed despite our concerns.

- Repeat planning breach offender fined
- Clean Air Day

The Chair Cllr. Cheryl Cashmore adjourned the meeting at 6:40pm due to technical difficulties with the livestream.

The meeting was reconvened at 6:50pm when the Chair announced that due to ongoing technical difficulties, the meeting would proceed without the livestream.

**36. PRESENTATION: YOUTH COUNCIL PRIORITIES**

Members received a presentation from Reuben, Teagan and Nathan who were representing the Youth Council, supported by Cllr. Adrian Clifford – Youth Champion.

The presentation covered the following points:

- Letter received from Alberto Costa MP in response to letters sent from the Youth Council on vaping and the sale of vaping products to young people.
- Action plan created for the Youth Council Priorities.
- Priorities are: Vaping, Night Safety and Hate Crime.
- Update on Conferences 2023.

**37. PUBLIC SPEAKING PROTOCOL**

No requests were received.

**38. QUESTIONS FROM MEMBERS**

No questions were received.

**39. CORPORATE ACTION PLAN 2022-23**

Considered – Report of the Business Systems & Information Manager, presented by Cllr. Terry Richardson, Leader of the Council.

**DECISION**

That Council notes the progress made against the Corporate Action Plan 2022-23.

Reason:

It is important that Elected Members, and staff are familiar with how the Council is delivering against its agreed actions and priorities.

**40. MODERN SLAVERY STATEMENT 2023/24**

Considered – Report of the Customer Insight, Experience and Engagement Service Manager, presented by Cllr. Terry Richardson, Leader of the Council.

**DECISION**

That the Modern Slavery Statement be adopted.

Reasons:

1. It is a requirement of the Modern Slavery Act 2015 that organisations with a turnover of £36m or more publish a statement on their approach to ensuring that there is no modern slavery in their own business and their supply chains. Although Blaby District Council is under no legal obligation to publish a statement, the Local Government Association is encouraging all local authorities to produce an annual statement ensuring transparency in their approach to modern slavery and human trafficking.
2. The Modern Slavery Act also includes a number of provisions for local authorities. Section 52 of the Act places a duty to identify and report potential victims through the National Referral Mechanism (NRM). Depending on the age and needs of victims of modern slavery, councils may also have statutory responsibilities to provide support to them.
3. Relevant policies should reflect the councils agreed approach to tackling modern slavery and human trafficking to ensure that this statement is successfully delivered.

**THE MEETING CONCLUDED AT 7.16 P.M.**



## Blaby District Council Council

<b>Date of Meeting</b>	25 July 2023
<b>Title of Report</b>	<b>Recommendations of the Cabinet Executive: Treasury Management Outturn 2022/23</b> This is not a Key Decision and is on the Forward Plan
<b>Lead Member</b>	<b>Cllr. Maggie Wright - Finance, People &amp; Performance (Deputy Leader)</b>
<b>Report Author</b>	Finance Group Manager
<b>Corporate Priority</b>	Medium Term Financial Strategy (MTFS)

### 1. What is this report about?

- 1.1 The report reviews the Council's treasury management activities undertaken during the 2022/23 financial year and gives details of the prudential and treasury indicators for the same period.

### 2. Recommendation(s) to Council

- 2.1 That the treasury management activities for 2022/23 are approved.
- 2.2 That the prudential and treasury indicators for 2022/23 are approved.

### 3. Reason for Decisions Recommended

- 3.1 The regulatory framework governing treasury management activities includes a requirement that the Council should produce an annual review of treasury activities undertaken in the preceding financial year. It must also report the performance against the approved prudential indicators for the year.
- 3.2 This report fulfils the requirement above and incorporates the needs of the Prudential Code to ensure adequate monitoring of capital expenditure plans and the Council's prudential indicators. The treasury strategy and prudential indicators for 2022/23 were contained in the report approved by Council on 24<sup>th</sup> February 2022.

## **4. Matters to consider**

### **4.1 Background**

The Council is required to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2022/23 by regulations issued under the Local Government Act 2003. This report meets the requirements of both the Chartered Institute of Public Finance Accountants' (CIPFA) Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

During 2022/23 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Cabinet Executive 21<sup>st</sup> February 2022, Council 24<sup>th</sup> February 2022)
- a mid-year treasury update report (Cabinet Executive 7<sup>th</sup> November 2022, Council 22<sup>nd</sup> November 2022)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

The regulations place responsibility on Members for the review and scrutiny of treasury management policy and activities. This report is important, in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

The Council has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Cabinet Executive and/or Scrutiny Commission before they were reported to the full Council. Member training on treasury management issues is undertaken on an ad hoc basis as required. It is proposed to arrange for refresher training during 2023/24.

### **4.2 Capital Expenditure and Financing**

The Council undertakes capital expenditure on long-term assets which may either be:

- Financed immediately through the application of capital or revenue resources (e.g., capital receipts, grants, revenue contributions), which has no resultant impact on the Council's borrowing need; or
- Financed through borrowing if insufficient resources are available, or a decision is taken not to apply resources.

The actual capital expenditure forms one of the main prudential indicators. The following table summarises the capital expenditure and financing for the year. A more detailed analysis is provided at Appendix A.

	<b>2021/22 Actual £</b>	<b>2022/23 Budget £</b>	<b>2022/23 Actual £</b>
Capital Expenditure	2,146,862	7,781,175	2,331,693
Financed in year	1,702,743	(3,115,415)	(1,421,427)
<b>Unfinanced Capital Expenditure</b>	<b>444,119</b>	<b>4,665,760</b>	<b>910,266</b>

#### 4.3 The Council's Overall Borrowing Need

The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the 2022/23 unfinanced capital expenditure (see above table), and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.

Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies, (such as the Government, through the Public Works Loan Board [PWLb], or the money markets), or utilising temporary cash resources within the Council.

The Council's underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP) to reduce the CFR. This is effectively a repayment of the borrowing need. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

The total CFR can also be reduced by:

- the application of additional capital financing resources, (such as unapplied capital receipts); or
- charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).

The Council's 2022/23 MRP Policy, (as required by DLUHC Guidance), was approved as part of the Treasury Management Strategy Report for 2022/23 on 24<sup>th</sup> February 2022. However, on 20<sup>th</sup> September 2022, Council approved a change to the MRP Policy which means that the charge to revenue will, from 1<sup>st</sup> April 2023, be based on a weighted average annuity-based calculation rather than on a straight-line basis.

The Council undertook no new borrowing during 2022/23. Although there was a borrowing need to fund the capital programme, there are still sufficient reserves and balances available to enable the Council to effectively borrow internally. Since borrowing rates continued to be considerably higher than investment rates during 2022/23 this has led to net revenue savings.

The table below highlights the gross borrowing position against the CFR. The CFR represents a key prudential indicator. It includes finance leases that appear on the balance sheet, and which increase the Council's borrowing need. However, no borrowing is required to cover finance leases as there is a borrowing facility included in the contract.

	<b>31<sup>st</sup> March 2022 Actual £</b>	<b>31<sup>st</sup> March 2023 Budget £</b>	<b>31<sup>st</sup> March 2023 Actual £</b>
Opening Balance	14,666,611	13,965,132	13,965,132
Add Unfinanced Capital Expenditure	444,119	4,758,467	910,266
Less MRP	(1,145,597)	(389,373)	(389,373)
<b>Closing Balance</b>	<b>13,965,132</b>	<b>18,334,226</b>	<b>14,486,025</b>

Borrowing activity is constrained by prudential indicators for gross borrowing and the CFR, and by the authorised limit.

It is important to ensure that borrowing is prudent over the medium term and that it is only undertaken for capital purposes. Therefore, the Council needs to make sure that, except in the short term, its gross external borrowing does not exceed the total of the CFR in the preceding year (2022/23) plus the estimates of any additional CFR for the current year (2022/23) and next two financial years. Effectively this means that the Council is not borrowing to support revenue expenditure. This indicator also allows the Council some flexibility to borrow in advance of its immediate need where it is appropriate to do so. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

	<b>31<sup>st</sup> March 2022 Actual £</b>	<b>31<sup>st</sup> March 2023 Budget £</b>	<b>31<sup>st</sup> March 2023 Actual £</b>
CFR	13,965,132	18,334,226	14,486,025
Gross Borrowing	8,597,179	7,685,096	6,385,096
<b>(Under)/Over Funding of CFR</b>	<b>(5,367,953)</b>	<b>(10,649,130)</b>	<b>(8,100,929)</b>

**The Authorised Limit** – this is the affordable borrowing limit required by Section 3 of the Local Government Act 2003. Once it has been set, the Council does not have the power to borrow above this level. The table below demonstrates that the Council has maintained gross borrowing within the authorised limit during 2022/23.

**The Operational Boundary** – this is the expected borrowing position for the year. Periods where the actual position is either above or below the boundary are acceptable subject to the authorised limit not being breached.

**Actual financing costs** as a proportion of net revenue stream – this indicator identifies the trend in the cost of capital (i.e., borrowing, and other long term obligation costs net of investment income), against the net revenue stream.

	<b>2022/23</b>
Authorised limit	£23,000,000
Maximum gross borrowing position during the year	£8,597,179
Operational boundary	£20,700,000
Average gross borrowing position	£8,106,193
Financing costs as a proportion of net revenue stream	6.78%

#### 4.4 The Treasury Position at 31<sup>st</sup> March 2023

The Council's treasury management debt and investment position is organised by the treasury management service to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through Member reporting detailed in the summary, and through officer activity detailed in the Council's Treasury Management Practices. At the end of 2022/23 the Council's treasury position was as follows:

	<b>Principal at 31<sup>st</sup> March 2022</b>	<b>Rate/ Return</b>	<b>Average Life</b>	<b>Principal at 31<sup>st</sup> March 2023</b>	<b>Rate/ Return</b>	<b>Average Life</b>
PWLB Debt	£6,141,780	2.24%	17.1 years	£5,929,939	2.24%	16.1 years
Market Debt	£2,000,000	1.75%	0.8 years	0	n/a	n/a
<b>Total debt</b>	<b>£8,141,780</b>	<b>2.12%</b>	<b>14.8 years</b>	<b>£5,929,939</b>	<b>2.24%</b>	<b>16.1 years</b>
Capital Financing Requirement	£13,965,132			£14,486,025		
<b>Over/(under) borrowing</b>	<b>(£5,823,352)</b>			<b>(£8,556,086)</b>		
Short Term investments	(£35,560,000)	0.36%		(£25,456,000)	3.98%	
Long Term Investments	(£1,093,910)	3.46%		(£844,874)	4.84%	
Net debt	(£28,512,130)			(£34,856,960)		

Other long-term liabilities, such as finance leases, are excluded from the table above.

The interest rates in the table above are based on the loans and investments outstanding at the year end and are not necessarily the same as the average rate payable during the financial year.

The maturity structure of the debt portfolio was as follows:

	<b>31<sup>st</sup> March 2022 £</b>	<b>31<sup>st</sup> March 2023 £</b>
Less than one year	2,211,841	216,500
Between one and two years	216,500	855,837
Between two and five years	1,713,439	857,602
Between five and ten years	0	0
Over ten years	4,000,000	4,000,000
	<b>8,141,780</b>	<b>5,929,939</b>

<b>Investment Portfolio</b>	<b>31<sup>st</sup> March 2022 £</b>	<b>31<sup>st</sup> March 2022 %</b>	<b>31<sup>st</sup> March 2023 £</b>	<b>31<sup>st</sup> March 2023 %</b>
Banks	23,560,000	0.29%	17,373,000	3.95%
Local Authorities	0	0.00%	2,000,000	2.90%
Money Market Funds	12,000,000	0.49%	8,083,000	4.03%
Property Fund	1,093,910	3.46%	844,874	4.84%

The return on the Lothbury Property Fund comprises both rental income and interest income gross of fees.

#### 4.5 The Strategy for 2022/23

##### Investments

Investment returns picked up throughout the course of 2022/23 as central banks, including the Bank of England, realised that inflationary pressures were not transitory, and that tighter monetary policy was called for.

Starting in April 2022 at 0.75%, Bank Rate moved up in stepped increases of either 0.25% or 0.5%, reaching 4.25% by the end of the financial year, with the potential for a further one or two increases in 2023/24.

The sea-change in investment rates meant local authorities were faced with the challenge of pro-active investment of surplus cash for the first time in over a decade, and this emphasised the need for a detailed working knowledge of cashflow projections so that the appropriate balance between maintaining cash for liquidity purposes, and “laddering” deposits on a rolling basis to lock in the increase in investment rates as duration was extended, became an on-going feature of the investment landscape.

With bond markets selling off, equity valuations struggling to make progress and, latterly, property funds enduring a turbulent fourth quarter in 2022, the more traditional investment options, such as specified investments (simple to understand, and less than a year in duration) became more actively used.

Meantime, through the autumn, and then in March 2023, the Bank of England maintained various monetary policy easing measures as required to ensure specific markets, the banking system and the economy had appropriate levels of liquidity at times of stress.

Nonetheless, whilst the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the Great Financial Crisis of 2008/9. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

#### Borrowing

During 2022/23, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were initially low and minimising counterparty risk on placing investments also needed to be considered.

A cost of carry generally remained in place during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns. As the cost of carry dissipated, the Council sought to avoid taking on long-term borrowing at elevated levels (>4%) and has focused on a policy of internal and temporary borrowing, supplemented by short-dated borrowing (<3 years) as appropriate.

The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this has been kept under review to avoid incurring higher borrowing costs in the future when the Council may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Strategic Director (Section 151) therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks:

- if it had been felt that there was a significant risk of a sharp **fall** in long and short-term rates, (e.g., due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
- if it had been felt that there was a significant risk of a much sharper **rise** in long- and short-term rates than initially expected, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst

interest rates were lower than they were projected to be in the next few years.

Interest rate forecasts were initially suggesting only gradual rises in short, medium, and longer-term fixed borrowing rates during 2022/23 but by August it had become clear that inflation was moving up towards 40-year highs, and the Bank of England engaged in monetary policy tightening at every Monetary Policy Committee meeting during 2022, and into 2023, either by increasing Bank Rate by 0.25% or 0.5% each time. Currently the CPI measure of inflation is still above 10% in the UK but is expected to fall back towards 4% by year end. Nonetheless, there remain significant risks to that central forecast.

#### 4.6 Borrowing Outturn

Due to investment concerns, both counterparty risk and comparatively low investment returns, no borrowing was undertaken during the year. As a result, gross borrowing has fallen from £8,141,780 to £5,929,939 on 31<sup>st</sup> March 2023. The movement is summarised in the following table:

	£
<b>Balance at 1<sup>st</sup> April 2022</b>	<b>8,141,780</b>
New borrowing in year	0
Loans repaid in year	(2,211,841)
<b>Balance at 31<sup>st</sup> March 2023</b>	<b>5,929,939</b>

The total interest payable in 2022/23, excluding finance leases, was £167,745 (£175,318 in 2021/22), and the average interest rate payable was 2.14% (2.12% in 2021/22). The slight increase in the interest rate payable is reflective of a non-PWLB loan with a rate of 1.76% being repaid in January 2023.

#### **Borrowing in advance of need:**

The Council has not borrowed more than, or in advance of its needs, purely to profit from the investment of the extra sums borrowed.

#### **Rescheduling:**

No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

#### 4.7 Investment Outturn

The Council's investment policy is governed by guidance issued by the Department for Levelling Up, Housing and Communities (DLUHC), which has been implemented in the annual investment strategy approved by the Council on 24<sup>th</sup> February 2022. This policy sets out the approach for choosing investment counterparties and is based on credit ratings provided



by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy with one exception, that being that the £8m counterparty limit in respect of deposits in HSBC Call Account was exceeded on one occasion during January 2023. The Council experienced no liquidity difficulties during the financial year.

Interest on in house investments amounted to just £778,213 (£56,018 in 2021/22), significantly above even the revised budget, due to continuing rate rises and cash flow balances remaining high. The average rate of return for 2022/23 was 3.98% well in excess of the average of 0.36% achieved in 2021/22.

In addition to this the Council achieved a return of £40,892 interest and rental income on its property fund investment during 2022/23, equivalent to 4.84% for the year (3.46% in 2021/22). The statutory override in place until 31st March 2023, which prevents fluctuations in the fund value from having to be charged to the General Fund, has been extended for a further two years. The Council has set up an earmarked reserve as a mitigation against changes in fund value that may occur after the statutory override is removed.

After a strong recovery post-pandemic, the fund value has again been hit by the fall in property values experienced in the second half of 2022/23. By 31<sup>st</sup> March 2023, the fund value had consequently fallen to £0.845m, a reduction of £0.249m from the previous year, and considerably lower than the original £1m invested in the fund.

In recent weeks, the Council has been notified by Lothbury that it is suspending the fund, following receipt of a large number of redemption requests. The exact reason for this is unknown but other funds are experiencing a similar situation. One possibility is that pension funds are looking to get out of the property market and into more liquid funds. The waiting list for redemptions has now reached approximately 70% of the value of the fund, and the Council has been advised to submit a redemption request of its own. This is to ensure that the Council is in an equivalent position to other organisations seeking a redemption, and not left in an even worse position if all of those organisations do pull out their money. Lothbury is expected to propose a new funding strategy and it remains to be seen whether this will be enough to encourage investors to remain in the fund.

**5. What will it cost and are there opportunities for savings?**

5.1 Not applicable.

**6. What are the risks and how can they be reduced?**

6.1

Current Risk	Actions to reduce the risks
That external borrowing might not be undertaken at the most advantageous rate	Treasury officers maintain regular contact with the Council's advisors, Link Treasury Services, who monitor movements in interest rates on our behalf. The aim is always to drawdown loans when interest rates are at their lowest point.
Credit risk – the risk that other parties might fail to pay amounts due, e.g., deposits with banks etc	The Annual Investment Strategy sets the criteria through which the Council decides with whom it may invest. The lending list is updated regularly to reflect changes in credit ratings.
Liquidity risk – the Council might not have sufficient funds to meet its commitments	Daily monitoring of cash flow balances. Access to the money markets to cover any short-term cash shortfall.
Refinancing and maturity risk – the risk that the Council might need to renew a loan or investment at disadvantageous interest rates	Monitoring of the maturity profile of debt to make sure that loans do not all mature in the same period. Monitoring the maturity profile of investments to ensure there is sufficient liquidity to meet day to day cashflow needs.
That the Lothbury Property Fund might collapse	The Council has submitted a redemption request with the intention of protecting its current position as far as possible. At this point in time, it is not certain what the future holds for the fund, but Lothbury are looking at alternative funding strategies. An earmarked reserve is in place to mitigate any potential fluctuations in the fund value, although it does not cover the full value of the initial investment.

**7. Other options considered**

7.1 None. It is a legislative requirement that the Council receives an annual report covering its treasury activities for the financial year.

**8. Environmental impact**

8.1 No environmental impact directly arising from this report.

**9. Other significant issues**

- 9.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

**10. Appendix**

- 10.1 Appendix A – Prudential and Treasury Indicators

**11. Background paper(s)**

- 11.1 None.

**12. Report author's contact details**

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## **PRUDENTIAL AND TREASURY INDICATORS**

### **1. Capital Expenditure and Financing**

This indicator shows the capital expenditure plans for the year and demonstrates how those plans are financed.

	<b>2021/22 Actual £</b>	<b>2022/23 Budget £</b>	<b>2022/23 Actual £</b>
<b>Capital Expenditure</b>			
S106-backed schemes	388,162	368,909	79,292
Strategic Property Investment	0	2,500,000	0
Other schemes	1,758,700	4,912,266	2,259,401
<b>Total Capital Programme</b>	<b>2,146,862</b>	<b>7,781,175</b>	<b>2,331,693</b>
<b>Financed by:</b>			
Capital receipts	(285,983)	(387,495)	(135,837)
Capital grants and contributions	(983,853)	(2,310,035)	(1,018,071)
Capital reserves	(357,455)	(264,714)	(224,514)
Revenue contributions	(75,452)	(153,171)	(43,005)
<b>Total Financing</b>	<b>(1,702,743)</b>	<b>(3,115,415)</b>	<b>(1,421,427)</b>
<b>Borrowing Requirement</b>	<b>444,119</b>	<b>4,665,760</b>	<b>910,266</b>

### **2. Capital Financing Requirement**

The Capital Financing Requirement (CFR) is a measure of the Council's underlying need to borrow for capital purposes. It will increase as the Council incurs capital expenditure which cannot be met from other resources, but this will be partially offset by revenue repayments for the year (the Minimum Revenue Provision).

	<b>2021/22 Actual £</b>	<b>2022/23 Budget £</b>	<b>2022/23 Actual £</b>
CFR as at 1 <sup>st</sup> April	14,666,611	13,965,132	13,965,132
Capital Expenditure in Year	2,146,862	7,668,928	2,331,693
Financing in Year	(1,702,744)	(2,910,461)	(1,421,427)
Minimum Revenue Provision	(1,145,597)	(389,373)	(389,373)
<b>CFR as at 31<sup>st</sup> March</b>	<b>13,965,132</b>	<b>18,334,226</b>	<b>14,486,025</b>

### **3. Ratio of Financing Costs to Net Revenue Stream**

This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs, net of investment income) against the net revenue stream.

	<b>2021/22 Actual</b>	<b>2022/23 Budget</b>	<b>2022/23 Actual</b>
Ratio	11.23%	7.03%	6.78%

#### 4. The Portfolio Position

The table below compares the Council's actual external debt, including other long-term liabilities such as finance leases, with the CFR. This indicator also acts as a limit to borrowing activity. Gross external debt should not, except in the short term, exceed the total of CFR in the preceding year plus the estimated additional CFR for 2023/24 and the next two financial years. This allows some limited flexibility for borrowing in advance of need. No difficulties are envisaged in complying with this indicator for the current or future financial years.

	<b>2021/22 Actual £</b>	<b>2022/23 Budget £</b>	<b>2022/23 Actual £</b>
<b>External Debt</b>			
Debt at 1 <sup>st</sup> April	8,349,066	8,141,780	8,141,780
Finance Leases at 1 <sup>st</sup> April	455,619	455,399	455,399
Borrowing	0	1,300,000	0
Repayments	(207,506)	(2,212,082)	(2,212,083)
<b>Debt at 31<sup>st</sup> March</b>	<b>8,597,179</b>	<b>7,685,096</b>	<b>6,385,096</b>
<b>CFR (as above)</b>	<b>13,965,132</b>	<b>18,334,226</b>	<b>14,486,025</b>
<b>Under/(Over) Borrowing</b>	<b>(5,367,953)</b>	<b>(10,649,130)</b>	<b>(8,100,929)</b>

#### 5. Operational Boundary for External Debt

This is the limit which external debt is not normally expected to exceed. In most cases this would be a similar figure to the CFR but may be lower or higher depending on the levels of actual debt.

	<b>2021/22 Actual £</b>	<b>2022/23 Budget £</b>	<b>2022/23 Actual £</b>
Borrowing	8,141,780	20,200,000	5,929,939
Other Long-Term Liabilities	455,399	500,000	455,157
<b>Total</b>	<b>8,597,179</b>	<b>20,700,000</b>	<b>6,385,096</b>

#### 6. Authorised Limit for External Debt

A further key prudential indicator represents a control on the maximum level of borrowing. This is the limit beyond which external debt is prohibited. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

	<b>2021/22 Actual £</b>	<b>2022/23 Budget £</b>	<b>2022/23 Actual £</b>
Borrowing	8,141,780	22,444,400	5,929,939
Other Long-Term Liabilities	455,399	555,600	455,157
<b>Total</b>	<b>8,597,179</b>	<b>23,000,000</b>	<b>6,385,096</b>

## 7. Treasury Management Limits on Activity

There are three debt related treasury activity limits. The purpose of these is to manage risk and reduce the impact of any adverse movement in interest rates. However, if these are too restrictive, they will impair the opportunities to reduce costs and/or improve performance. The indicators are:

- Upper limits on variable interest rate exposure. This identifies a maximum limit for variable interest rates based upon the debt position net of investments.
- Upper limits on fixed interest rate exposure. This is similar to the previous indicator and covers a maximum limit on fixed interest rates.
- Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large, fixed rate sums falling due for refinancing, and are required for upper and lower limits.

	2021/22 Actual	2022/23 Budget	2022/23 Actual
Maturity structure of fixed interest rate borrowing:			
Under 12 months	27.17%	100.00%	3.65%
12 months to 2 years	2.66%	100.00%	14.43%
2 years to 5 years	21.04%	100.00%	14.46%
5 years to 10 years	0.00%	100.00%	0.00%
10 years and above	49.13%	100.00%	67.46%

## 8. Investments Greater Than 365 Days

This limit is set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment and is based on the availability of investments after each year-end.

	2021/22 Actual £	2022/23 Budget £	2022/23 Actual £
Principal sums invested > 365 days	1,093,910	6,000,000	844,874

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## Blaby District Council Council

<b>Date of Meeting</b>	25 July 2023
<b>Title of Report</b>	<b>Licensing Act 2003 Statement of Licensing Policy 2023 - 2028</b>  This is not a Key Decision and is on the Forward Plan
<b>Lead Member</b>	<b>Cllr. Les Phillimore - Housing, Community &amp; Environmental Services</b>
<b>Report Author</b>	Environmental Health Manager
<b>Corporate Priority</b>	A Place to Live

### 1. What is this report about?

- 1.1 The Licensing Act 2003 requires Blaby District Council as the Licensing Authority to prepare and publish a Statement of Licensing Policy at least every five years. The current Policy was approved by Council in September 2018, and is due to expire in September 2023.
- 1.2 The Statement of Licensing Policy details how the Licensing Authority, over the next five years, will exercise its functions under the Licensing Act 2003 in the administration and compliance of licences and notices issued under the Act.
- 1.3 A recent four week consultation with Relevant Authorities and other interested parties has been undertaken, this report features responses from the consultation.

### 2. Recommendation(s) to Council

- 2.1 That the Statement of Licensing Policy 2023 – 2028 be approved.
- 2.2 That delegated authority is given to the Group Manager of Environmental Health, Housing & Community Services, in consultation with the relevant Portfolio Holder and the Chairman of Licensing and Regulatory Committee, to update the Policy if minor amendments or changes are required.

### 3. Reason for Decisions Recommended

- 3.1 It is appropriate that members of the Council review and agree the Policy, inclusive of any amendments to the Policy whilst in draft form prior to it coming into effect on 1<sup>st</sup> September 2023.

#### **4. Matters to consider**

##### **4.1 Background**

The Licensing Act 2003 requires Blaby District Council as the Licensing Authority to prepare and publish a Statement of Licensing Policy at least every five years. The current Policy was approved by Council in September 2018, and is due to expire in September 2023.

The Home Office guidance issued under Section 182 of the Licensing Act 2003 provides guidance on the preparation of the Policy together with details on the consultation process, which must be followed. The current guidance (issued December 2022) has been taken into consideration.

The Statement of Licensing Policy details how the Licensing Authority, over the next five years, will exercise its functions under the Licensing Act 2003 in the administration and compliance of licences and notices issued under the Act.

The revised Statement of Licensing Policy is attached at **Appendix A**, and changes made from the previous Policy is attached as **Appendix B**.

##### **4.2 Proposal(s)**

That the Statement of Licensing Policy 2023 – 2028 is approved.

That delegated authority is given to the Group Manager of Environmental Health, Housing & Community Services, in consultation with the relevant Portfolio Holder and the Chairman of Licensing and Regulatory Committee, to update the Policy if minor amendments or changes are required.

##### **4.3 Relevant Consultations**

A consultation exercise regarding the revised Policy was commenced on 12<sup>th</sup> May 2023 for four weeks, ending on 9<sup>th</sup> June 2023.

The Authority issued correspondence to Responsible Authorities and other persons as required in the guidance, explaining how to submit a representation if desired. In addition, a link was placed on the consultation page of the Council's website. This allowed any other interested party wishing to be involved to submit representations.

Responses were received during the consultation period. The responses are detailed in **Appendix C**.

There were no significant concerns raised as a result of the responses, and it was agreed by the Licensing & Regulatory Committee that as a result of the response from Public Health at Leicestershire County Council, a new "Public Health" section should be included in the Policy moving forwards. This will allow applicants to voluntarily consider Public Health when making an

application for a licence. This is now included in the revised Policy attached to this report.

It was also agreed that when legislation and guidance is released regarding Martyn's Law, mentioned by Leicestershire Police in their response, this may lead to further review of the Policy for which significant changes may be necessary. Once more is known and understood about the introduction of Martyn's Law, a review of the Policy can take place when appropriate.

#### 4.4 Significant Issues

There are no significant issues relating to Human Rights, Human Resources, Equalities, Public Health Inequalities, and Climate Local. There are issues regarding Legal Implications, these are addressed Section 8.

### 5. What will it cost and are there opportunities for savings?

5.1 There are no costs and no opportunities for savings.

	<b>Current year</b>	<b>2023/24</b>
<b>Revenue</b>	Met within existing budgets	Met within proposed budgets
<b>Capital</b>	None	None

### 6. What are the risks and how can they be reduced?

6.1

Current Risk	Actions to reduce the risks
The Licensing Authority is required to review its Statement of Licensing Policy every five years under the Licensing Act 2003.	The Policy has been reviewed within the mandatory period and will be kept under review whilst it is in effect until 2028.
A Policy must be determined and published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act.	The Policy is anticipated to be determined and approved by July following Committee and Council approval and will be published to take effect from 1 <sup>st</sup> September 2028.

### 7. Other options considered

7.1 There are no other options available.

## **8. Environmental impact**

- 8.1 There are no impacts on the environment as a result of this report.

## **9. Other significant issues**

- 9.1 In preparing this report, the author has considered issues related to Human Rights, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

### Legal matters

- 9.2 The Licensing Authority is required to review its Statement of Licensing Policy every five years under the Licensing Act 2003 and to keep the Policy under review while it is in effect. The Statement of Licensing Policy details how the Licensing Authority will exercise its functions under the Licensing Act 2003.

## **10. Appendix**

- 10.1 Appendix A – Licensing Act 2003 Statement of Licensing Policy 2023 – 2028 DRAFT
- 10.2 Appendix B – Summary of Policy changes
- 10.3 Appendix C – Consultation responses

## **11. Background paper(s)**

- 11.1 Revised guidance issued under section 182 of the Licensing Act 2003 (December 2022) (accessible)  
[Revised guidance issued under section 182 of the Licensing Act 2003 \(December 2022\) \(accessible\) - GOV.UK \(www.gov.uk\)](#)

## **12. Report author's contact details**

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# **Licensing Act 2003**

## **Statement of Licensing Policy**

### **2023 - 2028**

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## **1. Introduction**

- 1.1. Blaby District Council makes this Statement of Licensing Policy in accordance with Section 5 of the Licensing Act 2003 (the Act). It has been prepared in accordance with the official guidance issued to Local Authorities under section 182 of the Act by the Home Office.
- 1.2. It explains how the Licensing Authority will carry out its role under the Act for the next five years. During this time the policy will be kept under review and where necessary revisions will be made following consultation with the bodies outlined below.
- 1.3. The Council has the responsibility for granting licences for the sale by retail of alcohol, the supply of alcohol by or on behalf of a club or to the order of a member of the club, the provision of regulated entertainment and the provision of late night refreshment throughout its area.
- 1.4. Our policy will also:
  - Inform applicants about how applications will be reviewed and how a licensed premise is likely to be able to operate within the area of the licensing authority although each application will be examined and considered on an individual basis.
  - Inform residents and businesses how applications will be viewed and how their needs will be addressed and supported.
  - Be used as a guide by members of the licensing authority in their decision making.
  - And be used to support decisions made by the licensing authority when those decisions are challenged in a court of law.

## **2. Consultation**

- 2.1. In developing this licensing policy the Licensing Authority consults with the persons or bodies set out below.
  - Leicestershire Police
  - Leicestershire Fire Authority
  - Leicestershire Health Authority
  - persons/bodies representing holders of existing premises licences
  - persons representing holders of existing club premises certificates
  - persons holding personal licences.
  - bodies representing businesses and residents in its area
  - other groups or persons that the Licensing Authority consider appropriate

## **3. Licensable Activities**

- 3.1. Activities that require licensing under the Licensing Act 2003 are:

- the retail sale of alcohol
- the supply of alcohol by or on behalf of a club, or to the order of a member of the club
- the provision of late night refreshment
- the provision of regulated entertainment

3.2. Regulated entertainment requires a licence when it is performed in the presence of an audience for their entertainment and is provided for members of the public or a section of the public or exclusively for the members of a qualifying club and/or their guests or for consideration and with a view to profit, it includes the following.

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- any playing of recorded music
- a performance of dance
- and any similar entertainment to live music the playing of recorded music or performance of dance.

3.3. However, the Deregulation Act 2015 made a number of exemptions to regulated entertainment, when certain criteria are met, that mean a licence or other authorisation is not required. These are particularly in relation to plays, dance, films, indoor sporting events, and both live and recorded music.

## 4. Fundamental Principles

### Background

4.1. The Statement of Licensing Policy sets out how the Licensing Authority will carry out its functions under the Licensing Act 2003. Nonetheless decisions relating to licences will consider, at all times, the merits of the individual case and have regard to this policy as part of a decision-making process.

### The Licensing Objectives

4.2. In carrying out its licensing functions under the Act the Licensing Authority will seek to promote the licensing objectives. The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

4.3. Each of the licensing objectives is considered to be of equal importance for the purpose of this policy.



## Relevancy & Extent of Control

- 4.4. This policy concerns the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. The conditions attached to the licence or other authorisation issued under the Act will be focused on matters within the control of the licensee or other person who is granted a licence or authorisation and will be centred on and around the premises or place(s) being used for licensable activities and the vicinity of those premises and places.
- 4.5. Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the direct control of the licensed premises, club or others with relevant authorisations.
- 4.6. However licensing law is a key aspect for the successful control and management of leisure and entertainment in town centres. With this in mind the Licensing Authority would expect all licensees to be responsible for minimising the impact of their activities and the behaviour of their patrons or guests on others within the vicinity of their premises and will require licence holders to demonstrate that they have taken appropriate action.

## Balance

- 4.7. The Licensing Authority will look to achieve a balance between leisure/entertainment and the needs of residents and other businesses for an acceptable environment and quality of life.
- 4.8. This policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representation to an application or seek a review of a licence where provision has been made for them to do so in the Act.

## 5. Licensing Hours

- 5.1. The Licensing Authority recognises that providing consumers with greater choice and flexibility is important for a thriving evening and night-time economy. It is recognised that flexible and varied licensing hours are important to ensure that a concentration of customers leaving licensed premises simultaneously is avoided. However this will be balanced very carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 5.2. Fixed trading hours will not be set for particular geographical areas. In making decisions in respect of hours, the licensing authority will have regard to any representations received, the Guidance and to this policy with the aim of properly promoting the licensing objectives.
- 5.3. In relation to shops and other retail outlets supplying alcohol for consumption off the premises, the general policy will be to allow sales of alcohol at all times when the

premises are open for business. Any decision not to allow sales of alcohol at particular times will be based on evidence of the need to prevent crime, disorder and public nuisance (following relevant representations)

## **6. Promotion of the Licensing Objectives**

- 6.1. The Licensing Authority is required to carry out its functions so as to promote the licensing objectives.
- 6.2. Licence applications should be accompanied by an operating schedule that includes the steps that the applicant proposes to take to promote the licensing objectives. The Licensing Authority expects that the process of developing the operating schedule will include a thorough risk assessment with regard to the licensing objectives, which will assist in identifying those steps.
- 6.3. Applicants are urged to discuss their proposals with the Licensing Authority and Responsible Authorities prior to submitting an application. This will enable them to seek advice when formulating their operating schedule and may avoid the need for a hearing in response to relevant representations made by Responsible Authorities. The Responsible Authorities are:
  - This Licensing Authority;
  - Leicestershire Constabulary;
  - Leicestershire Fire and Rescue Service;
  - Blaby District Council's Environmental Health Service;
  - Blaby District Council's Planning Department;
  - Leicestershire County Council Trading Standards Service;
  - Leicestershire County Council Public Health Department;
  - Home Office;
- 6.4. Licensing Authorities can now act as a Responsible Authority in their own right. The Licensing Authority will determine when it considers it appropriate to act in its capacity as a Responsible Authority. Any such decision will be made with a view to promoting the licensing objectives and having regard to this Policy and the Guidance issued under section 182.
- 6.5. In acting in its role as Licensing Authority and Responsible Authority, this Licensing Authority will ensure that there is a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest. The Officer acting for the Responsible Authority will not be involved in the administrative process of the application or review and will not discuss the merits of the case with those involved in making the determination by the Licensing Authority. The officer advising the Licensing Committee will be a different person from the officer who is acting as the Responsible Authority.
- 6.6. This Licensing Authority will not act as a Responsible Authority on behalf of other parties' i.e. local residents, local councillors or community groups. Such parties can

make relevant representations to the Licensing Authority in their own right. However, if such parties have failed to act and the Licensing Authority is aware of relevant grounds to make a representation then this Licensing Authority may choose to act in its capacity as a Responsible Authority.

- 6.7. This Licensing Authority will also expect that other Responsible Authorities should intervene where the basis for that intervention falls within the remit of other Responsible Authorities i.e. the Police should make representations on issues that undermine the crime and disorder licensing objective. This Licensing Authority will work with other Responsible Authorities to provide relevant intelligence that may provide more information in relation to their own evidence.

## **7. Prevention of Public Nuisance**

- 7.1. The Licensing Authority is committed to minimising the loss of “personal amenity” in the District by working in close partnership with Leicestershire Constabulary, Environmental Health and licence holders and their managers.
- 7.2. The Licensing Authority considers that a risk assessment should be carried out by applicants to determine the potential effect on neighbouring premises.
- 7.3. The Licensing Authority intends to interpret “loss of amenity” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour. Where these matters impact on those living, working or otherwise engaged in normal activity in an area, with particular regard to noise-sensitive areas, e.g. nursing homes, hospitals or places of worship etc. the Licensing Authority will consider applying additional conditions as appropriate.
- 7.4. The Licensing Authority recognises the importance of its culture, leisure and local economy to promote live music, dancing and theatre for the wider cultural benefits of the community as a whole.
- 7.5. When making applications, in providing evidence within the operating schedule that suitable and sufficient measure will be in place to address the public nuisance objective, applicants should consider the following matters, where appropriate:
- a) Measures taken or proposed to be taken to prevent noise and vibration escaping from the premises. This would include music, ventilation equipment noise and human voices, whether or not amplified. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
  - b) Measures taken or proposed to be taken to prevent unreasonable disturbance by customers and staff arriving or departing from the premises and delivery of goods and services;
  - c) Measures taken to control light to ensure that it does not stray outside the boundary of the premises such as to give rise to problems to residents;
  - d) In the absence of locally available public transport, sufficient provision for access to taxis and private hire services;
  - e) The use of gardens and other open-air areas;

- f) Other appropriate measures to prevent nuisance, such as the employment of registered door supervisors or the use of CCTV following advice from the Crime Reduction Officer (or officer of equal status);
- g) Proposals to use effective means of reducing disorder by communicating with other licence holders and the Police; this could include relevant information which may relate to the potential for anti-social or criminal behaviour.

7.6. Licensing Authority will need to be satisfied that the type of Regulated Entertainment provided will be suitable for the location in which the premises are situated. Due to the different considerations that will apply, the operating schedule must also specify:

- a) whether any musical entertainment will include amplified music;
- b) the proposed nature of the indoor sporting event(s); and
- c) whether members of the public are allowed to participate in the entertainment otherwise than as audience/spectators.

7.7. Any change to the categories of entertainment to be provided will require a formal variation of the licence.

## **8. Prevention of Crime and Disorder**

8.1. The Licensing Authority is committed to reducing crime and disorder across the District through its statutory duty under the Crime and Disorder Act and its links with the Police and Community Safety Partnership.

8.2. When preparing an operating schedule, applicants for a premises licence or club premises certificate will need to consider reasonable steps to reduce crime and disorder. Applicants will be expected to provide evidence that suitable and sufficient measures will be in place to address the crime and disorder objective.

8.3. Applicants should consider the following matters, where appropriate:

### **Irresponsible Drinks Promotions**

8.4. The Licensing Authority supports a positive approach to the marketing of alcohol and the management of licensed premises that promotes responsibility in the consumption of alcohol.

8.5. All premises that sell alcohol are subject to mandatory conditions which make irresponsible drinks promotions illegal. A subjective judgement will be required when determining whether a drinks promotion is irresponsible or not. Applicants should show that they will undertake all reasonable steps to ensure that they or their staff do not engage in, arrange or promote such promotions.

### **CCTV**

8.6. The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, the licensed premises. Conditions should

not just consider a requirement to have CCTV on the premises but also the precise siting of each camera, the requirement to maintain cameras in working order and to retain recording for an appropriate period of time. Leicestershire Police will provide advice to applicants preparing an operating schedule on the installation and maintenance of CCTV.

#### Door Supervision

8.7. Door supervisors can be used to ensure that only appropriate persons are admitted to the premises and assist with the operation of proof of age schemes. They can also be used to ensure that people waiting to enter licensed premises behave in an orderly manner. They can be valuable in:

- keeping out excluded individuals (subject to bans imposed by the courts or the licence holder)
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons

8.8. Where door supervisors are conducting security activities there will be a condition attached which specifies that they would have to be registered with the Security Industry Authority.

8.9. The operating schedule will may also need to indicate the number of door supervisors, the displaying of name badges and proof of registration, where and during what times they will be stationed at the premises.

#### Staff Training

8.10. Adequate and appropriate staff training forms a vital part of ensuring licensed premises are properly run so that they promote the licensing objectives. The applicant should set out what steps have been or will be taken to ensure all staff are trained in crime prevention. This should include what measures will be taken to raise staff awareness to discourage and prevent the use and/or dealing of drugs on the premises.

#### Record Keeping and Reporting

8.11. The licensing authority considers that proper records of all instances of refusal to sell alcohol and incidents of crime and disorder must be recorded. These records shall be immediately available to Police and Licensing Officers on request. It is expected that all incidents of crime and disorder are reported to the police.

#### Boxing & Wrestling

8.12. Boxing and wrestling events performed before an audience will require an authorisation under the Licensing Act. Before granting an authorisation the licensing authority will want to be satisfied that adequate measures have been taken to ensure

that crowd disorder does not occur. Prior to application the licensing authority recommends that a risk assessment should be undertaken to determine what steps are necessary to promote the licensing objective and this will include:

- Adequate and proper door supervision
- Police supervision on site during the event
- Not holding fights between contestants which have resulted in disorder in the past;
- Bare knuckle and some other forms of boxing are illegal – Leicestershire Police should be contacted for advice prior to events being organised.

8.13. The licensing authority will consider any conditions, where these are deemed appropriate to the individual style of the premises and the activities set out in the operating schedule including;

- Prohibiting the sale of alcohol in bottles for consumption on the premises, to prevent their use as weapons.
- Requiring drinking vessels to be made of reusable plastic or toughened glass.
- Appropriate measures to prevent overcrowding in a premises
- Ensuring drunkenness is not tolerated on licensed premises
- Carrying out a risk assessment where the event is not part of the premises usual business or the events are promoted by a third party.

8.14. It should be noted in particular that it is unlawful under the 2003 Act:

- To sell or supply alcohol to a person who is drunk;
- To knowingly allow disorderly conduct on licensed premises;
- For the holder of a premises licence or a designated premises supervisor to knowingly keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported;
- To allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises, licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

## **9. Public Safety**

9.1. Most premises are subject to a range of legislative requirements and regulatory regimes such as the Health and Safety at Work Act and the Regulatory Reform (Fire Safety) Order 2005 aimed at protecting public safety. The Licensing Authority does not intend to duplicate requirements of existing statutory provisions. However, premises will be expected to ensure a level of compliance that promotes public safety.

9.2. Applicants are advised to demonstrate through their operating schedule that their proposals will not have a negative impact on public safety. The measures that are

appropriate to promote public safety will vary from premises to premises and will include such things as

- Fire Safety
- Safe Capacities
- Safe admission and departure for those using the premises
- Maintenance & repair
- CCTV & appropriate lighting

9.3. Applicants should consider when making an application what steps they will take and how they will promote the public safety objective.

9.4. In all circumstances the Responsible Person should know and adhere to capacity limits (occupancy figures) and shall comply with their appropriate Fire Safety Order.

9.5. In certain premises such as outdoor venues, where existing legislation does not provide adequately for the safety of the public, consideration will be given to conditions that promote all necessary measures to ensure the public are not at risk at these premises. Examples of this would be:

- Setting safe capacity limits for all or separate parts of the premises;
- Provision of staff to control admission and customers once inside the venue be that indoors or outdoors.

## **10. Protection of Children from Harm**

10.1. The Licensing Authority will carry out its responsibility to ensure the promotion of the licensing objective for protecting children from harm. In doing this it will expect applicants for a premises licence or club premises certificate to set out in the operating schedule accompanying their application the measures that they will take to protect children from harm.

10.2. The Licensing Authority will also take into account any representation made by Leicestershire Constabulary who are the lead authority for child protection in relation to applications, licences and notices issued under the Act. It is expected that Leicestershire Constabulary will make representation to any application where they have any concerns for the welfare and/or protection of children.

10.3. Licences will be sought for a wide variety of premises including theatres, cinemas, restaurants, concert halls, cafes, late night take-away, pubs, bars and nightclubs. It is not possible for this Policy to anticipate every situation where children may be at risk. The Licensing Authority will not therefore impose general conditions that apply to all premises, but will consider how the licensing objectives can be best promoted in each particular case.

10.4. The Licensing Authority will not seek to limit the access of children to licensed premises unless it is necessary to protect children from harm where relevant representations are received. While each case will be judged on its own merits, the following sets of circumstances are likely to give rise to particular concern for the protection

of children. Where these or similar activities are to take place at premises to be licensed, the Licensing Authority would expect applicants, when preparing operating schedules to outline in detail the steps that they intend to take to protect children from harm on such premises. The activities include:

- a) Where entertainment or services of an adult or sexual nature are commonly provided;
- b) Where the premises have a reputation for underage drinking;
- c) Where current or intended staff at the premises have convictions for serving alcohol to minors or for other matters relating to children;
- d) Where the premises have a known association with drug taking or dealing;
- e) Where there is a strong element of gambling on the premises (but not simply a small number of cash prize gambling machines);
- f) Where the premises are situated in the immediate vicinity of a school or college;
- g) Where the premises or the immediate vicinity of the premises is known to be a focal point for children and young people under 18 to congregate;
- h) Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

10.5. Conditions will not be imposed that require the admission of children. This will remain a matter for the discretion of the licensee.

10.6. The range of options available to limit the access of children to licensed premises that may be considered if relevant representations are received include:

- a) Limitations on the hours where children may be present;
- b) Age limitations (for those below 18 years of age);
- c) Limitations or exclusions of the presence of children under a certain age when specified activities are taking place;
- d) Requirements for an accompanying adult;
- e) Limitations on the parts of premises to which children might be given access; and
- f) In exceptional cases, full exclusion of people under 18 from the premises when any licensable activities are taking place.

#### Children and Cinemas

10.7. Licensees will be expected to prevent children from viewing films that are unsuitable because of the age classification of the film that has been imposed by the British Board of Film Classification or other film classification board approved by the licensing authority. Children will not be permitted to view uncertified films, unless the licensing authority has given permission following a formal authorisation process.

#### Children and Regulated Entertainment

10.8. The Licensing Authority will expect that where a significant number of unaccompanied children will be present during a regulated entertainment event, the licensee should have a Child Protection Policy in place to carry out suitable checks on staff



before they take up employment. In addition, they will ensure that an adequate number of adult staff will be present to control the access, egress and safety in and around the premises. The licence holders should take into account the number of children to be present, the age of the children, the type of entertainment and the characteristics of the premises and any other factor that may be relevant.

## Children and the Sale of Alcohol

10.9. Since October 2010, a mandatory condition is imposed on all licensed premises to adopt and implement a proof of age scheme in licensed premises. The Licensing Authority supports as best practise that licensed premises adopt and sign up to “Challenge 21” scheme that is administrated by the Police and Trading Standards. The Licensing Authority supports PASS cards complying with the Proof of Age Standards Scheme (PASS) launched by the British Retail Consortium as the most effective means of proving age.

## 11. Consideration of Public Health

11.1. The misuse of alcohol is a significant public health challenge, and it is recognised that alcohol can contribute to a variety of harms, including health, economic, social and community harms. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.

11.2. The availability and density of alcohol outlets are associated with increased numbers of alcohol related hospital admissions, alcohol related mortality and higher levels of alcohol consumption generally. Evidence also suggests that exposure to alcohol advertising is associated with the onset of drinking in children and increased consumption among young people who already drink.

11.3. Leicestershire County Council Public Health has responsibility for commissioning local substance misuse treatment services and to improve and protect the health and wellbeing of the population in Leicestershire. Public Health is also in a position to recognise and make links to the wider health inequalities associated with alcohol and alcohol misuse. For example, the impact of harmful drinking and alcohol dependence is much greater for those experiencing the highest levels of deprivation.

11.4. Whilst there is no public health licensing objective, Directors of Public Health are a Responsible Authority and are included in the premises licensing process to provide a health perspective and bring evidence from the health sector into licensing processes and decisions.

11.5. As a Responsible Authority, Public Health will work with the Licensing Authority and other partners to ensure the links between the density of licensed premises, alcohol availability and indicators of health-related harm inform licence decisions and promote the licensing objectives. Where there is evidence, Public Health has the ability to make representations in its own right or to support representations by other Responsible Authorities. Such representations can potentially be made on the grounds of upholding all four of the licensing objectives.

- 11.6. Although indicators including admissions for alcohol specific conditions are similar or below the national average for both Leicestershire and Blaby District, it is recognised that inequalities may still exist within this picture at a lower level than current available data captures.
- 11.7. Alcohol related harm still poses a risk to our communities and licensing policy can play an important role in contributing to reducing the levels and impact of alcohol consumption.
- 11.8. Applicants are therefore encouraged by the Licensing Authority and Public Health to carefully consider the health impacts of their proposed activities in relation to the licensing objectives, and for those considerations to be reflected in their applications and operating schedules.

## **12. Consideration of Cumulative Impact**

- 12.1. In certain situations, the number, type and density of premises selling alcohol may be associated with serious problems of nuisance and disorder. Cumulative impact is the potential impact on the promotion of the licensing objectives of several licensed premises concentrated in one area. In these circumstances, where evidence is brought to the attention of the Licensing Authority which supports the need for a special policy, it will consider the evidence and if satisfied, where appropriate and necessary, will include an approach to cumulative impact in its Policy. A cumulative impact assessment (CIA) may be published by a licensing authority to help it limit the number or types of licence applications granted in areas where there is evidence to show that either/or the number or density of licensed premises in the area is having a cumulative impact leading to problems that undermine the licensing objectives.
- 12.2. The Licensing Authority recognises that there can be confusion about the difference between “need” and “cumulative impact” of premises on the licensing objectives. “Need” is not a matter for a Licensing Authority in discharging the licensing functions or for this Policy. Conversely, the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the Licensing Authority and its Licensing Committee to consider.
- 12.3. The Licensing Authority recognises, however, that any such policy cannot be absolute and it would continue to consider each application properly on its merit and for licences that are unlikely to add significantly to the problems of cumulative impact the application would be granted. In considering whether to adopt a CIA, the Licensing Authority will take the following steps:
- a) identification of the concern raised in relation to the 4 licensing objectives;
  - b) assessment of the causes, and evidence of the problems;
  - c) where it can be demonstrated that disorder and nuisance is arising as a result of customers of licensed premises, identifying the area from which problems are arising and the boundaries of that area; and
  - d) Consult with those specified in section 5(3) of 2003 Act and provide details and reasoning.

- e) Subject to the outcome of consultation, adopt and publish the CIA, as provided for in this Policy

## Representations

12.4. Once a relevant representation has been received to engage a CIA, there is a rebuttable presumption that the applications which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

12.5. If no relevant representations are received to engage any special policy then the Licensing Authority must grant the application in terms that are consistent with the operating schedule submitted.

## Review

12.6. The Licensing Authority will review any CIA adopted within 3 years. It will then consider whether it remains of the opinions of those set out in the initial assessment.

## Restrictions on Cumulative Impact Assessment

12.7. A CIA will not be used to:

- a) remove a licence when representations are received about problems with existing licensed premises;
- b) justify the rejection of variations to a licence except where those variations are directly relevant to the CIA;
- c) examine issues about the "need" for further licensed premises, which is a matter for market forces and not for the licensing regime;
- d) indirectly fix a terminal hour for premises licences in a particular area;
- e) adopt quotas that pre-determine the individual merits of any application.

## Other mechanisms available for controlling cumulative impact

12.8. The Licensing Authority recognises that once away from licensed premises, there is always a risk that a minority of consumers will behave badly and unlawfully. In these circumstances, there are other mechanisms available for addressing such issues, including:

- Planning controls;
- Community Protection Notices;
- Controlled drinking spaces (Public Spaces Protection Orders)
- Police enforcement of existing laws on anti-social behaviour;
- Designation of areas where alcohol may not be consumed publicly;
- Confiscation of alcohol from adults & children in designated areas;
- The closure of licensed premises for up to 24 hours on grounds of disorder, likely disorder or excessive noise;
- Powers to seek review of a Premises Licence or Club Premises Certificate;

- Introduction of an early morning alcohol restriction order;
- Introduction of a late night levy.

### **13. Integrating Existing Strategies and Policies**

13.1. The Licensing Authority will seek to achieve integration with other strategies set out below and will consult with the appropriate organisations to achieve this.

#### **Blaby and Hinckley and Bosworth Community Safety Partnership Strategy**

13.2. The Licensing Authority recognises its responsibility to address issues relating to crime and disorder and is committed to working together, with other partners, to make Blaby District a safe and attractive area in which to live, work, study and socialise.

13.3. In making decisions, the Licensing Authority will consider the Blaby and Hinckley and Bosworth Community Safety Partnership Strategy, especially relating to:

- Reducing the opportunities for crime to occur;
- Tackling disorder and anti-social behaviour;
- Reducing the fear of crime;
- Combating the use of drugs.
- Reducing harm caused by alcohol
- Raising awareness of Child Criminal Exploitation and Modern Day Slavery

#### **Street Trading Consent Scheme**

13.4. Blaby District Council administers a Street Trading Consent scheme. The whole District is considered to be a consent area. Those street traders who provide hot food or drink between 23:00 and 05:00 hours also require a premises licence under the Licensing Act 2003. Street traders equipped with a mobile catering vehicle may apply for a premises licence to supply late night refreshment but as part of the application process will be required to provide the details of the area in which they want to trade. This trading area will be quite well defined within the broader landscape and will act as the 'premises'. Trading will not be allowed outside the 'premises' area. The applicant will also be required to provide a description including photographs of their mobile catering vehicle. To make a change to the vehicle or the 'premises' trading area a licence holder will be required to submit a fresh premises licence application.

#### **Sex Establishments and Sexual Entertainment Venues (SEV)**

13.5. The Council introduced its SEV policy in June 2011. Where an applicant holds a SEV licence, it is likely that any conditions of its operation will be integrated with any Licensing Act authorisation. Failure to comply with any conditions may result in the premises licence/club premises certificate being reviewed.

#### **Sustainable Community Strategy (SCS)**

- 13.6. Blaby District Council has developed a Sustainable Community Strategy (SCS) which sets out the long-term vision for the District of Blaby and explains what the Council, through Blaby Together; plan to do to achieve this.
- 13.7. The SCS aims to identify the priorities for an area, and then, by working with the community, sets out plans to improve the quality of life for people within the area.
- 13.8. The Licensing Authority is committed to promote the short and long ambitions of the strategy, particularly those priorities which relate to the success of our arts, heritage, parks and green/open spaces, neighbourhood facilities, markets, festivals and public events, media, libraries and literature, sport, plays, faith and worship, tourism, restaurants and bars and creative industries.
- 13.9. This Policy will assist with the vision set out in the Sustainable Community Strategy for Blaby District by:
- a) monitoring the impact of licensing on the provision of regulated cultural activities and entertainment, such as live music, theatre, dance and festivals and encourage the promotion of these activities for the wider cultural benefit of our community;
  - b) create a dialogue with the cultural sector about the impact of the licensing policy and work with our partners to balance different interests;
  - c) seek to ensure that conditions attached to licences do not deter live music, festivals, theatre, sporting events etc.; by imposing only those conditions which are considered appropriate, reasonable and proportionate;
  - d) seek to ensure that conditions attached to licences do not deter new or small scale groups/activities in communities by imposing conditions which will lead to a costs which are disproportionate to the size of the event
  - e) seek to create an environment which minimises nuisance and anti-social behaviour connected to cultural activity and events but without undermining the Council's commitment to increase access to cultural participation as a fundamental human right

## **14. Planning and Building Control**

- 14.1. The Licensing Authority will ensure that planning permission, building control approvals, and licensing regimes are separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters.
- 14.2. Applicants may wish, and will be encouraged, to seek advice regarding planning permission or building control approval from the appropriate authority prior to submitting an application under the Act. The Licensing Sub-Committee are not bound by decisions made by a planning committee and vice versa.
- 14.3. If there are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes, where these hours are different to the licensing hours, the applicant must observe the earlier

closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

- 14.4. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed.

## **15. Promotion of Equality**

- 15.1. Developing this strategy, the Licensing Authority has recognised its responsibility under the Public Sector Equality Duty (PSED), section 149 of the Equality Act 2010. The aims of the PSED are to eliminate unlawful discrimination; promote equality of opportunity and foster good relations between different groups of people.
- 15.2. The PSED requires the Council to give consideration to these protected characteristics stated under section 149: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 15.3. The Licensing Authority is aware that there may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. Where this proximity has an impact on the promotion of one or more of the licensing objectives this would be a matter the Licensing Authority could consider. However, where appropriate the Licensing Authority will implement the following actions, which have been identified as being necessary to promote equality, and within the scope of the Act and supporting guidance:
- The Policy will be available on the internet, and in other formats upon request;
  - The licensing objective of protecting children from harm will be promoted;
  - Where appropriate action will be taken to ensure the safety of vulnerable people in licensed premises.
  - Support will be offered to licence applicants, licence holders and potential objectors who are socially excluded;
  - Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance;
  - Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

## **16. Disabled Access**

- 16.1. The Guidance supporting the Act advises that conditions relating to disabled access should not be attached to licences, as this would duplicate existing statutory requirements. The Licensing Authority therefore takes this opportunity to remind applicants and operators of premises of their duties under the Equality Act 2010.

## 17. Transport

- 17.1. The Transport Strategy is set out in the Leicestershire Local Transport Plan (LTP) produced by Leicestershire County Council. The plan sets out the main proposals for achieving an integrated transport system to tackle the adverse impacts of traffic growth.
- 17.2. The LTP policies seek to ensure that alternatives to the use of the private car are available; these alternatives include walking, cycling and public transport (bus, rail and taxi). They are operated in conjunction with land use policies to seek to ensure that development takes place in locations where these alternatives can be best provided.
- 17.3. Taxis provide a useful role in transporting people, particularly at times when bus services are not well provided. They offer a flexible, accessible door to door service.

## 18. Duplication

- 18.1. The Authority will avoid duplication with other regulatory regimes insofar as attaching conditions to premises licences and club premises certificates.
- 18.2. Conditions will only be attached where they are necessary for the promotion of licensing objectives. Matters already provided for in other legislation will not be considered necessary in the context of licensing law.

## 19. Conditions

- 19.1. Conditions will only be attached to premises licences and club premises certificates that are:
- appropriate and proportionate for the promotion of one or more of the licensing objectives;
  - tailored to the individual style and characteristics of the premises and events concerned;
  - can be put into effect and enforced within the relevant operating schedule;
  - after a hearing where a relevant representation has been upheld or;
  - after a review hearing where the grounds for the review have been upheld.
- 19.2. A number of conditions are mandatory and are required to be applied to most licences and certificates. These relate to such things as the requirement for a designated premises supervisor where alcohol is to be sold, age restrictions on the sale of alcohol or the exhibition of a film, a requirement for door supervisors, as well as the required measures of alcohol and free drinking water to be available.
- 19.3. To aid administration the licensing authority maintains a list of standard conditions, namely a Pool of Model Conditions, which is supplementary to this policy. These conditions identify appropriate and proportionate conditions to cover particular circumstances. These conditions are not intended to be an exhaustive list and other conditions will be considered as may be appropriate.



19.4. Applicants will be encouraged to review these conditions, and where necessary, offer them as part of the premises operating schedule.

## **20. Personal Licences**

20.1. The Licensing Authority recognises the important role that personal licence holders play in the promotion of the licensing objectives at premises selling alcohol. Every sale of alcohol made under a premises licence is required to be made or authorised by a personal licence holder.

20.2. Because of this important role, the Licensing Authority considers it to be good practice for a personal licence holder and in particular the designated premises supervisor to have significant operational involvement in the sale of alcohol rather than to undertake a remote or periodic authorisation of other staff. Essentially this would mean authorisation on a least a daily basis and to be available throughout the day to deal with any circumstances that require their expertise and authority.

20.3. When applying for a personal licence, applicants are required to produce a Basic Disclosure from Disclosure Scotland that is no older than one month. All applicants are expected to make a clear statement as to whether they have been convicted of a relevant offence or an equivalent offence outside England and Wales. Personal licence holders are required to have prescribed training and not have any relevant convictions which would call into doubt their suitability.

20.4. In accordance with the Secretary of State's advice, the Licensing Authority will normally refuse applications where the police have issued an objection notice, unless in the opinion of the Licensing Authority there are exceptional and compelling reasons which can justify granting the application.

## **21. Temporary Event Notices**

21.1. The Act allows licensable activities to be carried out in specified circumstances on a temporary basis. A Temporary Event Notice (TEN) must be served on the Licensing Authority, with a copy sent to the Chief Officer of Police and the Environmental Health Department, 10 clear working days before the event (not including the day the notice is received by the Authority and not including the day of the event).

21.2. The Chief Officer of Police and/or the Environmental Health Department may submit an objection notice to the TEN if satisfied that any of the licensing objectives would be undermined.

21.3. Whilst the Licensing Authority recognises the minimum notice period given for the submission of TEN, it would encourage those wishing to submit them to do so at least 28 days prior to their event taking place. This will allow time for the Premises User (the person submitting the TEN) to act appropriately, should an objection from the Police or Environmental Health lead to a refusal of the TEN by the Authority.

21.4. If an objection notice has been received from the Police and/or Environmental Pro-



tection Department, the Licensing Authority can impose conditions (from the existing conditions on the premises licence or club premises certificate) to the TEN but only if it is considered appropriate to the promotion of the licensing objectives to impose one or more of the conditions.

21.5. A Late Temporary Event Notice (late TEN) can be given up to 5 clear working days but no earlier than 9 clear working days before the event is due to take place. The number of late TENs that can be given in a calendar year is limited.

21.6. Late TENs may be objected to by the Chief Officer or Police and/or the Environmental Health Department if they are satisfied that the event will undermine any of the licensing objectives. There is no opportunity for a hearing if a representation is received and the licensable activities at the event will not be able to go ahead.

## **22. Enforcement**

22.1. The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives referred to in the Act. Full premises inspections will not be undertaken routinely, however inspections and advice campaigns will be conducted when judged necessary which will allow resources to be effectively targeted towards problem premises. Enforcement activities will be targeted in terms of individual risk so as best to promote the licensing objectives.

22.2. Enforcement activities will be targeted in terms of risk and so as best to promote the licensing objectives. In addition, account will be taken of the Regulators' Code and the general enforcement policy of the Licensing Authority, which aims to ensure that enforcement is transparent, fair, reasonable and proportionate.

22.3. Enforcement action will be considered in accordance with the Authority's Environmental Health and Licensing Enforcement Policy and its principles of consistency, transparency and proportionality.

22.4. The Licensing Authority will also develop and review enforcement protocols with Leicestershire Constabulary and other relevant partnership agencies to ensure efficient deployment of Licensing Authority enforcement officers to avoid duplication and reduce any unnecessary regulatory burden on businesses.

22.5. Enforcement activities will include operations designed to:

- Protect public safety
- Prevent nuisance
- Prevent crime and disorder
- Protect children from harm
- Identify unlicensed activities
- Respond to complaints and representations from relevant individuals and responsible authorities
- Prevent the sale of alcohol to minors
- Prevent the sale of alcohol to people who are drunk

- Identify the keeping of smuggled goods
- Prevent drug misuse

## **23. Delegation of Functions**

- 23.1. The Licensing Authority acts in accordance with the provisions of the Act in relation to the functions automatically transferred to Licensing Committees, and refer to the Guidance issued under Section 182 of the Act when determining officers delegated powers.
- 23.2. The full range of delegated powers can be viewed within Blaby District Council's Constitution Part 3 section 1 page 20 number 110 and Section 6, sub-section 11.
- 23.3. The Authority is committed to ensuring that it does not place extra burden on applicants, wherever possible, whilst providing an effective licensing function for all licence holders and the community it aims to protect.
- 23.4. The following will be determined by either the Licensing Committee or one of its sub-committees where a relevant representation has been made:
- a) Application for a personal licence where there are relevant unspent convictions;
  - b) The review of a premises licence or club premises certificate;
  - c) Decision to object when the Local Authority is the consultee and not the relevant authority considering the application;
  - d) Determination of a Police objection to a temporary event notice;
  - e) Determination of an Environmental Health objection to a temporary event notice;
  - f) Application for a personal licence;
  - g) Application for a premises licence or club premises certificate;
  - h) Application for a provisional statement;
  - i) Application for variation to a premises licence or club premises certificate;
  - j) Application to vary a designated premises supervisor;
  - k) Application for transfer of a premises licence;
  - l) Application for interim authority.
- 23.5. The Licensing Authority will ensure that all members appointed to serve as members on the Licensing Committee have undergone appropriate training before they act in that capacity.

## **24. Right to Appeal**

- 24.1. Applicants and those making representations in respect of applications and reviews to the Licensing Authority have the right of appeal to the Magistrates' Court against the Licensing Authority's decisions. Further information on how to appeal can be obtained by contacting Leicester Magistrates Court, The Court House, 15 Pocklington Walk, Leicester, LE1 6BT.

## 25. Fees

25.1. Fees are set within the Licensing Act 2003 and will be referred to when applicable.

25.2. The Act requires a licensing authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due. However, this does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee before or at the time of the due date. In either of these cases, there is a grace period of 21 days. This period is intended to allow the licensing authority and the licence or certificate holder an opportunity to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence will be suspended.

## 26. Period of Validity and Review

26.1. This statement of licensing policy will come into force on 1<sup>st</sup> September 2023 and be valid for five years.

26.2. The policy will be kept under review during the period of validity and if necessary amendments will be made.

26.3. Prior to a new policy being adopted or amendments made to the existing policy the Licensing Authority will undertake consultation in accordance with section 5(3) of the Licensing Act 2003.

## 27. Contact Details

27.1. Should you wish to contact the Licensing department, please contact:

**By post:**

Licensing  
Blaby District Council  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP

**By telephone:**

0116 272 7782

**By email:**

[Licensing@blaby.gov.uk](mailto:Licensing@blaby.gov.uk)

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### Changes to Updated Policy

Section 5 – Inclusion of Public Spaces Protection Orders (PSPO)

Section 12 – inclusion of Street Trading Consent scheme and Sexual Entertainment Venue policy

Section 13 – additional text regarding distinction between Planning and Licensing regimes, applicant seeking and being encouraged to seek planning permission prior to application, and “agent of change” principle.

Section 18 – additional context to conditions, plus inclusion and reference to the Pool of Model Conditions

Section 19 – inclusion of Basic disclosure requirements

Section 22 – additional context in relation to the delegated functions of a Licensing Committee or Sub-Committee

Section 23 – additional section: Right to Appeal

Section 24 – additional section: Fees

Section 26 – additional section: Contact details

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## Appendix C

### Response from Leicestershire County Council Public Health

The misuse of alcohol is a significant public health challenge, and it is recognised that alcohol can contribute to a variety of harms, including health, economic, social and community harms. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.

The availability and density of alcohol outlets are associated with increased numbers of alcohol related hospital admissions, alcohol related mortality and higher levels of alcohol consumption generally. Evidence also suggests that exposure to alcohol advertising is associated with the onset of drinking in children and increased consumption among young people who already drink.

Leicestershire County Council Public Health has responsibility for commissioning local substance misuse treatment services and to improve and protect the health and wellbeing of the population in Leicestershire. Public Health is also in a position to recognise and make links to the wider health inequalities associated with alcohol and alcohol misuse. For example, the impact of harmful drinking and alcohol dependence is much greater for those experiencing the highest levels of deprivation.

Whilst there is no public health licensing objective, Directors of Public Health are a Responsible Authority and are included in the premises licensing process to provide a health perspective and bring evidence from the health sector into licensing processes and decisions.

As a Responsible Authority, Public Health will work with the Licensing Authority and other partners to ensure the links between the density of licensed premises, alcohol availability and indicators of health-related harm inform licence decisions and promote the licensing objectives. Where there is evidence, Public Health has the ability to make representations in its own right or to support representations by other Responsible Authorities. Such representations can potentially be made on the grounds of upholding all four of the licensing objectives.

Although indicators including admissions for alcohol specific conditions are similar or below the national average for both Leicestershire and Blaby District, it is recognised that inequalities may still exist within this picture at a lower level than current available data captures.

Alcohol related harm still poses a risk to our communities and licensing policy can play an important role in contributing to reducing the levels and impact of alcohol consumption.

Applicants are therefore encouraged by the Licensing Authority and Public Health to carefully consider the health impacts of their proposed activities in relation to the licensing objectives, and for those considerations to be reflected in their applications and operating schedules.

## **Response from Leicestershire Police**

Hi,

Thank you for this, having read through the policy, the only thing I would like you to consider is how you will implement the 'Prevent / Martins law' when it becomes law in the not too distant future.

If you have a local internal agreement that the policy can be amended / adapted should new legislation come in, then this should suffice.

Hope this makes sense.

Kind regards

Dave Braithwaite  
Deputy Licensing Manager  
Leicestershire Police  
Mansfield House Police Station  
74 Belgrave Gate  
Leicester  
LE1 3GG



## Blaby District Council Council

<b>Date of Meeting</b>	25 July 2023
<b>Title of Report</b>	<b>Hinckley National Rail Freight Interchange</b> This is not a Key Decision and is not on the Forward Plan
<b>Lead Member</b>	<b>Cllr. Ben Taylor - Planning Delivery and Enforcement &amp; Corporate Transformation</b>
<b>Report Author</b>	Planning & Strategic Growth Group Manager
<b>Corporate Priority</b>	A Place to Live

### 1. What is this report about?

- 1.1 This report seeks approval for an amendment to the existing scheme of delegation for the Hinckley National Rail Freight Interchange (HNRFI); and approval for further budget contingency, should it be required, to consider and respond robustly to the development proposal.

### 2. Recommendation(s) to Council

- 2.1 That Members authorise the Executive Director in consultation with the Portfolio Holder to respond on behalf of the Council in respect of all matters pertaining to the Hinckley National Rail Freight Interchange as described in this report.
- 2.2 That Members authorise the Executive Director in consultation with the Portfolio Holder to organise meetings of the HNRFI Member Reference Group, chaired by the Portfolio Holder and open to all members.
- 2.3 That Members approve an additional budget of £50,000 for the project, to act as a contingency should it be required.

### 3. Reason for Decisions Recommended

- 3.1 To ensure that the Council can engage appropriately with the Development Consent Order Process, meet the statutory deadlines of the Planning Act 2008, and meet the timelines set by the Planning Inspectorate.

## **4. Matters to consider**

### **4.1 Background**

The Hinckley National Rail Freight Interchange is classed as a Nationally Significant Infrastructure Project (NSIP) which are major infrastructure developments. A Development Consent Order (DCO) application for consent to undertake an NSIP is made to the Planning Inspectorate who will consider the application and make a recommendation to the Secretary of State, in this case the Secretary of State for Transport, who will decide on whether the DCO should be granted for the proposed scheme.

The HNRFI site sits predominantly within the administrative boundary of Blaby District Council with approximately 250m of the proposed A47 road link from the M69 to Leicester Road being within the Hinckley and Bosworth Borough Council administrative boundary. This makes the Council a 'Host Authority' along with Hinckley and Bosworth Borough Council and Leicestershire County Council.

The DCO application is currently at the pre-examination phase of the DCO process, and the Council's formal Relevant Representation has recently been submitted.

The stages of the DCO process are summarised below:

- Acceptance – submission of the application to the Planning Inspectorate
- Pre-examination – Interested parties including the host authorities make their relevant representations highlighting points of agreement and disagreement and the main issues and impacts
- Examination – Hearings, representations, statement of common grounds on all matters being considered as part of the application
- Recommendation & Decision – the Planning Inspectorate makes their recommendation within three months of the close of the examination. The Secretary of State then has a further three months to make the decision whether to grant/refuse the DCO
- Post-decision – 6 week Judicial Review period, requirements are discharged, monitoring, enforcement and any changes to the approved development

#### **Scheme of Delegation**

As set out in the Planning Act 2008, the DCO application process, particularly during the examination stage, contains continuous deadlines for the Council to submit reports, documents and answer queries. These will require swift responses (some within less than 5 calendar days) to ensure all matters are fully explored before the close of the examination.

The stages of the DCO application process that require a response from the Council include:

- Acceptance – 14 days to submit Adequacy of Consultation Representation
- Pre-examination – 28 days to submit Relevant Representation form, attendance at pre-examination meeting including consideration of examination timetable
- Examination – variable and often short timelines for submission of Local Impact Report, Statement of Common Ground, written representation, S106 Legal Agreement, written requests for information and attendance at hearings
- Post decision – the Council will be responsible for discharging the requirements (similar to conditions on a normal planning application), enforcing the terms of the DCO and commenting on any proposed amendment to the DCO

The deadlines set out by the Inspectorate are unlikely to align with the Council's scheduled meetings. The Planning Inspectorate has stated that late submissions of representations may prejudice the ability of other interested parties to consider and comment on its content, potentially then disrupting the examination and resulting in additional costs for other interested parties. Moreover, submissions made after the close of the examination will not be taken into account.

In anticipation of this, Council has already agreed a scheme of delegation which covers all stages of the DCO process with the exception of the Written Representation. However, it is becoming evident, given the current stage and anticipated timescales, that the deadline for submission of this may fall prior to the next scheduled Council meeting on 26 September. Therefore, it is proposed that the scheme of delegation be extended, as per the recommendation at 2.1 above.

### Budget

Given the size and significance of the HNRFI proposal, it is really important that the Council is able to respond robustly and with the full and necessary evidence. The cost of doing this is considerable and includes expenditure in areas such as staff time, legal fees, specialist consultants, and technical studies. Funding secured via a Planning Performance Agreement (PPA) does not, despite significant negotiation by officers, cover the expenses that we will incur.

In 2022, a budget of £100,000 was agreed by Council to supplement the PPA funding. The current financial position is that approximately £38,000 of the total HNRFI budget remains, some costs have increased significantly since quotes were sought due to inflation and the current economic situation. The final cost of the process to the Council is unknown due to various uncertainties, such as any further work which may be required on

the back of stakeholder responses, and therefore officers feel that it would be prudent to add an additional budget contingency.

#### 4.2 Proposal(s)

Officers understand that Council will want to ensure that it can formally consider as many responses as possible; and that it is extremely important to be able to discuss views on the proposal in a public setting. This ensures transparency and demonstrates to residents that the Council are supporting and representing their views.

However, it is possible that the submission of the Written Representation will be required prior to the next Council meeting and to ensure officers can submit the representation, it is proposed that full delegation be given to the Executive Director in consultation with the Portfolio Holder, to respond on behalf of the Council. The Written Representation will still be brought before Council, regardless of timescales, to ensure that Members have the opportunity to make their views on the proposal publicly known.

The previous scheme of delegation also established a HNRFI Member Reference Group to be chaired by the Portfolio Holder and open to all members. This group allows members to be kept informed and views can be factored into the Council's reports and representations, including the Written Representation. As such a Member Reference Group meeting will be held early September in order to feed into the written representation.

In terms of budget provision, it is proposed that an additional £50,000 be added to the HNRFI budget, for the reasons set out above.

#### 4.3 Relevant Consultations

Internal consultations have been undertaken as appropriate. Legislation does not require public consultation on this matter.

#### 4.4 Significant Issues

##### Legal Implications

Section 101 local Government Act 1972 provides that a local authority may arrange for the discharge of any of its functions by a committee sub-committee or officer.

Town and Country Planning and development control are specifically excluded from being executive functions by the Local Authority (Functions and Responsibilities) (England ) Regulations 2000

It is therefore not possible under this section to delegate the exercise of powers relating to the exercise of town and country planning and development control to an individual councillor.

If it is intended, as set out in the report, that a single member should be involved in the decision, then the power can be delegated to an officer to be exercised after consulting with the named member.

This is the recommendation in the report, and, in law, the decision must be that of the officer.

## **5. What will it cost and are there opportunities for savings?**

- 5.1 There is existing budget provision of £100,000 for the HNRFI, and this report requests that this is extended to £150,000.

	<b>Current year</b>	<b>2024/25</b>
<b>Revenue</b>	150,000	0
<b>Capital</b>	0	0

## **6. What are the risks and how can they be reduced?**

- 6.1 The risks are set out in the table below.

Current Risk	Actions to reduce the risk
Damage to reputation / adverse publicity / poorer outcomes in respect of the scheme's impacts by not responding appropriately or within the specified timeframes dictated by the Planning Inspectorate.	Have a scheme of delegation in place to enable quick and timely responses on behalf of the Council back to the Planning Inspectorate.

## **7. Other options considered**

- 7.1 The alternative option would be to leave the scheme of delegation as it is. This would however carry a number of risks:

- Inability to meet the statutory and Planning Inspectorate's deadlines.
- The Council's delayed responses are not afforded full consideration by the Planning Inspectorate and other interested parties.
- Responses received after the close of the Examination are not considered.
- Reputational damage from the Council's delayed input.
- Scheduling of additional and time consuming Full Council meetings with no certainty that a meeting would be able to be arranged at short notice to fit with the statutory timescales.

## **8. Environmental impact**

- 8.1 The climate change implications of the HNRFI will be assessed through the DCO process and the Council's Green Officer is part of the Council's project team and so will be involved in consultation responses.

## **9. Other significant issues**

- 9.1 In preparing this report, the author has considered issues related to Human Rights, Human Resources, Equalities, and Public Health Inequalities and there are no areas of concern.

Significant issues relating to legal matters and climate change have been addressed at paragraph 4.4.

## **10. Appendix**

- 10.1 None

## **11. Background paper(s)**

- 11.1 There are a range of relevant documents associated with the proposal on the councils website, and at

<https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/hinckley-national-rail-freight-interchange>

## **12. Report author's contact details**

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## Blaby District Council Council

<b>Date of Meeting</b>	25 July 2023
<b>Title of Report</b>	<b>Local Development Scheme</b> This is not a Key Decision and is on the Forward Plan
<b>Lead Member</b>	<b>Cllr. Ben Taylor - Planning Delivery and Enforcement &amp; Corporate Transformation</b>
<b>Report Author</b>	Development Strategy Manager
<b>Corporate Priority</b>	All Priorities: A Place to Live; A Place to Work; A Place to Visit; People Strategy; Medium Term Financial Strategy (MTFS)

### 1. What is this report about?

- 1.1 This report seeks approval for the revised Blaby District Local Development Scheme (LDS), which sets out the timescales for the production of the emerging Local Plan.

### 2. Recommendation(s) to Council

- 2.1 That the revised Blaby District Local Development Scheme at Appendix A be approved, to become effective immediately.

### 3. Reason for Decisions Recommended

- 3.1 The Planning and Compulsory Purchase Act 2004, as amended, requires a Local Planning Authority to prepare and maintain a Local Development Scheme.
- 3.2 A Local Planning Authority must revise its Local Development Scheme at such times as it considers appropriate.

### 4. Matters to consider

- 4.1 Background

The Local Development Scheme (LDS) sets out the Council's programme for the production of the Local Plan.

The current Local Plan comprises:

1. The Local Plan (Core Strategy) Development Plan Document ('Core Strategy') (adopted February 2013), and
2. The Local Plan (Delivery) Development Plan Document ('Delivery DPD')

The emerging Local Plan will supersede the Core Strategy and Delivery DPD resulting in a single document that sets out the blueprint for development within the district.

In order to keep local communities and other stakeholders informed of local planning activity, the Council is required to prepare a Local Development Scheme (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). In relation to the emerging Local Plan, the LDS must specify:

- what will be included in each document to be prepared and the geographical extent to which it relates;
- whether the document will be prepared jointly with one or more other local authority;
- and the timetable for the preparation of document.

The Core Strategy, which sets out the strategy for growth and the amount of development required, was adopted 10 years ago. There have been multiple changes to the planning landscape since this time including updated Government Guidance and agreement to the Strategic Growth Plan. It is therefore necessary to review and refresh the Local Plan to deliver future growth for the district.

The revised LDS, attached at Appendix A, contains the timetable with estimated timescales and milestones associated with preparing the new Local Plan and covers the period up to 2026. It supersedes the LDS agreed by Council on 8<sup>th</sup> December 2020.

Since commencement of the Local Plan review, the Council has undertaken an Issues and Options and a further Options consultation. Officers have been building upon these consultation documents and responses received to further advance the Local Plan development. This also require gathering essential evidence, many of which has been undertaken in conjunction with partner authorities across the county, on strategic matters including housing and employment needs. This work has informed the following Statement of Common Ground:

- Leicester & Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs, signed by Council 19 July 2023
- South Leicestershire Local Plan Making Statement of Comment Ground and Leicester & Leicestershire Authorities, signed by council 14 December 2021



- Statement of Common Ground relating to Warehousing & Logistics Need signed by council 14 December 2021

There is a substantial amount of additional evidence and engagement with stakeholders needed that built upon the SoCG before the Local Plan is finalised and submitted to the Secretary of State in a form that can be found 'sound' by an independent Inspector. A key piece of this evidence is the ongoing transport work that Leicestershire County Council, as the highway authority, are leading on. This is a significant and complex piece of work that is essential to the development of the Local Plan and impacts upon the timescales set out in the attached LDS. Officers are working closely with the highway authority to progress this alongside other key evidence.

A Local Planning Authority must revise its Local Development Scheme at such times as it considers appropriate. It is important to do so not only to keep local stakeholders, including the local community, aware of the timescales of the Local Plan preparation, but also to ensure that the Local Plan is produced in line with the LDS. This is a legal requirement at examination.

Section 4.4 of this report sets out the Human Resources implications and notes the limited capacity within the Development Strategy team which has impacted the progress of the Local Plan. With successful recruitment vacancies have been filled.

In consideration of the above factors, it is considered that the revised LDS timetable at Appendix A, which shows consultation on the Publication Version (the document that the Council considers ready for examination) in September and October 2022 and submission in March 2025 is a realistic timetable.

#### 4.2 Proposal(s)

That the Revised Blaby District Local Development Scheme (Appendix A to this Report) be approved and shall take effect from 25 July 2023.

#### 4.3 Relevant Consultations

Internal consultations have been undertaken as appropriate. Legislation does not require public consultation on this matter. The details of proposed public consultations on development plan documents are set out in the revised LDS. The LDS will be published on the council website.

#### 4.4 Significant Issues

##### Legal Implications

The Council has to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended), which requires local planning authorities to prepare and maintain a LDS.

## Human Resource Implications

At the start of July, the Development Strategy Team became fully staffed for the first time in three and a half years, having operated with significantly reduced capacity for a considerable period, due to market recruitment challenges. This has had a significant impact on progressing the Local Plan. Contributions will also be required for other teams within the Council at the appropriate stages of producing the plan.

### **5. What will it cost and are there opportunities for savings?**

- 5.1 The costs for Local Plan preparation, including staffing, are already allowed for in the budget for 2023/34. Budgeting beyond this will consider and take account of the need for any further expenses to be incurred in relation to preparing the new Local Plan.

Opportunities to save money will continue to be considered throughout the preparation of the new Local Plan, including pursuing joint working with neighbouring authorities on suitable evidence base work, where possible.

### **6. What are the risks and how can they be reduced?**

6.1

Current Risk	Actions to reduce the risks
Staff turnover / loss / long term absence	<ul style="list-style-type: none"><li>• Provide appropriate training to encourage staff retention.</li><li>• Provide a varied workload to keep staff engaged and motivated.</li><li>• Recruitment to commence as soon as the current post holder submits their notice (subject to available funding).</li><li>• Employ agency staff/ consultants to cover periods of absence (subject to available funding).</li><li>• Re-deploy suitable staff from the Development Services Team should opportunities arise.</li></ul>
Evidence gathering delays	<ul style="list-style-type: none"><li>• The Local Plan relies on substantial evidence on a range of issues.</li><li>• Provide resources and funding to complete evidence gathering.</li><li>• Encourage early engagement to secure evidence.</li></ul>
Web accessibility / IT technical constraints	<ul style="list-style-type: none"><li>• Implementing service plan and transformation programme and working with support services to remove blockages</li></ul>
Ongoing changes to the national planning guidance and transition period.	<ul style="list-style-type: none"><li>• Monitor Government statements to pre-empt legislation and policy changes.</li><li>• Take a flexible policy approach where appropriate.</li></ul>

	<ul style="list-style-type: none"> <li>• Transitional arrangements in emerging statute and legislation</li> </ul>
Competing work priorities	<ul style="list-style-type: none"> <li>• Recognise importance of Local Plan.</li> <li>• Monitor progress and give priority to milestones in the Local Development Scheme.</li> <li>• Bring in additional resources if needed.</li> </ul>
Cross boundary strategic issues in the Leicester and Leicestershire Housing Market Area	<ul style="list-style-type: none"> <li>• Officers will continue to remain engaged in discussions with colleagues from across the authorities in Leicester and Leicestershire to understand any implications there may be for Blaby District, and take action as appropriate in a timely manner. The new Local Plan will take account of and plan for any emerging cross boundary strategic issues in Leicester and Leicestershire.</li> </ul>
Examination Process – Soundness of DPDs.	<ul style="list-style-type: none"> <li>• Work closely with Department for Levelling Up, Housing and Communities (DLUHC) and the Planning Inspectorate (PINS).</li> <li>• Follow procedures set out in the Planning Acts, Regulations, NPPF and the Planning Practice Guidance.</li> </ul>
Duty to Co-operate failure	<ul style="list-style-type: none"> <li>• Continue to work with local authorities within the Housing Market Area and other partners on strategic, cross boundary matters and prepare Statements of Common Grounds, as appropriate.</li> </ul>

## **7. Other options considered**

- 7.1 Not bringing the revised LDS into effect at this time would leave the Council without an up to date programme for the production of Development Plan Documents. This option has been considered and rejected because the Planning and Compulsory Purchase Act 2004 (as amended), requires a Local Planning Authority to prepare and maintain a Local Development Scheme.

## **8. Environmental impact**

- 8.1 The Local Plan sets out the blueprint for growth and change for the District. It is accompanied by a Sustainability Appraisal and Habitat Regulation Assessment Screening. The Local Development Scheme sets the timetable for producing the Local Plan and therefore has indirect environmental consequences on the built and natural environment. The LDS informs the rate at which new policies and potential allocations are brought forward. This has environmental impacts because policies will seek to protect the built, historic and natural environment and proposed allocations can have direct impacts on the environment.

## **9. Other significant issues**

- 9.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern. The author has also considered issues related to Equality and Human Rights along with the Performance and Systems Manager. As the amendments to the LDS relate to the timetable rather than policies and proposals within the Local Plan, there are no Equality or Human Rights implications identified. However, the Local Plan that is produced in accordance with the LDS will require an impact assessment, which will be completed at the time of production.

## **10. Appendix**

- 10.1 Appendix A – Revised Local Development Scheme (July 2023)

## **11. Background paper(s)**

- 11.1 None

## **12. Report author's contact details**

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# Blaby District Local Plan Local Development Scheme July 2023

Appendix A

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## Introduction

- 1.1 Planning law requires that planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 1.2 Local Planning Authorities must prepare an up to date Local Plan for their area. In order to keep local communities and other stakeholders informed they must also prepare, maintain and publicise an up to date timetable for producing a Local Plan. This information is contained within the Local Development Scheme (LDS).
- 1.3 The LDS must specify, amongst other things:
  - The documents that will be prepared to form the statutory development plan;
  - What will be included in each document and the geographic area to which it relates;
  - Whether the documents are to be prepared jointly with one or more other local planning authorities; and
  - The timetable for the preparation and revision of documents.
- 1.4 The Local Development Scheme sets out the timetable for replacing the Local Plan Core Strategy and Delivery DPD.

## The Blaby District Local Development Scheme

- 2.1 Local Planning Authorities must prepare an up to date Local Plan for their area and maintain a Local Development Scheme (LDS).
- 2.2 The LDS is a public statement of the Council's intentions in terms of preparing a new Local Plan. It helps local communities and other interested parties to keep track of progress.
- 2.3 This LDS covers the period up to 2026 and replaces the version approved in December 2020.
- 2.4 It is not necessary for the Council to include documents in its LDS which are not Development Plan Documents (DPDs) such as Supplementary Planning Documents (SPDs). This gives the Council greater flexibility to respond to changing circumstances. Also, the LDS does not include Neighbourhood Development Plans as the responsibility for preparing these rests with the local community.
- 2.5 The LDS will be subject to annual monitoring. The Authority Monitoring Report (AMR) will assess whether the milestones set out in the LDS are being met. This will inform whether any further review of the LDS is required.

## The Current Development Plan

- 3.1 The current Development Plan includes the Local Plan, Minerals and Waste Local Plan and Neighbourhood Plans for the area. In Blaby District, this currently includes:
- Blaby District Local Plan Core Strategy (2013);
  - Blaby District Local Plan Delivery Development Plan Document (DPD) (2019);
  - Leicestershire Minerals and Waste Local Plan up to 2031 (2019);
  - Blaby Neighbourhood Plan (2018)
  - Cosby Neighbourhood Plan (2022)
  - Fosse Villages Neighbourhood Plan (2021)
  - Leicester Forest East Neighbourhood Plan (2022)
- 3.2 The current Blaby Local Plan consists of the Core Strategy (2013) and the Delivery Development Plan Document (2019). The Core Strategy includes the vision, strategic objectives and core policies of the Local Plan. The Delivery DPD, was adopted in 2019 and includes site allocations and development management policies. The Local Plan is accompanied by a Policies Map which illustrates the policies and proposals of the Core Strategy and Delivery DPD.
- 3.3 The Minerals and Waste Local Plans are the responsibility of Leicestershire County Council. The Leicestershire Minerals and Waste Local Plan up to 2031 was adopted in 2019.
- 3.4 Supplementary Planning Documents (SPDs) provide additional information on policies and proposals in the Local Plan and are material considerations in the determination of planning applications. SPDs are not subject to independent examination and do not form part of the statutory development plan. The following Supplementary Planning Documents (SPD) are currently relevant for the District:
- Planning Obligations and Developer Contributions SPD (February 2010)
  - Housing Mix and Affordable Housing SPD (July 2013)
- 3.5 Neighbourhood Plans were introduced by the Localism Act 2011. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. Neighbourhood Plans form part of the development plan for the area.

- 3.6 At April 2023, a total of four Neighbourhood Plans were ‘made’ in the District of Blaby. Two remaining groups are continuing to produce Neighbourhood Plans Elvesthorpe and Glenfield.

## Blaby Local Plan Review

- 4.1 The Council is preparing a new Local Plan which will replace the current Local Plan Core Strategy and Delivery DPD. The existing Local Plan is being replaced for a number of reasons:
- To ensure it is up to date and looks ahead at least 15 years;
  - To take account of new circumstances such as updated housing requirements as determined by the Government’s ‘Standard Method’;
  - To respond to cross boundary planning in the Leicester and Leicestershire Housing Market Area, including the Strategic Growth Plan and the following Statement of Common Ground’ that seeks to agree a strategic approach to the delivery of development;
  - To take account of revised national planning policy and guidance in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 4.2 Policy LPR1 ‘Local Plan Review’ of the adopted Local Plan Delivery DPD includes the circumstances where a Local Plan review is triggered including where housing requirements are updated or where a ‘Memorandum of Understanding’ is signed by HMA partners and where ‘Changes occur within the HMA to the objectively assessed need’.
- 4.3 The Local Plan should be up to date and must be reviewed at least every five years. It should be prepared in line with the Government’s National Planning Policy Framework (2019) and be accompanied by a Strategic Environmental Assessment and Sustainability Appraisal.
- 4.4 The Local Plan will be prepared in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The 2012 regulations set out the stages to be completed before a Local Plan can be adopted and become part of the development plan.
- 4.5 Appendix A sets out the Schedule of Local Plan documents to be prepared, Appendix B includes detailed profiles of the Local Plan documents and Appendix C sets out the detailed programme and timetable.
- 4.6 A number of other key documents are also relevant to the preparation of the new Local Plan:



- Statement of Community Involvement – This sets out the District Council’s approach to involving the community and stakeholders when preparing Local Plans and in determining planning applications, amongst other matters.
- Strategic Environmental Assessment (SEA) / Sustainability Appraisal (SA) – These assessments ensure that the social, economic and environmental effects of the spatial planning strategy and policies are taken into account at each stage in the preparation of the Local Plan. The requirements of the SEA will be integrated into the SA.
- Habitats Regulation Assessment (HRA) is also required to assess the impact of the plan on internationally important designated sites.
- Authority Monitoring Report (AMR) – A document published each year to assess whether Local Plan policies, targets and milestones have been achieved.

## Supporting Statement

- 5.1 This statement explains the context for preparing the Local Plan as set out in the LDS. It also explains how the Council will manage resources during the preparation and assesses risks to the production of the Local Plan.

### District Profile

- 5.2 The District of Blaby measures approximately 50 square miles in area and contains a population of 105,500 people (NOMIS 2020). The District contains both rural areas (mainly to the south of the District) and more urban areas to the north including a number of large villages, which are part of the Principal Urban Area of Leicester. The District has only one town centre (Blaby) but hosts a large out of town retail facility (Fosse Park) which attracts visitors from the wider region.

### Links to Other Strategies and Plans

- 5.3 When preparing the new Local Plan, internal and external plans and strategies with spatial implications for the District will be taken into account. This will ensure the strategic priorities contained in those plans and strategies, relating to the use and development of land within the District of Blaby, are integrated into the Local Plan. Figure 1 identifies the main documents that will be considered when preparing the new Local Plan.

**Figure 1 – Links to Other Plans and Strategies**



### **Joint Working**

- 5.4 The Council has a legal requirement to engage with certain 'Prescribed Bodies' under the 'Duty to Cooperate' when preparing Local Plans which address strategic, cross-boundary matters. This includes engagement with other neighbouring and HMA Local Planning Authorities and other bodies, constructively, actively and on an ongoing basis.
- 5.5 Discussions have been ongoing with other Leicester and Leicestershire Local Planning Authorities and a number of joint studies have been prepared. This will continue as the plan evolves. Effective mechanisms are in place in Leicester and Leicestershire to work on strategic cross boundary planning matters. An officer and member structure is in place and the authorities in Leicester and Leicestershire have prepared a Strategic Growth Plan to consider longer term planning up to 2050.
- 5.6 At present there are no plans to prepare any joint Local Plans with other Local Planning Authorities. However, the following Statements of Common Ground have been prepared and signed by Council, as a written record of the progress made by, and agreement between, the authorities during the process of planning for strategic, cross-boundary matters:
- Leicester & Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs, signed by Council 19 July 2023
  - South Leicestershire Local Plan Making Statement of Common Ground and Leicester & Leicestershire Authorities, signed by council 14 December 2021
  - Statement of Common Ground relating to Warehousing & Logistics Need signed by council 14 December 2021

## Resources

- 5.7 The Development Strategy Team will have primary responsibility for preparing the Local Plan.
- 5.8 Consultants may be engaged on specific projects where there is a lack of expertise or capacity within the District Council.

## Programme Management

- 5.9 The Local Plan process will be project managed by the Development Strategy Manager who will report on a regular basis to the Group Manager. The Council's Senior Leadership Team and the Portfolio Holder for 'Planning, Economic Development and Housing Strategy' will be provided with progress reports as appropriate.

## Council Decision-Making Procedures

- 5.10 The new Local Plan will be considered by appropriate Members at each stage. Full Council agreement will be required at Publication and Adoption stages.

## Risk Assessment

- 5.11 An assessment has been carried out to identify factors which could impact on the delivery of the work programme set out in the LDS. The risks and actions to manage these risks are identified in Table 1.

**Table 1 – Risks, Impacts and Management Actions**

Risk Identified	Likelihood / Impact	Management Action
Staff turnover / long term absence/ reduction in staff numbers.	Medium / high.  Impact could be considerable.	<ul style="list-style-type: none"><li>• Provide appropriate training to encourage staff retention.</li><li>• Provide a varied workload to keep staff engaged and motivated.</li><li>• Recruitment to commence as soon as the current post holder submits their notice (subject to available funding).</li><li>• Employ agency staff / consultants to cover periods of absence (subject to available funding).</li><li>• Re-deploy suitable staff from the Development Services Team should opportunities arise.</li></ul>

Risk Identified	Likelihood / Impact	Management Action
Programme slippage	Medium / high. Impact could be considerable.	<ul style="list-style-type: none"> <li>• Monitor progress and give priority to achieving the key milestones set out in the LDS.</li> </ul>
Evidence gathering delays	Medium / high. Impact could be considerable.	<ul style="list-style-type: none"> <li>• The Local Plan relies on substantial evidence on a range of issues.</li> <li>• Provide resources and funding to complete evidence gathering.</li> <li>• Encourage early engagement to secure evidence.</li> </ul>
Web accessibility/GIS	Medium/high	<ul style="list-style-type: none"> <li>• Implementing service plan and transformation programme and working with support services to remove blockages</li> </ul>
Changes in Housing, Employment and other development requirements.	High. Impact could be considerable.	<ul style="list-style-type: none"> <li>• Monitor changes to Standard method</li> <li>• Build in flexibility into Local Plan options for growth.</li> <li>• Early completions/reviews of the Statements of Common Ground with other HMA partners.</li> </ul>
Substantial evidence requirements arising from Strategic Sites – including transport evidence, viability and deliverability (in terms of potential delivery of strategic infrastructure that relies on third parties).	High. Impact could be considerable.	<ul style="list-style-type: none"> <li>• Early identification of key issues in relation to Strategic Sites and engagement with key partners (including infrastructure providers and site promoters).</li> </ul>
Potential disconnect with emerging Neighbourhood Plans resulting in the two	Medium / high. Impact could be considerable.	<ul style="list-style-type: none"> <li>• Engage with Neighbourhood Plan Groups in order to seek alignment as far as practicable.</li> </ul>

<b>Risk Identified</b>	<b>Likelihood / Impact</b>	<b>Management Action</b>
parts of the development plan diverging.		
Competing work priorities. The Development Strategy Team is involved in a wide range of planning policy work.	Medium / high.  Impact could be considerable.	<ul style="list-style-type: none"> <li>The importance of the Local Plan is recognised within the Council. The Team's involvement in other work may need to be reduced at times.</li> </ul>
Changes to legislation and/or Government policy including proposals for substantial change contained in the Levelling Up and Regeneration Bill and the national Planning Reforms.	Medium / high.  Impact could be considerable.	<ul style="list-style-type: none"> <li>Monitor Government statements to pre-empt legislation and policy changes.</li> <li>Take a flexible policy approach where appropriate.</li> </ul>
Examination Process – Soundness of DPDs.	Low / medium.  Impact could be considerable.	<ul style="list-style-type: none"> <li>Work closely with DLUHC and the Planning Inspectorate (PINS).</li> <li>Follow procedures set out in the Planning Acts, Regulations, NPPF and the Planning Practice Guidance.</li> </ul>
Duty to Co-operate failure	Low / medium.  Impact could be considerable.	<ul style="list-style-type: none"> <li>Continue to work with local authorities within the Housing Market Area and other partners on strategic, cross boundary matters and prepare Statements of Common Ground, as appropriate.</li> </ul>

## **Evidence Base**

5.12 The Council will undertake and commission studies, both independently and in partnership, which will contribute to the 'evidence base' for its Local Plan. These will be made available on the Council's website.

## **Monitoring**

- 5.13 The Council monitors, on an annual basis, how effective the policies and proposals in the Local Plan are in terms of meeting the Local Plan objectives. An Authority Monitoring Report (AMR) is prepared for this purpose.
- 5.14 The AMR will also give information about whether or not the Council is meeting the milestones set out in the LDS for preparing the new Local Plan. As a result, it may become necessary to revise the LDS in the future.

## Appendix A: Schedule of Local Plan Documents

Document Title	Status	Role and Content	Geographic Coverage	Conformity	Publication	Submission	Adoption
Local Plan	DPD	Vision, strategic objectives,  Strategic policies and allocations,  Non-strategic policies	District wide	National Planning Policy Framework, Planning Practice Guidance,  Strategic Growth Plan	September / October 2024	March 2025	March 2026
Local Plan Policies Map	Legally required	Illustrates policies and proposals of Local Plan	District wide	Local Plan	As per timetable for Local Plan above.	As per timetable for Local Plan above.	As per timetable for Local Plan above.

## Appendix B: Local Plan Document Profiles

<b>B1: Profile Local Plan</b>	
<b>Overview</b>	
Role and Content	<p>Vision and strategic objectives for the District</p> <p>Strategic policies:</p> <ul style="list-style-type: none"> <li>• To set an overall strategy for the pattern, scale and quality of development</li> <li>• To make sufficient provision for housing, employment, retail, leisure, commercial uses, infrastructure and community facilities</li> <li>• To conserve and enhance the natural, built and historic environment.</li> </ul> <p>Non-strategic policies for specific areas, types of development including allocating sites, design principles and development management policies.</p>
Geographic Coverage	<p>District wide*</p> <p>*Will not duplicate policies and proposals in made Neighbourhood Plans.</p>
Status	Development Plan Document
Conformity	General conformity with NPPF
<b>Timetable</b>	
Regulation 18 Consultation	January/February 2021
Publication of Local Plan	September / October 2024
Submission	March 2025
Examination hearings	July 2025
Adoption	March 2026
<b>Arrangements for Production</b>	
Lead Section	Development Strategy Team
Project Manager	Planning Policy and Strategy Manager



<b>B1: Profile Local Plan</b>	
Management Arrangements	Appropriate Council members will consider the Local Plan at each stage. Council agreement is required at Publication and Adoption stages.
Internal Resources	Planning and Strategy Growth, Environmental Health Service, Housing and Communications teams
External Resources	Consultants will be appointed where necessary
External Stakeholder Resources	Technical advice from a range of external stakeholders, including highway authorities, utility and service providers, will inform the content of the Local Plan.
Approach to involving stakeholders and the community	Set out in Statement of Community Involvement
<b>Post Production</b>	
Monitoring and Review	Authority Monitoring Report will monitor progress towards preparing the Local Plan as well as policies to guide whether a review is required.

<b>B2: Profile Local Plan Policies Map</b>	
<b>Overview</b>	
Role and Content	<p>Policies Map illustrates on an Ordnance Survey base all the policies and proposals set out in the Local Plan.</p> <p>Inset Maps, where required, illustrate policies and proposals for specific parts of the District or specific settlements.</p>
Geographic Coverage	District wide
Status	Legally required to support Local Plan
Conformity	General conformity with NPPF
Timetable	The Policies Map and any relevant inset maps will be revised as the Local Plan is prepared and so the timetable will be the same as the Local Plan.
<b>Arrangements for Production</b>	
Lead Section	Development Strategy Team
Project Manager	Development Strategy Manager
Management Arrangements	Appropriate Council members will consider the Policies Map at each stage. Council agreement is required at Publication and Adoption stages.
Internal Resources	Planning and Economic Development department
External Resources	External resources required to prepare an electronic version of the Policies Map for web use and web accessible Local Plan and supporting documents, including evidence. Also, it may be necessary to use external printing resources to prepare paper copies.
External Stakeholder Resources	Technical advice from a range of external stakeholders, including highway authorities, utility and service providers, will inform the content of the Local Plan, which will be reflected on the Policies Map.
Approach to involving stakeholders and the community	Set out in Statement of Community Involvement

<b>B2: Profile Local Plan Policies Map</b>	
<b>Post Production</b>	
Monitoring and Review	Authority Monitoring Report will monitor progress towards preparing the Local Plan as well as policies to guide whether a review is required. Policies Map will be updated when plans are reviewed and updated.

## Appendix C: Detailed Programme Timetable

	2024							2025												2026				
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Evidence gathering																								
reg 18 Consult on draft version(s) of the Plan																								
reg 19 & 20 Proposed Submission version																								
reg 22 - Submission of the Plan																								
Reg 23 & 24 - Examination*																								
Reg 25 - Inspector report*																								
Reg 26 - Adoption																								

## Appendix D: Glossary

### **Authority Monitoring Report (AMR)**

A report that reviews the Local Plan progress compared to the targets and milestones for Local Plan preparation set out in the LDS, as well as reviewing the effectiveness of policies within the Local Plan against targets set out in a monitoring framework.

### **Development Plan Document (DPD)**

A Local Development Document that carries Development Plan status and is subject to procedures of community involvement, consultation and independent examination. It contains policies against which planning applications will be considered.

### **Local Development Documents (LDDs)**

The set of documents which taken as a whole set out the development plan policies in force in the area.

### **Local Development Scheme (LDS)**

The Local Development Scheme is a document which sets out the Local Planning Authority's programme for the production of Local Development Documents.

### **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework sets out Government's planning policies for England and how these are expected to be applied.

### **Planning Inspectorate (PINS)**

The Planning Inspectorate is an agency of the Ministry of Housing, Communities and Local Government. It deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework.

### **Planning Practice Guidance**

The National Planning Practice Guidance adds further context to the National Planning Policy Framework (NPPF) on specific issues and is intended to be read in conjunction with the NPPF.

### **Policies Map**

This will illustrate, on an Ordnance Survey Base Map, all the policies and proposals contained in the Local Plan. This document was previously known as the Proposals Map.

### **Standard Method**

The standard method identifies the minimum number of homes that a local authority should plan for in an area. It is determined through a formula contained within the Planning Practice Guidance.

**Statement of Community Involvement (SCI)**

This statement tells communities how and when they can be involved in the preparation of Local Plans. It shows how the Local Planning Authority plans will engage with communities when preparing Local Development Documents. The document also covers community involvement in the determination of planning applications.

**Strategic Environmental Assessment (SEA)**

Assessment of the environmental impacts of the policies and proposals contained within the Local Plan. An SEA is required only when a plan is likely to have a significant environmental effect.

**Supplementary Planning Document (SPD)**

A Local Development Document that does not carry Development Plan status but elaborates on policies and proposals in Development Plan Documents.

**Sustainability Appraisal (SA)**

An SA must be carried out prior to plans being adopted. It involves an assessment of the social, economic and environmental implications of the plans and policies in the Local Plan to ensure that all decisions are made with the objective of sustainable development in mind. The SA can incorporate the requirements of the SEA.