



Leicester
City Council

MEETING OF THE CABINET

DATE: MONDAY, 22 NOVEMBER 2010
TIME: 1PM
**PLACE: THE COUNCIL CHAMBER - FIRST FLOOR, TOWN HALL,
TOWN HALL SQUARE, LEICESTER**

Members of the Cabinet

Councillor Patel (Chair)
Councillor Dempster (Vice-Chair)

Councillors Bhatti, Dawood, Naylor, Osman, Palmer, Russell, Wann and Westley

Members of the Cabinet are invited to attend the above meeting to consider the items of business listed overleaf.

for Director of Corporate Governance

MEMBERS OF THE PUBLIC:

YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS. HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN THE MEETING.

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INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Committees, as well as meetings of the full Council. Tweeting in formal Council meetings is fine as long as it does not disrupt the meeting. There are procedures for you to ask questions and make representations to Scrutiny Committees, Community Meetings and Council. Please contact Democratic Support, as detailed below for further guidance on this.

You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre, King Street, Town Hall Reception and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

Meetings are held at the Town Hall. The Meeting rooms are all accessible to wheelchair users. Wheelchair access to the Town Hall is from Horsefair Street (Take the lift to the ground floor and go straight ahead to main reception).

BRAILLE/AUDIO TAPE/TRANSLATION

If there are any particular reports that you would like translating or providing on audio tape, the Democratic Services Officer can organise this for you (production times will depend upon equipment/facility availability).

INDUCTION LOOPS

There are induction loop facilities in meeting rooms. Please speak to the Democratic Services Officer at the meeting if you wish to use this facility or contact them as detailed below.

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Heather Kent or Julie Harget, Democratic Support on (0116) 229 8816/8809 or email heather.kent@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

3. LEADER'S ANNOUNCEMENTS

4. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 8 November 2010, have been circulated to Members and the Cabinet is asked to approve them as a correct record.

5. MATTERS REFERRED FROM COMMITTEES

6. NEW COLLEGE STRUCTURAL SOLUTIONS FOR NATIONAL CHALLENGE SCHOOLS - LAND TRANSFER **Appendix A**

Councillor Dempster submits a report that updates Members on the Land Transfer process and seeks approval for the disposal of the New College School site to the Trustees at nil consideration. Cabinet is recommended to consider the terms proposed for the transfer of the school site and confirm approval for a disposal at nil consideration.

A minute extract from the Children & Young People Scrutiny Committee meeting on 16 November will be circulated as soon as it is available.

7. REVIEW OF STATEMENT OF LICENSING POLICY **Appendix B**

Councillor Russell submits a report that seeks to obtain Cabinet's views on the draft Statement of Licensing Policy following public consultation and consultation with the Licensing Committee, and prior to final approval by full Council. Cabinet is asked to give its views on the proposed Statement of Licensing Policy, which will apply between February 2011 and February 2014.

A minute extract of the Licensing Committee meeting on 11 November 2010 will be circulated as soon as it is available.

8. LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CORE STRATEGY AND REVISION OF LOCAL DEVELOPMENT SCHEME **Appendix C**

Councillor Osman submits a report that considers the adoption of the Local

Development Framework Core Strategy which will provide the overarching planning policies to guide development in the City to 2026. It also seeks approval for a revised Local Development Scheme which sets out policies that need to be saved alongside the Core Strategy. Cabinet is asked to approve the recommendations in Paragraph 2 of the report.

A minute extract from the meeting of the Planning and Development Control Committee on 9 November 2010 is attached.

A minute extract from the meeting of the Overview & Scrutiny Management Board on 18 November will be circulated as soon as it is available.

9. PARTNERSHIP ARRANGEMENTS FOR PROVIDING CARE MANAGEMENT SERVICES FOR PERSONS WITH SUBSTANCE MISUSE PROBLEMS [Appendix D](#)

Councillor Palmer submits a report that conveys the success of partnership working and seeks Council approval for the acceptance of a delegated function, to the City Council from Leicestershire and Rutland County Councils, thus enabling it to carry out Community Care Assessment and Care Management arrangements for people with Substance Misuse problems living in those areas. Cabinet is asked to approve the recommendations in paragraph 2 of the report.

A minute extract from the meeting of the Overview & Scrutiny Management Board on 18 November 2010 will be circulated as soon as it is available.

10. THE FUTURE ARRANGEMENTS OF THE DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS) SERVICE UNDER THE PROVISIONS OF THE MENTAL CAPACITY ACT 2005 [Appendix E](#)

Councillor Palmer submits a report that seeks Cabinet approval for a three year rolling financial agreement for the provision of the DOLS service from 1st April 2011. Cabinet is asked to approve the recommendation in Paragraph 3.2 of the report.

A minute extract from the meeting of the Overview & Scrutiny Management Board on 18 November 2010 will be circulated as soon as it is available.

11. COMMUNITY LEGAL ADVICE CENTRE (CLAC) SERVICE AND FUTURE COMMISSIONING OF ADVICE SERVICES IN LEICESTER CITY [Appendix F](#)

Councillor Palmer submits a report that seeks approval from Cabinet for extending the current CLAC contract by 12 months from 1st April 2011 until 31st March 2012 and supports a strategic review of advice services in Leicester

City. Cabinet is asked to approve the recommendations in Paragraph 2 of the report.

A minute extract from the meeting of the Overview & Scrutiny Management Board on 18 November 2010 will be circulated as soon as it is available.

12. REVIEW OF RIVAL MARKET POLICY **Appendix G**

Councillor Westley submits a report that considers revisions to the Rival Markets Policy to provide clearer guidelines for any potential operators seeking a licence and to review licence fees for each category. Cabinet is requested to approve the revised Rival Market Policy with immediate effect.

A minute extract from the meeting of the Overview & Scrutiny Management Board on 18 November 2010 will be circulated as soon as it is available.

13. CORPORATE EQUALITY STRATEGY **Appendix H**

Councillor Dawood submits a report that presents a revised corporate equality strategy which sets out how the Council aims to reduce inequality within the city as well as how it will meet its public sector equality duties. Cabinet is asked to agree to the revised equality strategy.

14. STATE OF THE CITY REPORT: LEICESTER PARTNERSHIP ANNUAL REPORT 2009/10 **Appendix I**

Councillor Patel submits a report that presents the state of the city report that assesses the progress made in delivery of the One Leicester aims and priorities up to April 2010. Cabinet is recommended to approve the report and note the arrangements for publication and circulation.

A minute extract from the meeting of the Performance & Value for Money Select Committee on 15 November 2010 will be circulated as soon as it is available.

15. COUNCIL ANNUAL REPORT 2009/10 **Appendix J**

Councillor Patel submits a report that presents the Council Annual Report 2009/2010. Cabinet is recommended to approve the report and recommend it to full Council, and note the arrangements for publication and circulation of the report.

A minute extract from the meeting of the Performance & Value for Money Select Committee on 15 November 2010 will be circulated as soon as it is available.

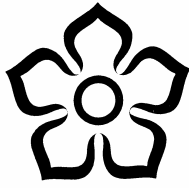
16. COMPREHENSIVE SPENDING REVIEW 2010 AND SPENDING MORATORIUM

Appendix K

Councillor Patel submits a report that considers the Comprehensive Spending Review and a proposed spending moratorium. Cabinet is asked to approve the recommendations in paragraph 1 of the report.

17. ANY OTHER URGENT BUSINESS

Appendix A



Leicester
City Council

**WARDS AFFECTED:
NEW PARKS WARD**

**CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE
CABINET**

**16 NOVEMBER 2010
23 NOVEMBER 2010**

NEW COLLEGE STRUCTURAL SOLUTIONS FOR NATIONAL CHALLENGE SCHOOLS - LAND TRANSFER

Report of the Strategic Director, Children

1. Purpose of Report

- 1.1. Following the report to this Committee on 13th April 2010 and Cabinet on 19th April 2010 to update Members on the Land Transfer process and seek approval for the disposal of the New College School site to the Trustees at nil consideration.

2. Recommendations

- 2.1. That the Children and Young People Scrutiny Committee notes the report and makes any observations to Cabinet.
- 2.2. That Members consider the terms proposed for the transfer of the school site and confirm approval for a disposal at nil consideration.

3. Summary

- 3.1. This report outlines progress to date and proposals for the asset transfer to Trust Status requiring Cabinet approval for a disposal at nil consideration.

4. Report

- 4.1. The report to this Committee on 13th April 2010 and Cabinet on 19th April 2010 recommended a further report on the process involved in Land Transfer if the colleges proposed in that report gained National Challenge Co-operative Trust Status.

4.2. When a school's proposal to change governance category has been approved, all land held and used by the transferor immediately before the implementation date for the purposes of the school will transfer to and vest in the transferee to be held for the purposes of the school. Normally this will include the school's buildings, hard and soft play areas, all weather sports areas, games courts, playing fields, habitat areas, roads, paths and car parks. Where a shared school community facility (e.g., leisure centre or sports hall) is transferred to the school, it will have to honour any existing contracts or agreements. If they make any reference to maintenance or other requirements, then the school is bound to honour them.

4.3. The Governing Body met to consider the consultation responses on 14th April 2010 and considered the issues raised.

The consultation was promoted widely and approximately 2,000 consultation documents were distributed when consultation officially opened

There were 16 response forms returned, 13 of these were supportive of the proposed change, 2 were unsure and 1 was against.

4.4. At the staff meeting there were no general objections to the proposals, although there were significant numbers of queries and comments about the appropriateness of the rationale behind the proposals given the college's current perceived stage in its development journey.

The members of the New College Trust are:

CfBT Education Trust	4 Trustees
Wyggeston and Queen Elizabeth 1 College	2 Trustees
Leicester Children & Young People's Services	1 Trustee
The Co-operative College	1 Trustee
Stakeholder Forum (to be established during 1 st Yr)	1 Trustee

4.4.1 The Stakeholder Forum is to be made up of:

- learners attending the college;
- parents and carers of those attending the college;
- staff working at the college;
- members of the local community; and
- local community organisations

4.5 Governance Structure

Governor type	Proposed
Local Authority	1
Parent	4
Staff	2
Community	2
Trust/Foundation	10 (2)*
Total	19

*Under the Trust/Foundation category, the number in brackets is the number of Trust appointed governors who, at the time of their appointment, are eligible for election or appointment as parent governors to ensure that at least one third of governors are parents.

4.6 Statutory Notices

Statutory notices for New College were issued and published at noon April 19th starting the 4 week Statutory Representation period which ended at noon on May 17th.

No representations were received at New College during the four week period allowed for representations and the Proposals have not been referred to the Schools Adjudicator.

The Interim Executive Board (IEB) at New College voted to progress to Trust status to take effect on June 1st at their meeting on Wednesday May 19th.

The Trust will be known as

New College Leicester Trust

Final stages: The documents listed below are to be completed and sent to Companies House to register the Trust as at May 28th:

Articles of Association agreed
Memorandum of Association signed
Trust registration document ION1 signed

On June 1st 2010, the following were enacted:

- The Trust was established
- The category of the school changed from Community to Foundation.
- Staff became employees of the Governing Body

4.7 Once the Trust was established, Cobbetts Solicitors, acting for the school, moved to agree the conveyance terms with the local authority Legal Department to determine the Land and Buildings to be transferred. This

process can take up to six months and has taken up to two years in some instances.

If agreement cannot be reached the decision will then be referred to the School's Adjudicator to make the final decision.

- The school's land and buildings will transfer to that Trust to be held in trust for the duration of its relationship with the school. Trust schools will be in the same situation as existing foundation schools whose foundations (or Trusts) already hold the land, and also similar to existing voluntary aided (VA) schools.

4.8 Investing In Our Children officers have now liaised with Property and Legal officers to explore the issues of asset transfer and the following proposals have been provisionally agreed, with the exception of the Football Foundation site by the Trustees of the Co-operative Trust.

I. General Site

Subject to the specific provisions listed below it is intended that the land and buildings comprising New College (as shown edged black on the attached plan) will be subject to a freehold transfer to the Trust who will grant Leicester City Council all appropriate rights of access and provision of services in relation to its ongoing interests, subject to the following provisions.

II. Playing Fields (Area 1 on attached plan)

The Playing Fields will be transferred to the Trust subject to covenants on the land to agree that in the event of a requirement for strategic educational purposes by the Council that the Trust would permit suitable development providing that sufficient sports fields remained to provide for statutory requirements.

III. New Parks Club for Young People (Area 2 on attached plan)

The site of approximately 3.07 hectares leased to New Parks Club for Young People to be excluded from the transfer.

IV. Gymnastic Hall/Sports Hall (Area 3 on attached plan)

Subject to agreement by Sport England to the disposal and to releasing the Council from all claims and demands whatever in respect of the terms contained in the following documents ; - (i) an Award of Grant Letter dated 26th March 2008 and (ii) a Form of Acceptance entered into by the Council with Sports England and (iii) the Council's Grant Application Form whereby the Council entered into obligations for the delivery of a new build gymnastics facility (These documents together constitute "the Lottery Sports Fund Award") the gym facility would transfer to the Trust. The Trust would enter into a Deed of Novation whereby the Trust would undertake to comply with the rights and obligations contained in these

documents and to be bound by the terms. The Council will indemnify the Sports England and the Trust in full against all costs losses damages or expenses incurred as a result of any claims proceedings or actions arising from any acts or omissions of the Council prior to the release of the Council under the Novation Agreement.

There is a Community Use Agreement in respect of this facility entered into between the Governors at the School and British Gymnastics and Hinckley Gymnastics in respect of the future running and management of the facility. The Council is not party to this Deed and it accepts no responsibility for any of the matters purported to be the responsibility or function of the “Authority” under that agreement.

The facility is dedicated to Sport England for 21 years from 30th April 2009 and as such is registered against the Council’s freehold registered land title. If Sport England do not agree to the transfer of the facility to the Trust and release the Council from the terms of the Lottery Sports Fund Award then the transfer of the facility cannot take place. The Council could, however, agree to transfer the facility to the Trust once the time period has elapsed and the restriction removed.

In the meantime, the current school use of the facility would be the subject of a user agreement to be entered into between the Council and the Trust/Governing Body. This user agreement would be in terms as set out in the Lottery Sports Fund Award so as to comply with Sport England grant conditions. As between the Council and the Governing Body the current arrangements for repair and maintenance will form part of the agreement.

V. Youth Centre (Area 4 on attached plan)

Due to the proposed expansion of the Youth Centre, the area shown hatched black will be excluded from the Transfer to facilitate these proposals (10m x 28m).

VI Football Foundation (Area 5 on attached plan)

Following discussions with the Football Foundation and the Trust representatives to ensure the delivery of the councils “Football Development Strategy” with the licensee Allexton Football Club and satisfy the Trustees requirements, it has now been agreed that this area (comprising the changing rooms and all weather pitch) will be included in the freehold transfer to the Trust. The Trust will then lease back this area to the Council on a long lease suitable to comply with the Football Foundations and Councils requirements.

A tripartite agreement will also be set up between the Trust, Football Foundation and Authority to confirm service delivery requirements, shared rights and responsibilities.

VII Substation (Area 6 on attached plan)

The substation located to the north of the site leased to Central Networks on a 21 year lease from 2006 on a peppercorn rent will be included in the transfer to the Trust.

- 4.9 As the transfer is a disposal to the college at “less than best consideration” under the disposals framework, Cabinet will need to consider whether it considers the disposal justified under the following “wellbeing” provisions:-
- Promotion or Improvement of economic wellbeing
 - Promotion or Improvement of social wellbeing
 - Promotion of environmental wellbeing
- 4.10 If Cabinet confirms that the disposal can proceed at “less than best consideration”, the requirement to seek Secretary of State Consent Authority does not apply where the transfer is to:-
- a) the governing body of a foundation, voluntary or foundation special school or
 - b) persons proposing to establish such a school.

5. **FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

5.1. Financial Implications – Nick Booth, Extn. 297460

The transfer of the school to trust status would result in a nominal sum of £1. If the school for any reason was discontinued, the Secretary of State would have the power to direct where the land or proceeds are used. In theory, the site could be worth approximately £5.8 million excluding playing fields, but in practice there has been no expectation of any such sale.

The school is in the Council's forward Building Schools for the Future (BSF) Programme. Subject to the continuation of the current BSF framework and the necessary local and national approvals, the Council would act as agent for the Trust in respect of a future BSF scheme and the resulting on-going contracts. These contracts will include Facilities Management, Lifecycle and ICT. The funding and costs of BSF contracts are currently pooled between BSF schools and in certain circumstances shared with the City Council. This means that the costs incurred on the transferring contracts for a particular school will not match the contribution to be paid by that school under these current arrangements. This has previously been flagged as a risk and an area for further discussion with schools collectively and individually as the BSF programme is rolled out and alternative models of school governance emerge. It should also be noted in connection with BSF that individual schools have accepted on-going liability for on-going costs occasioned by school-led additions or changes to the original BSF design and facilities and the Council would expect these to continue to be honoured.

The report highlights a number of agreements with external funders such as the Sport England and the Football Foundation, and also arrangements for community use. It will be important to ensure that all parties' financial and legal interests are protected as new agreements and arrangements are entered into.

5.2. Legal Implications

The re-prohibition from making disposals of land below market value without the consent of the Secretary of State has been dis-applied, by virtue of Part 3 of Schedule 3 to the Schools Standards and Framework Act 1998 in the case of a disposal to the governing body of a foundation school.

No BSF contracts have been entered into or committed in respect of this school, although this school has been profiled within the "affordability gap" calculations to be pooled under the arrangements for contributions from schools. However, the proposed documentation available for BSF contracts will enable this school to be a BSF project, the Council entering into procurement, development and governing body agreements with the school in due course to enable this.

In this case, the Governing Body is the decision maker for the purposes of proposals for changes to local school provisions. In making a decision following the consultation, the Governing Body must follow the Statutory guidance.

If the Governing Body has failed to meet the requirements for consultation, it is possible that their decision could be open to challenge. The other route for complaints against the decision would be to the Secretary of State.

In respect of admissions, the Governing Body would be required to honour any decisions taken by the local authority for the existing admissions round.

The change in school category will result in a change of employer and staff contracts will transfer. Legal advice is being provided on staff transfers and pension arrangements in particular.

In respect of land, land held by the Council for the school transfers to the new trustees. It is not believed that the school uses land held by another body. It is not proposed to exclude any land of the school from the transfer except where identified in the report 4.8 I to VII.

5.3. Climate Change Implications

Currently under the CRC Energy Efficiency Scheme and under NI 185 (the Council's carbon emissions) schools that gain Trust Status will continue to have their carbon emissions included in the total for the Council's carbon emissions with the resultant liability this incurs under the CRC. In 2009-10 New College emitted around 920 tonnes of carbon as a result of their gas and

electricity consumption. These emissions will still be the responsibility of the Council even if the College gains Trust Status.

Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement

6. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

7. Background Papers – Local Government Act 1972

7.1. The Transfer and disposal of school land in England - DCSF

8. Consultations

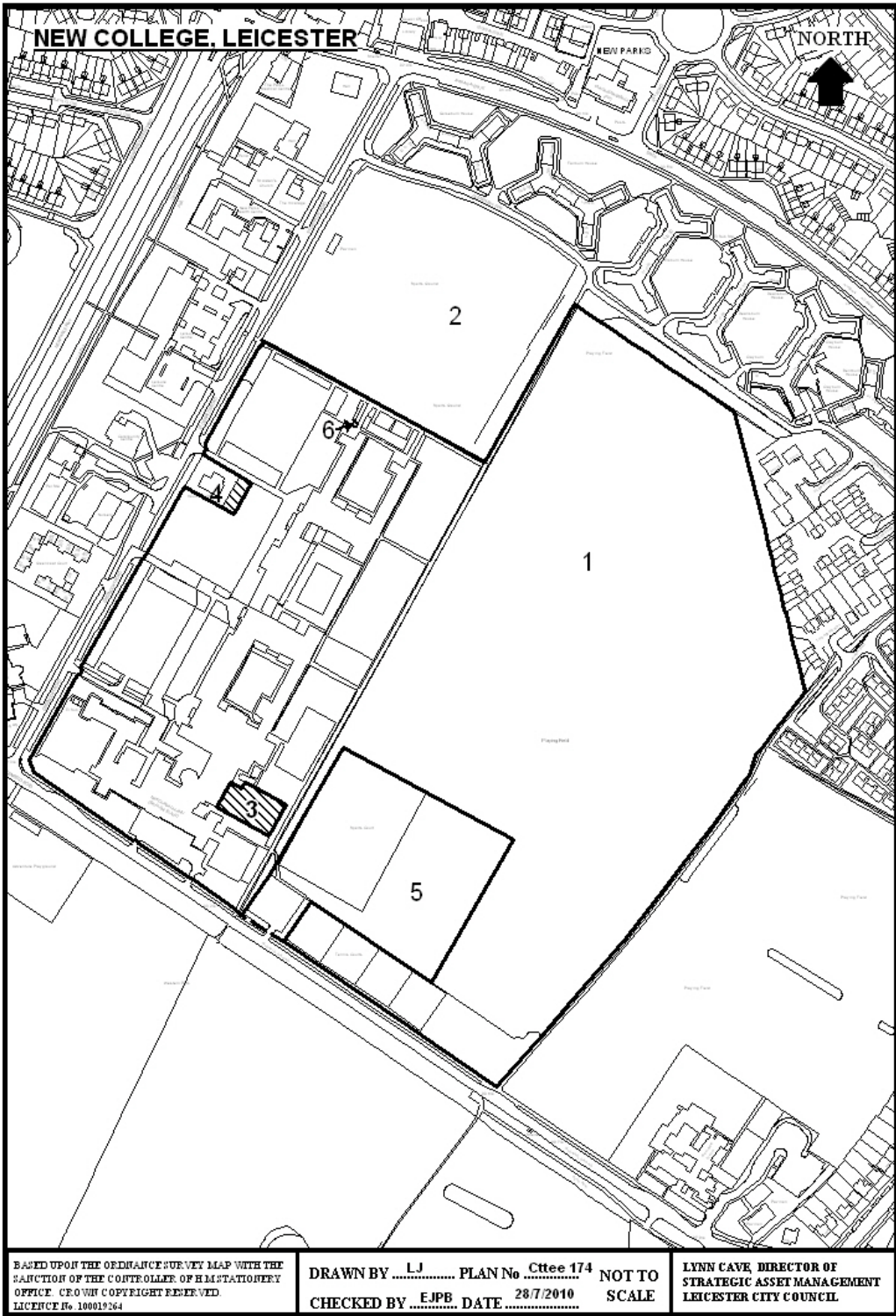
8.1. As set out in the report.

9. Report Author

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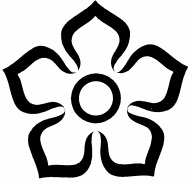
Rob Thomas
School Organisation Manager
Learning Environment
Extn. 391637
Email: Rob.Thomas@leicester.gov.uk

Key Decision	Yes
Reason	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)



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Appendix B



Leicester
City Council

WARDS AFFECTED
City wide

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Licensing Committee

11 November 2010

Cabinet

22 November 2010

Council

25 November 2010

Review of Statement of Licensing Policy

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. To obtain Cabinet's views on the draft Statement of Licensing Policy following public consultation and consultation with the Licensing Committee, and prior to final approval by full Council.

2. Recommendations for Licensing Committee

- 2.1. Licensing Committee is asked to provide its comments to Cabinet on the proposed Statement of Licensing Policy, which will apply between February 2011 and February 2014.

3. Recommendations for Cabinet

- 3.1. Cabinet is asked to give its views on the proposed Statement of Licensing Policy, which will apply between February 2011 and February 2014.

4. Recommendations for Council

- 4.1. Council is asked to approve the proposed Statement of Licensing Policy, which will apply between February 2011 and February 2014.

5. Summary

- 5.1. The Licensing Act 2003 requires that each Licensing Authority has a Statement of Licensing Policy. This must be reviewed every three years. In November 2007, the full Council approved the Statement of Licensing Policy to apply between February 2008 and February 2011.

- 5.2. The Statement of Licensing Policy explains how the licensing authority will carry out its role under Licensing Act 2003, during the next three years. During this period the licensing authority will keep this policy under review and may make revisions to the document following consultation with the bodies outlined below. The policy will also:
- be used as a guide by members of the Licensing Authority in their decision making ;
 - inform applicants about how applications will be viewed and how a licensed premises is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis;
 - inform residents and businesses about how applications will be viewed and how their needs will be addressed
 - be used to support decisions made by the Licensing Authority when these decisions are challenged in a court of law.

6. Consultation and revised policy

- 6.1. Consultation took place in July, August and September 2010. A questionnaire was made available online and in paper format to the consultees shown in Appendix 5. Other steps taken to promote the consultation were:
- Press release
 - Two articles in the Leicester Mercury
 - Article in Leicester Link
 - Information on our website
 - Twitter
 - Presentation at Castle Ward community meeting 9 September 2010
- 6.2. 47 responses were received, most by way of the consultation document. The statistical responses are shown on the consultation document at Appendix 3. The specific comments received are summarised in the document shown at Appendix 4, together with our response to the specific comments made.
- 6.3. A response to the consultation was received from Leicestershire Police. Information about this is included in relevant sections below.
- 6.4. Officers updated the current policy to take account of consultation and experience gained over the last three years. The main changes are:
- 6.4.1. The cumulative impact policy (“saturation zone”) for Churchgate / Haymarket / Belgrave Gate / Abbey Street will be retained. The Police and other consultees have asked for new areas to be added for Belvoir Street and Braunstone Gate areas which are associated with elevated incidence of crime and disorder, and an area around London Road and Granby Street, in relation to off-licences, which has elevated incidence of public nuisance and antisocial behaviour associated with street drinking. Supporting evidence from the Police

has been deposited in the group rooms and the members' library. The police have also suggested that consideration may be given to the introduction of a cumulative impact policy covering the whole of the city centre. The extent of the proposed areas are described below and shown on the maps attached at Appendix 2.

- Belvoir Street area of the City - bounded by Belvoir Street, Granby Street (from Belvoir Street to Chatham Street), Chatham Street, Wellington Street (from Belvoir Street to Park Street), Park Street, New Walk (from Park Street to King Street) and King Street (from New Walk to Belvoir Street);
- Braunstone Gate area of the City - bounded by Braunstone Gate, New Park Street, Narborough Road from New Park Street to Upperton Road, and Hinckley Road (from Narborough Road to Fosse Road Central/Fosse Road South);
- London Road/Granby Street area of the City - bounded by London Road (from Prebend Street to Granby Street) and Granby Street (from London Road to Chatham Street).

6.4.2. There have been a number of suggestions from respondents that there should be a saturation policy for the Queens Road area of Clarendon Park. Many of the comments related to the demand, or need for more premises. This is outside the scope of the Licensing Act and neither the density of premises or the level of crime or disorder supports the adoption of a cumulative impact policy in this area.

6.4.3. Legislation dictates a certain amount of the content of the Statement of Licensing Policy. It also sets out matters that the licensing authority may not impose on applicants, licence holders, and so on. The revised policy complies with the legislation in this respect, but also includes additional information about steps the licensing authority considers best practice. This is intended to encourage effective promotion of the licensing objectives.

6.4.4. Part of this consultation involved obtaining respondents' views on which steps to promote the licensing objectives were generally likely to be appropriate for which types of licensed premises. In relation to the prevention of crime and disorder, the police are seen as having the expertise and their view is therefore given significant weight. The key steps which are supported by the police are the installation of CCTV, the employment of door supervisors and the training of staff involved in the sale of alcohol. These were also the three most important steps supported by respondents in general. Where the police have responded that they do not support particular steps to promote the prevention of crime and disorder, they are not identified in the policy as measures that the licensing authority would expect to see. These are:

- Personal licence holders being on duty whenever alcohol is being sold;
- Door supervisors being on duty inside premises to deal with security
- Poly-carbonate glasses being used.

6.4.5. The government consultation 'Rebalancing the Licensing Act' ended several weeks ago and it is likely that there will be significant changes made. Depending on the nature of these changes, it may be necessary for our Statement of Licensing Policy to be reviewed again. One proposal is to enable licensing authorities to impose as 'Early morning alcohol restriction', which gives authorities the power to make all premises licensed for the sale of alcohol to close between 03.00 and 06.00 hours. This proposal was included in our own consultation document and 26 out of 37 respondents (70%) agreed that Leicester City Council should make such an order. The proposal was also supported by the Leicestershire Constabulary. If central government enacts this proposal Members will be asked to give consideration to it at that time.

6.4.6. The revised policy takes account of the consultation responses, and is attached at Appendix 1. This document shows the differences from the current policy.

7. Financial, legal and other implications

7.1. Financial Implications

7.1.1. There are no significant financial implications arising from this report.
Martin Judson - Head of Finance

7.2. Legal Implications

7.2.1. The Council as a Licensing Authority is under a statutory duty to determine its Licensing Policy with respect to the exercise of its licensing functions every three years. The current Policy was determined in November 2007 therefore a new Policy is due. A current Licensing Policy must be in place for the Council to be able to function as a Licensing Authority.

Sarah Khawaja – Senior Solicitor/Team Leader Legal Services

7.3. Climate Change Implications

7.3.1. This report does not contain any significant climate change implications and therefore should not have a detrimental effect on the Council's climate change targets.
Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement

8. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	Yes	Throughout
Sustainable and Environmental	No	

Crime and Disorder	Yes	Section 6.4
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	NO	

9. Background Papers – Local Government Act 1972

9.1. Report to Licensing Committee – Review of Statement of Licensing Policy, 18 May 2010

10. Consultations

10.1. See Section 6

11. Report Author

11.1. Mike Broster
Head of Licensing and Pollution
0116 2526408
Mike.broster@leicester.gov.uk

Appendices

Appendix 1 – Draft revised policy

Appendix 2 - Maps showing areas of proposed cumulative impact policies

Appendix 3 - Summary table showing percentages of responses

Appendix 4 - Schedule of comments received and responses

Appendix 5 - List of specific consultees

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

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Leicester City Council

Statement of Licensing Policy

Contents

<u>Introduction</u>	Page 2
<u>Fundamental Principles</u>	Page 3
<u>Cumulative Impact</u>	Page 4
<u>Special Policy on Cumulative Impact</u>	Page 5
<u>Licensing Hours</u>	Page 6
<u>Promotion of the Licensing Objectives</u>	Page 7
<u>The Prevention of Crime and Disorder</u>	Page 8
<u>Public Safety</u>	Page 9
<u>The Prevention of Public Nuisance</u>	Page 9
<u>The Protection from Children from Harm</u>	Page 10
<u>Integrating Strategies</u>	Page 12
<u>Duplication</u>	Page 15
<u>Standardised Conditions</u>	Page 16
<u>Personal Licences</u>	Page 16
<u>Temporary Event Notices</u>	Page 17
<u>Enforcement</u>	Page 17
<u>Live Music, Dancing, Theatre, Circuses and Street Arts</u>	Page 18
<u>Other permissions</u>	Page 18
<u>Delegation of functions</u>	Page 19
<u>Period of Validity & Review</u>	Page 19
<u>Area of Special Policy on Cumulative Impact</u>	Page 20

1 Introduction

Purpose

1.1 This Statement of Licensing Policy explains how the licensing authority will carry out its role under Licensing Act 2003, during the next three years. During this period the licensing authority will keep this policy under review and may make revisions to the document following consultation with the bodies outlined below.

It will also:

- be used as a guide by members of the Licensing Authority in their decision making ;
- inform applicants about how applications will be viewed and how a licensed premises is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis;
- inform residents and businesses about how applications will be viewed and how their needs will be addressed;
- be used to support decisions made by the Licensing Authority when these decisions are challenged in a court of law.

Consultation

1.2 In developing this Statement the Licensing Authority has consulted with the groups set out below, and has taken account of their views:

- the police
- the fire authority
- persons representing holders of existing premises licences and personal licence
- persons representing holders of existing club premises certificates
- bodies representing businesses and residents in the Leicester city area
- other groups that the Licensing Authority considered appropriate

Licensable Activities

1.3 The licensable activities are:

- the sale of alcohol by retail
- 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,

Regulated entertainment requires a licence when it is performed in front of an audience and includes the following:

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment (indoors and outdoors)

- a performance of live music (not incidental music, e.g. a piano in a restaurant)
- any playing of recorded music
- a performance of dance
- and similar types of musical or dance related entertainment.

2 Fundamental Principles

Background

2.1 This Statement of Licensing Policy sets out how the Licensing Authority will carry out its functions under the Licensing Act 2003. However, all decisions relating to licences will be made on the merits of the individual case, having regard to this policy as part of the decision making process.

The Licensing Objectives

2.2 The Licensing Authority will carry out its functions with a view to promoting the licensing objectives. The licensing objectives, which carry equal importance, are:

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

Balance

2.3 The Licensing Authority will also seek to achieve a balance between leisure/entertainment and the needs of residents and other businesses for an acceptable environment and quality of life.

2.4 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 representations on an application or seek a review of a licence or where provision has been made for them to do so in the Licensing Act 2003.

Relevancy

2.5 Licensing is about the control of premises and places being used for licensable activities and the vicinity of those premises and places. The terms and conditions attached to various permissions are focused on relevant matters that are within the control of the holders of those permissions. This means those matters occurring at, and in the immediate vicinity of, premises, and the direct impact they have on nearby residents and businesses. The 'vicinity' will be a question of fact in each case, and the authority will primarily focus on the direct impact of the activities taking place on members of the public living, working or engaged in normal activity in the area concerned.

2.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are beyond the direct control of the individual, club

or business holding the licence, certificate or permission concerned.

3 Cumulative Impact

- 3.1 The Licensing Authority recognises that there can be confusion about the difference between “need” and “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder or public nuisance. “Need” concerns the commercial demand for another pub, restaurant, etc. is not a matter for a Licensing Authority in discharging the licensing functions or for this statement of licensing policy, but is a matter for planning committees and for the commercial market. On the other hand, 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.
- 3.2 In certain situations the number, type and density of premises selling alcohol may be associated with serious problems of crime and disorder. Where the impact on surrounding areas of customers taken together may be greater than the usual impact of customers from individual premises, the licensing authority may consider that a special policy is needed to deal with this cumulative impact.
- 3.3 The Authority recognises that once away from licensed premises, there is always a risk that a minority of consumers will behave badly and unlawfully. Depending on the circumstances, there are other mechanisms available for addressing such issues for instance:
- planning controls;
 - positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
 - the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
 - powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
 - police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
 - the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
 - the confiscation of alcohol from adults and children in designated areas;
 - police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance; and
 - the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question;

4 Policy on Cumulative Impact

- 4.1 The Licensing Authority has received a representation from the Leicestershire Constabulary that the circumstances described above exist in relation to parts of Leicester’s City Centre, and that the grant of further premises licences or club premises certificates would undermine the crime prevention objective.

- 4.2 In response to this representation the Licensing Authority has:
- Considered evidence about the extent of the problem of crime and disorder;
 - Considered evidence about the likely association of the problem with the number and density of licensed premises in the city centre;
 - Consulted on the proposal for a special policy in relation to new licences and variations to existing ones within the City Centre;
 - Considered the outcome of that consultation; and
 - Resolved to declare the continuation of the special policy described below.
- 4.3 The Licensing Authority will continue to adopt a special policy on cumulative impact in relation to the area of the City Centre:
- bounded by Churchgate, Haymarket, Belgrave Gate (from Haymarket to Abbey Street), Abbey Street and Burleys Way (from Abbey Street to Church Gate);
 - including both sides of the streets bounding the area;
 - including Gravel Street, Mansfield Street, New Road, Sandacre Street and Short Street within the area.
- 4.4 The area of this policy is marked on the map at Appendix 1.
- 4.5 The Licensing Authority will adopt a special policy on cumulative impact in relation to the Belvoir Street area of the City:
- bounded by Belvoir Street, Granby Street (from Belvoir Street to Chatham Street), Chatham Street, Wellington Street (from Belvoir Street to Park Street), Park Street, New Walk (from Park Street to King Street) and King Street (from New Walk to Belvoir Street);
 - including both sides of the street bounding the area;
 - including Stamford Street and part of Albion Street (from Belvoir Street to Chatham Street) within the area.
- 4.6 The area of this policy is marked on the map at Appendix 2.
- 4.7 The Licensing Authority will adopt a special policy on cumulative impact in relation to the Braunstone Gate area of the City:
- bounded by Braunstone Gate, New Park Street, Narborough Road from New Park Street to Upperton Road, and Hinckley Road (from Narborough Road to Fosse Road Central/Fosse Road South);
 - including both sides of the street bounding the area;
 - including Thorpe Street, Foxon Street and Earl Howe Terrace within the area.
- 4.8 The area of this policy is marked on the map at Appendix 3.
- 4.9 The Licensing Authority will adopt a special policy on cumulative impact for off-licences in relation to the London Road/Granby Street area of the City:

- bounded by London Road (from Prebend Street to Granby Street) and Granby Street (from London Road to Chatham Street);
- including both sides of the street bounding the area;

4.10 The area of this policy is marked on the map at Appendix 4.

4.11 The saturation policies will only come into effect where relevant representations are received in relation to a specific application. If there are no representations the licensing authority must grant a premises licence/club premises certificate in accordance with the application.

4.12 The Licensing Authority recognises, however, that these policies cannot be absolute and it will continue to consider each application on its merits. Licences that are unlikely to add to the problems of saturation would be approved.

4.13 The effect of the special policies will be to create a rebuttable presumption that applications for new premises licences or club premises certificates, or material variations, will normally be refused. It will be for the applicant to demonstrate that the premises will not add to the existing cumulative impact. Applicants will need to address this matter in their operating schedules.

4.14 The authority acknowledges that the impact will be different for premises with different styles and characteristics.

4.15 The authority will review these policies at appropriate times and if it considers that it needs to be amended will undertake appropriate consultation before any amendment is made.

4.16 The policies will not be used to:

- remove a licence when representations are received about problems with an existing licensed premises; or to
- justify the rejection of modifications to a licence except where those modifications are directly relevant to the special policy; or to
- adopt quotas or set terminal hours in a particular area that pre-determine the individual merits of any application.

5 Licensing Hours

5.1 In making decisions that relate to the hours for which a premises is licensed, consideration will be given to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. Each case will be decided on its individual merits.

5.2 It is recognised that longer licensing hours are important to help to ensure that concentrations of customers leaving licensed premises simultaneously are avoided. In turn this will reduce the potential for disorder at fast food outlets, taxi ranks and other sources of transport. This will be balanced, however, against the duty to promote the licensing objectives and the rights of local residents to peace and quiet.

- 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 that the premises is open for business. However, there may be circumstances in which restricting the hours of opening of a particular premises is in the interests of promoting the licensing objectives.
- 5.4 In making decisions in respect of licensing hours, consideration will be given to representations made by residents and businesses in the vicinity of the premises, their representatives, and the police as well as the applicant. This may lead to the imposition of stricter conditions on noise controls in areas of denser residential accommodation
- 5.5 Fixed trading hours will not be set for particular geographical areas. Each case will be decided on its own merits based on whether the licensing objectives can be met.

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. This includes its role in:
- Granting or refusing applications for licences;
 - Reviewing licences;
 - Imposing conditions;
 - Deciding how to integrate with other strategies of the council.
- 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 strongly recommends that the process of developing the operating schedule includes a thorough risk assessment with regard to the licensing objectives, which will assist in identifying those steps.
- 6.3 Applicants for licences are urged to discuss their proposals with the responsible authorities prior to submitting an application. This will enable them to seek advice on the production of their operating schedule and may avoid the need for a hearing in response to representations made by the authorities. The relevant authorities are:
- Prevention of Crime and Disorder – Leicestershire Police, Leicester Crime Reduction Partnership.
 - Public Safety – Leicestershire Police, Leicestershire Fire and Rescue, the City Council's Environmental Health Officers with responsibility for Health & Safety
 - Public Nuisance – the City Council's Environmental Health Officers with responsibility for Pollution Control
 - Protection of Children from Harm – Local Safeguarding Children Board, Leicestershire Police.
 - A guide on how to write an operating schedule to meet the requirements of the responsible authorities is available from the Licensing Authority or can be downloaded from the Licensing Authority's web-site at:
<http://www.leicester.gov.uk/licensing/>
- 6.4 The following sections set out those steps that the licensing authority considers would ordinarily be appropriate for particular types or premises. The licensing authority would strongly encourage applicants and licence holders to consider adopting these requirements.

However the Licensing Authority will not impose them indiscriminately. Applicants and licence holders may decide that it is not necessary to include these steps in the operating schedule for the premises, based on the particular circumstances involved. Equally it may be necessary to take steps to promote the licensing objectives in their premises, because of particular circumstances, even though they would not ordinarily be necessary.

7 The Prevention of Crime and Disorder

CCTV

7.1 The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, licensed premises. The Licensing Authority will therefore support the provision of CCTV in city centre pubs and clubs and city centre late night refreshment premises. The CCTV should be installed and maintained on the advice of the Leicestershire Police Crime Prevention Officer and a guide to CCTV and licensed premises published by Leicestershire Police is available on the Council's website: <http://www.leicester.gov.uk/your-council-services/cl/licensing/licensing-act/>.

7.2 The licensing authority recommends that CCTV is installed in the following types of premises:

Premises in the City Centre and Braunstone Gate Saturation Area (Paragraph 4.7)

- Premises open after midnight;
- Premises with facilities for dancing;
- Cineamas and theatres;
- Members' Clubs;
- Pubs and bars;
- Off-licences;
- Late night takeaways.

Premises Outside the City Centre

- Pubs and bars;
- Off-licences;

Door Supervision

7.3 Door supervisors can be used to ensure that persons waiting to enter licensed premises behave in orderly manner. They can also ensure that only appropriate persons are admitted to the premises, and assist with the operation of proof of age schemes. The number of door supervisors necessary and the times at which they are employed should be based on a risk assessment. Any staff employed as door supervisors must to be registered with the Security Industry Authority.

7.4 The licensing authority recommends that door supervisors are employed at appropriate times in the following types of premises:

Premises in the City Centre and

Braunstone Gate Saturation Area (Paragraph 4.7)

- Premises open after midnight;
- Premises with facilities for dancing;
- Cineamas and theatres;
- Members' Clubs;
- Pubs and bars;
- Off-licences;

Premises Outside the City Centre

- Pubs and bars;

Staff Training

7.5 Adequate and appropriate staff training forms a vital part of ensuring licensed premises are properly run so as promote the licensing objectives. Level 1 Award in Responsible Alcohol Retailing from the British Institute of Innkeeping enables those who successfully pass to act within the law and to support the designated premises supervisor to retail alcohol responsibly on their licensed premises.

7.6 The licensing authority recommends that appropriate staff training is provided in the following types of premises:

Premises in the City Centre and Braunstone Gate Saturation Area (Paragraph 4.7)

- Premises open after midnight;
- Premises with facilities for dancing;
- Cineamas and theatres;
- Members' Clubs;
- Pubs and bars;
- Restaurants and cafes
- Off-licences;

Premises Outside the City Centre

- Pubs and bars;
- Members' clubs
- Premises run by local community organisations
- Restaurants and cafes
- Off-licences

Open Containers of Alcohol

7.7 A significant part of the city centre is the subject of a street drinking ban. To support this, the Licensing Authority considers it appropriate for city centre premises to adopt a policy of prohibiting open containers of alcohol being taken from the premises. This approach will also prevent the use of these containers as offensive weapons.

Irresponsible Drinks Promotions

- 7.8 The Licensing Authority will support an approach to the marketing of alcohol and the management of licensed premises that promotes responsibility in the consumption of alcohol.
- 7.9 Determining whether a drinks promotion is irresponsible or not will require a subjective judgement. The sale of alcohol to persons who are already drunk is an offence under the Act. The incidence of drunken people present at a premises may provide an indication that the marketing and sale of alcohol at the premises is not being approached in a responsible way.

Dance Venues

- 7.10 The culture of dance venues requires that special consideration be given to the steps required to prevent crime and disorder and promote public safety. It is recommended that operators of night clubs providing facilities for dancing are aware of the detailed guidance provided in the “*Safer Clubbing Guide*” published by the Government and available for download from the Licensing Authority’s web-site. <http://www.leicester.gov.uk/licensing/>
- 7.11 The local authority would support the following steps to promote the licensing objectives in pubs and clubs opening beyond midnight that provide dance facilities. Other pubs and clubs, depending on circumstances, may also benefit from these steps:
- Adoption of the City Council’s policy on preventing drugs misuse
 - Searching of customers before entry in accordance with the Leicestershire Constabulary Code of Practice on *Searching and Licensed Premises*. This will be aimed at preventing drugs and offensive weapons being brought into premises.
 - Making drinking water freely available at drinking fountains, or in freely available plastic containers, to help prevent dehydration and overheating.

Other Steps to Promote the Prevention of Crime and Disorder

- 7.12 There is a wide range of other steps which may be appropriate in particular circumstances including:
- Prohibiting the sale of alcohol in bottles for consumption on the premises, to prevent their use as weapons
 - Requiring drinking vessels to be plastic or toughened glass.
 - Requiring the provision of text pagers to connect premises supervisors in town and city centres to the police
 - Appropriate measures to prevent overcrowding in parts of the premises
 - Effectively managing incidents involving crime and disorder, a guide to this produced by Leicestershire Police is available on the Council’s website: <http://www.leicester.gov.uk/your-council-services/cl/licensing/licensing-act/>
 - Ensuring drunkenness is not tolerated on licensed premises. Advice on this issue produced by the Leicestershire Police is available on the Council’s website: <http://www.leicester.gov.uk/your-council-services/cl/licensing/licensing-act/>

8 Public Safety

Premises Licensed for Regulated Entertainment

- 8.1 Premises licensed for regulated entertainment, including cinemas and theatres, 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.
- 8.2 Premises providing regulated entertainment have particular safety issues associated with their ability to attract significant numbers of people to a venue. The Licensing Authority will support measures designed to promote public safety in this context. This may include:
- Setting a capacity limit for all, or separate parts, of the premises.
 - The provision of staff to control admission and to control customers inside premises and at outdoor events.

9 The Prevention of Public Nuisance

- 9.1 The Licensing Authority recommends that a risk assessment should be carried out by applicants for premises licences and club premises certificates to determine the potential effect on neighbouring premises. Advice and assistance in undertaking this task should be sought from City Council Environmental Health Officers. Steps which should be considered include the installation of a noise limiting device to control the level of amplified music and improved sound insulation particularly to doors and windows.
- 9.2 The licensing authority recommends that where appropriate, noise limiting devices and improved sound insulation are provided in the following types of premises:

Premises in the City Centre and Braunstone Gate Saturation Area (Paragraph 4.7)

- Premises open after midnight;
- Premises with facilities for dancing;
- Cinemas and theatres;
- Members' Clubs;
- Pubs and bars;
- Restaurants and cafes

Premises Outside the City Centre

- Pubs and bars;
- Members' clubs
- Premises run by local community organisations
- Restaurants and cafes

Other steps to promote the prevention of public nuisance

- 9.3 Other steps which may be appropriate to prevent public nuisance include :
- Limitation on hours of operation where necessary to prevent nuisance and disturbance
 - Steps to prevent noise, disturbance and anti-social behaviour from people arriving at and leaving the premises
 - Stricter controls will be supported in areas in closer proximity to residential accommodation.

10 The Protection of Children from Harm

General

- 10.1 The Licensing Authority will carry out its responsibilities so as to promote the licensing objective of protection of children from harm. In doing so it will take into account representations made by the Local Safeguarding Children Board on each application.

Access by children to licensed premises

- 10.2 The Licensing Authority will not seek to limit the access of children to licensed premises unless it is necessary to protect children from harm. The following areas would give rise to particular concern in respect of children:
- Where entertainment or services of an adult or sexual nature are commonly provided;
 - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
 - Where there has been an association at the premises with drug taking or dealing.
 - Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines or of bingo)
 - Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 10.3 Conditions will not be imposed that require the admission of children. This will remain a matter for the discretion of the licence holder.
- 10.4 The range of options available to limit the access of children to licensed premises that may be imposed by the Licensing Authority include:
- Limitations on the hours where children may be present;
 - Age limitations (below 18);
 - Limitations or exclusions when certain activities are taking place;
 - Limitations on the parts of premises to which children might be given access;
 - Requirements for an accompanying adult;
 - In exceptional cases, exclusion of people under the age of 18 from the premises when any licensable activities are taking place.

Children and Cinemas

- 10.5 Licence holders 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 un-certificated films.

Children and Public Entertainment

- 10.6 The Licensing Authority will expect that where a significant number of unaccompanied children will be present during a public entertainment event, the licence holder will ensure that an adequate number of adult staff are present to control the access, egress and safety in and around the premises. The licence holder should take into account the number of children to be present, the type of entertainment, the age of the children, the characteristics of the premises and any other relevant factor.

Children and the Sale of Alcohol

- 10.7 Since 1 October 2010, a mandatory condition is imposed on all licensed premises to adopt and implement a proof of age scheme in licensed premises. However, the licensing authority is aware, as a result of the number of reviews of premises licences that it has to consider, that there are premises which fail to prevent the sale of alcohol to children. It will therefore take whatever opportunity arises to ensure that the licensing objective of protecting children from harm is promoted.
- 10.8 The Licensing Authority supports as best practice that licensed premises adopt and sign up to the “Challenge 21” scheme that is administered by the Police and Trading Standards. The most reliable proof of age includes passport, photographic driving licence, or a proof of age card complying with the Proof of Age Standards Scheme (PASS) launched in January 2003 by the British Retail Consortium

The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

- 10.9 The Licensing Authority supports the Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. It will seek to ensure that premises licensed for the sale of alcohol comply with the code.

11 Integrating strategies

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

Crime Reduction Partnership

11.2 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 Leicester a safe and attractive city in which to live, work, study and socialise.

11.3 In making decisions, the Licensing Authority will consider the Safer Leicester 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

Planning

11.4 The Licensing Authority will ensure that planning and licensing regimes are properly separated to avoid duplication and inefficiency. Applicants must bear in mind the need for both planning permission and an appropriate licence, and are encouraged to seek planning permission first.

11.5 The Licensing Committee is not bound by decisions of the Planning Committee, and vice versa.

Cultural Strategy

11.6 'Diverse City – A Vision for Cultural Life in Leicester' is Leicester's Cultural Strategy setting out the common vision and shared goals for all those involved in the cultural life of the city.

11.7 The International Covenant on Economic, Social and Cultural Rights (ICESCR) which was ratified by the UK in 1976 recognises *the right of everyone to take part in cultural life* and requires that active steps are taken to develop cultural activity and ensure that everyone can participate in the cultural life of the community.

11.8 The Strategy encompasses arts, heritage, museums, parks and green spaces, neighbourhood facilities, markets, festivals and public events, media, libraries and literature, sport, play, faith and worship, tourism, restaurants and bars and creative industries. A key objective of Leicester's Cultural Strategy is "*to invest in the development of cultural activity which contributes to the economic, social and personal well-being of individuals at all stages in their lives and to increase access to, and participation in, cultural activity*". This has been underpinned by City Council performance targets to increase cultural participation.

11.9 The City Council has sought premises licences for selected public spaces in the community in its own name. This includes, for example, green spaces, parks, city centre squares etc.

Performers and entertainers require permission from the Council, as the premises licence holder, to use these spaces for regulated entertainment.

11.10 This licensing policy will operate in the spirit of the Cultural Strategy and the ICESCR. In doing so it will seek to maintain a balance between regulation and supporting cultural activity. It will strive to maintain a balance between the need to ‘manage’ any detrimental impacts of an activity in a community with the many benefits cultural activity brings to communities, in developing personal aspiration and potential, building cohesive communities, providing opportunities for young people, contributing to economic growth and regeneration and the development of sustainable communities.

11.11 In order to maintain this balance the Licensing Authority will:

- monitor the impact of licensing on the provision of regulated cultural activities and entertainment, such as live music, theatre, dance and festivals
- create a dialogue with the cultural sector about the impact of the licensing policy and work with our partners to balance different interests
- seek to ensure that conditions attached to licences do not deter live music, festivals, theatre, sporting events etc by imposing unnecessary restrictions
- 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 cost disproportionate to the size of the event
- seek to create an environment which minimises nuisance and anti social behaviour connected to cultural activity and events but without undermining our commitment to increase access to cultural participation as a fundamental human right

Building Control

11.12 The Building Regulation process is a separate system to the licensing regime but complementary in terms of some shared objectives.

11.13 Where a licence is applied for or exists and any Building Regulated work is carried out, either as a material alteration, change of use or new build to a licensed premises, the owner / licence holder should ensure that before opening to the public, Building Regulations consent has been granted in full and that completion certificates have been issued.

11.14 Two separate and distinct certificates are issued on a commercial or work place premises. The first confirms compliance with Building Regulations in general and the second confirms compliance in terms of fire precautions, including means of escape in case of fire. A copy of this second certificate is sent to the Fire and Rescue Service, which triggers their responsibilities under the Regulatory Reform (Fire Safety) Order 2005 and enforcement of risk assessments.

Promotion of Equality

11.15 In developing this strategy, the Licensing Authority has recognised its responsibilities under the Equality Act 2010 and Race Relations Act 1976, to consider the need to eliminate unlawful discrimination and to promote equal opportunities and good race relations between persons of different racial groups. This Licensing Policy therefore supports and is

supported by the City Council's Race Equal Opportunities Policy. lity Scheme.

11.16 The following actions, which have been identified as being necessary to promote equality, and within the scope of the Act and supporting guidance, will be implemented by the Licensing Authority:

- The Licensing Policy and associated documents will be available on the internet, and in other formats upon request.
- Multi-language sections will be included in all leaflets and on the website.
- The licensing objective of protecting children from harm will be promoted.
- 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 endeavour to ensure the safety of vulnerable people in licensed premises.
- Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

11.17 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. If and when this proximity has an impact on the promotion of one of the licensing objectives this may be a matter for the Licensing Authority.

Disabled Access

11.18 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 operators of premises of their duties under the Equality Act.

Transport

11.19 Transport Strategy is set out in the Local Transport Plan (LTP). The current LTP runs until 2010/11.

11.20 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; the City Centre is naturally one of these locations, particularly with regard to public transport.

11.21 A high level of bus services is provided commercially between the hours of 7am and 7pm Monday to Saturday. Lower levels of services are provided up to 11pm and on Sundays, and the Council's Transport Strategy will continue to seek ways of improving the provision of bus services at these times and later at night to assist in getting people away from the City Centre quickly, safely and efficiently.

11.23 Taxis play a key role in filling in gaps in public transport services and offering a flexible, accessible door-to-door service. The City Council's aim is to improve the provision of ranks and investigate the use of innovative systems to manage the use of ranks taking into account customer need, balancing supply around the City Centre and minimising the need for kerb-side space.

11.24 A recent survey (2007) showed that 75% of taxi drivers claimed they have been physically or verbally assaulted in the 12 months previous. The Council will therefore work with the trade to investigate the potential to part-fund CCTV cameras in vehicles to encourage more taxis to work at night. Additional drivers working at night will lead to moving people out of the city centre quicker, helping to achieve the Crime and Disorder Partnership's target of reducing violent crime in the city centre.

12 Duplication

12.1 The Authority will avoid duplication with other regulatory regimes (eg the Health and Safety at Work Act) insofar as attaching conditions to premises licences and club premises certificates.

12.2 Conditions will only be attached where they are necessary for the promotion of the licensing objectives. If matters are already provided for in other legislation they cannot be considered necessary in the context of licensing law.

13 Standardised Conditions

13.1 Conditions may only be attached to premises licences and club premises certificates

- in order to implement the relevant operating schedule,
- following a hearing where a relevant representation has been upheld, or
- following a review hearing where the grounds for review have been upheld.

13.2 The Licensing Authority will only attach to premises licences and club premises certificates those conditions that are tailored to the individual style and characteristics of the premises and the events concerned, and where they are necessary for the promotion of one or more of the licensing objectives.

13.3 However, to aid administration attached to this statement, but not forming part of it, at Appendix 2 are pools of conditions from which the authority may draw appropriate and proportionate conditions to cover particular circumstances. This is not intended to be an exhaustive list and other specific conditions may be appropriate.

13.4 A number of conditions are mandatory and are required to be applied to licences. These relate to the requirement for a designated premises supervisor where alcohol is to be sold, the need for every sale of alcohol to be authorised by a personal licence holder, preventing under age admission to age restricted films and the requirement that door supervisors are registered with the Security Industry Authority. These are set out in Sections 19, 20 and 21 of the Act. In addition, section 73 of the Act requires conditions to be imposed on club premises certificates that authorise the supply of alcohol for consumption off the premises.

14 Personal Licences

- 14.1 The Licensing Authority recognises the important role that personal licence holders have to play in the promotion of the licensing objectives at premises selling alcohol. For this reason personal licence holders are required to have prescribed training and not have relevant convictions that would indicate their unsuitability.
- 14.2 Every sale of alcohol at a licensed premises is required to be authorised by a personal licence holder. Because of the importance of their role, the Licensing Authority considers it to be good practice for personal licence holders to have significant operational involvement in the sale of alcohol rather than to undertake a remote, periodic authorisation of other staff. In practical terms this would mean authorisation on at least a daily basis, and to be available on the premises throughout most of the day to deal with circumstances requiring their expertise and authority.
- 14.3 When applying for a personal licence, the Licensing Authority require applicants to produce an up to date Criminal Record Bureau certificate. All applicants would also be expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or an equivalent foreign offence.
- 14.4 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 there are, in the opinion of the Licensing Authority, exceptional and compelling reasons which justify granting the application.

15 Temporary Event Notices

- 15.1 Part 5 of the Licensing Act allows licensing activities to be carried out in specified circumstances on a temporary basis, subject to a temporary event notice being served on the Licensing Authority, with a copy to the chief officer of police, ten working days before the event. The chief officer of police may object to the event if he is satisfied that the crime prevention objective would be undermined.
- 15.2 The Licensing Authority considers that it is important that the police have sufficient time to properly evaluate the likely impact of a temporary event. Where insufficient notice of the event is given this may lead to objections being made that may have been unnecessary if a fuller evaluation had been possible. Equally, if notice of an event is given too far in advance it may be difficult to evaluate because of future uncertainty.
- 15.3 The Licensing Authority would therefore suggest as best practice that a temporary event notice is served between one and two months ahead of the event taking place.

16 Enforcement

- 16.1 The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives referred to in Section 1.
- 16.2 The Licensing Authority will develop and review enforcement protocols in agreement with the police and other enforcement agencies as appropriate.
- 16.3 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 general enforcement policy of the licensing authority, which aims to ensure that enforcement is open, fair, reasonable and proportionate.
- 16.4 Enforcement activities will include operations designed to:
- Ensure compliance with conditions attached to licences, operating schedules, requirements specified in the this Statement of Policy, and the requirements of the Licensing Act itself;
 - 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

17 Live Music, Dancing, Theatre, Circuses and Street Arts

- 17.1 The Licensing Authority will ensure that when it considers applications for licences for entertainment involving live music, dancing, theatre, circuses and street arts it will act so as to promote the licensing objective of preventing public nuisance.
- 17.2 The Licensing Authority recognises that there is a need to encourage and promote a broad range of entertainment, particularly those activities identified above, because of the wider cultural benefits to communities. The potential for limited disturbance will therefore be balanced against these wider benefits.

18 Other permissions

- 18.1 This Licensing Policy deals with the requirements of the Licensing Act 2003. However, individual applicants may also require permission from other sections of the City Council or from outside bodies. More information is available on the City Council's website – www.leicester.gov.uk .

19 Delegation of Functions

19.1 The following matters will be determined by either the Licensing Committee or one of its sub-committees:

- Application for a personal licence where there has been a police objection;
- The review of a premises licence or club premises certificate;
- Decision to object when the local authority is the consultee and not the relevant authority considering the application;
- Determination of a police objection to a temporary event notice.

19.1 The following matters will be determined by either the Licensing Committee or one of its sub-committees where a relevant representation has been made:

- Application for a personal licence;
- Application for a premises licence or club premises certificate;
- Application for a provisional statement;
- Application for variation to a premises licence or club premises certificate;
- Application to vary a designated premises supervisor;
- Application for transfer of a premises licence
- Application for interim authority
- Determination of a temporary event notice.

19.2 The relevant Corporate Director will determine all other matters.

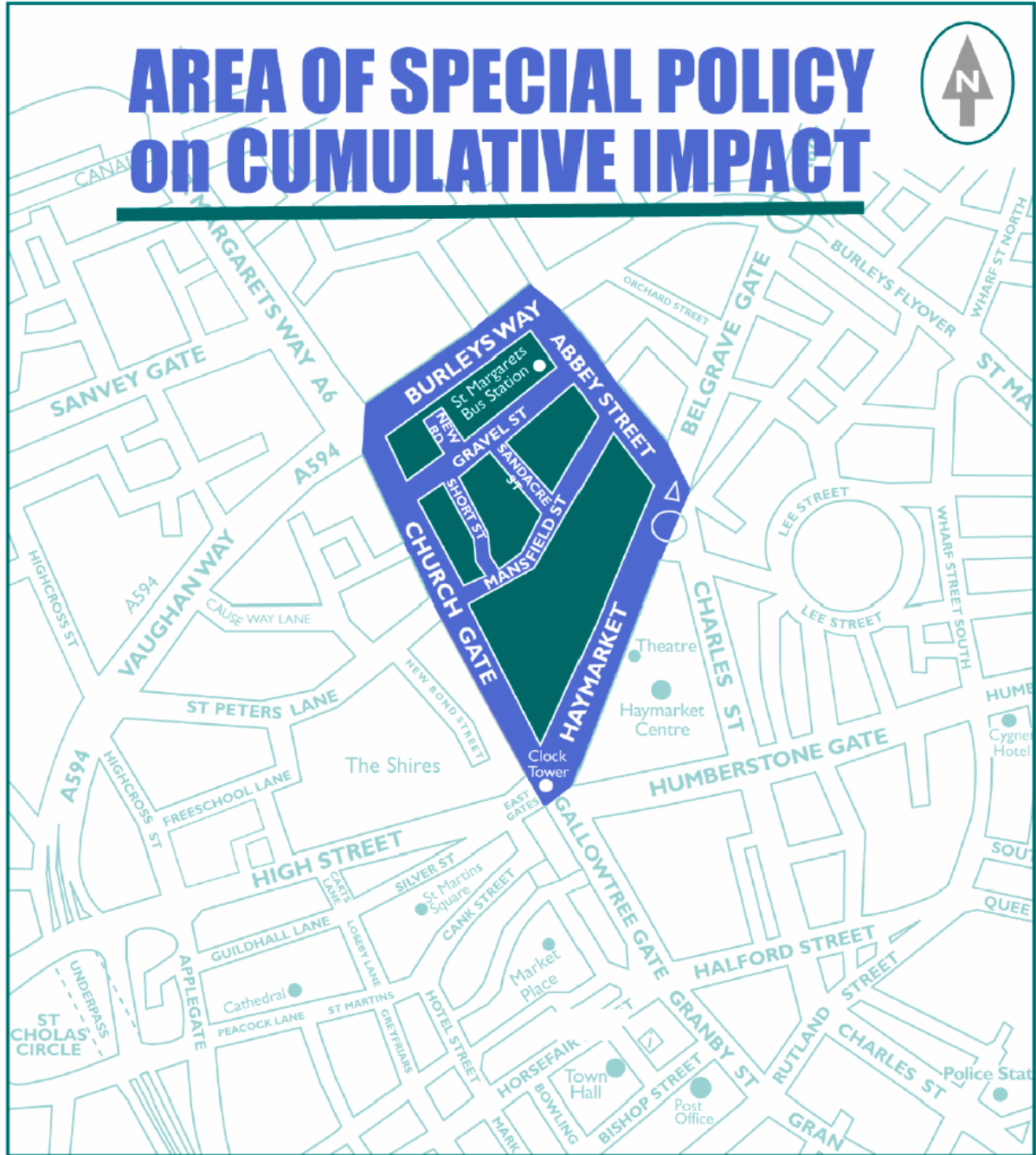
20 Period of Validity & Review

20.1 This statement of licensing policy will come into force on **7 February 2011** and be valid for three years.

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

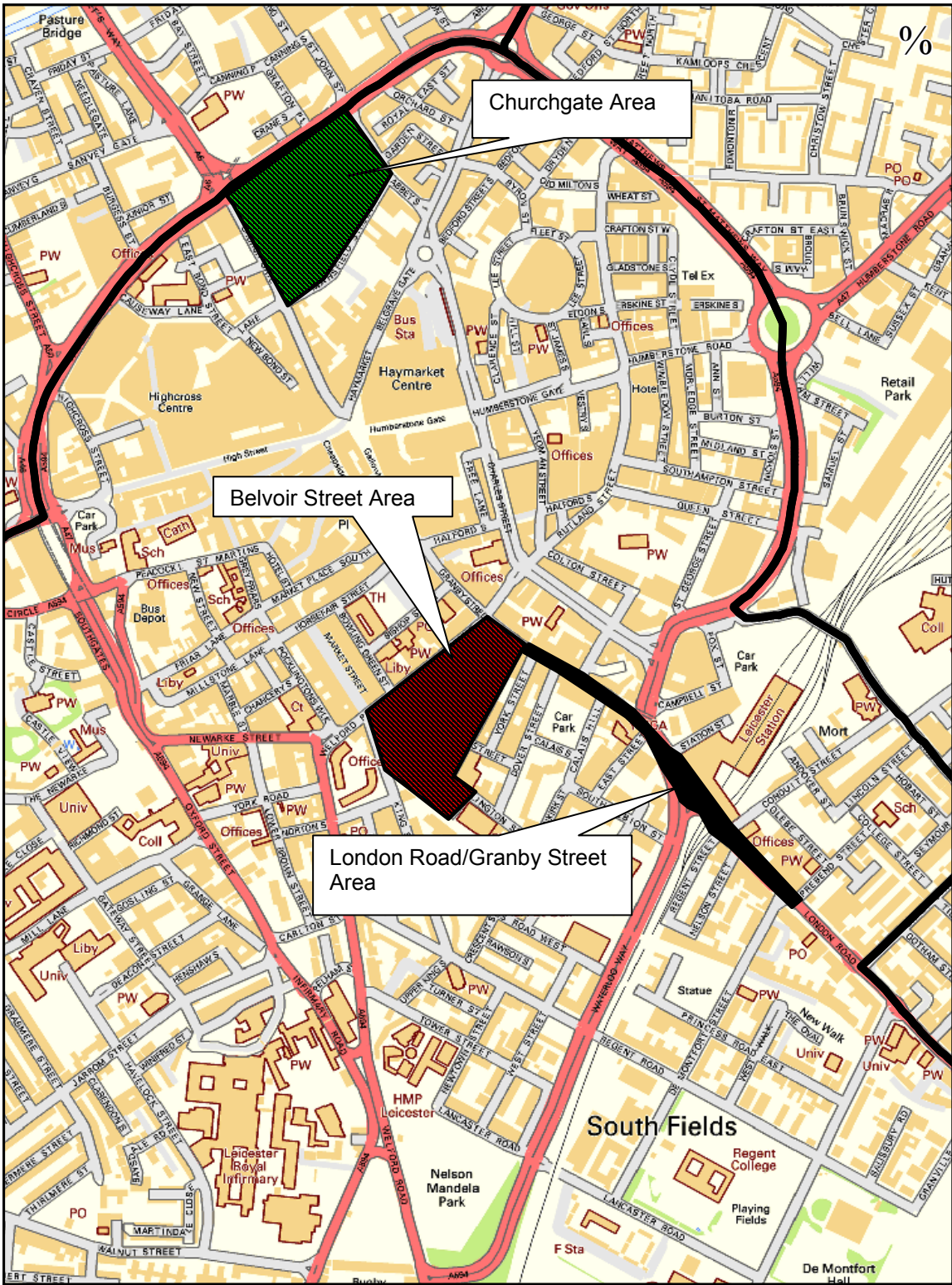
20.3 Before a new policy is adopted or amendments made to the existing one the Licensing Authority will undertake consultation in accordance with Section 5 of the Licensing Act 2003.

Area of Special Policy on Cumulative Impact

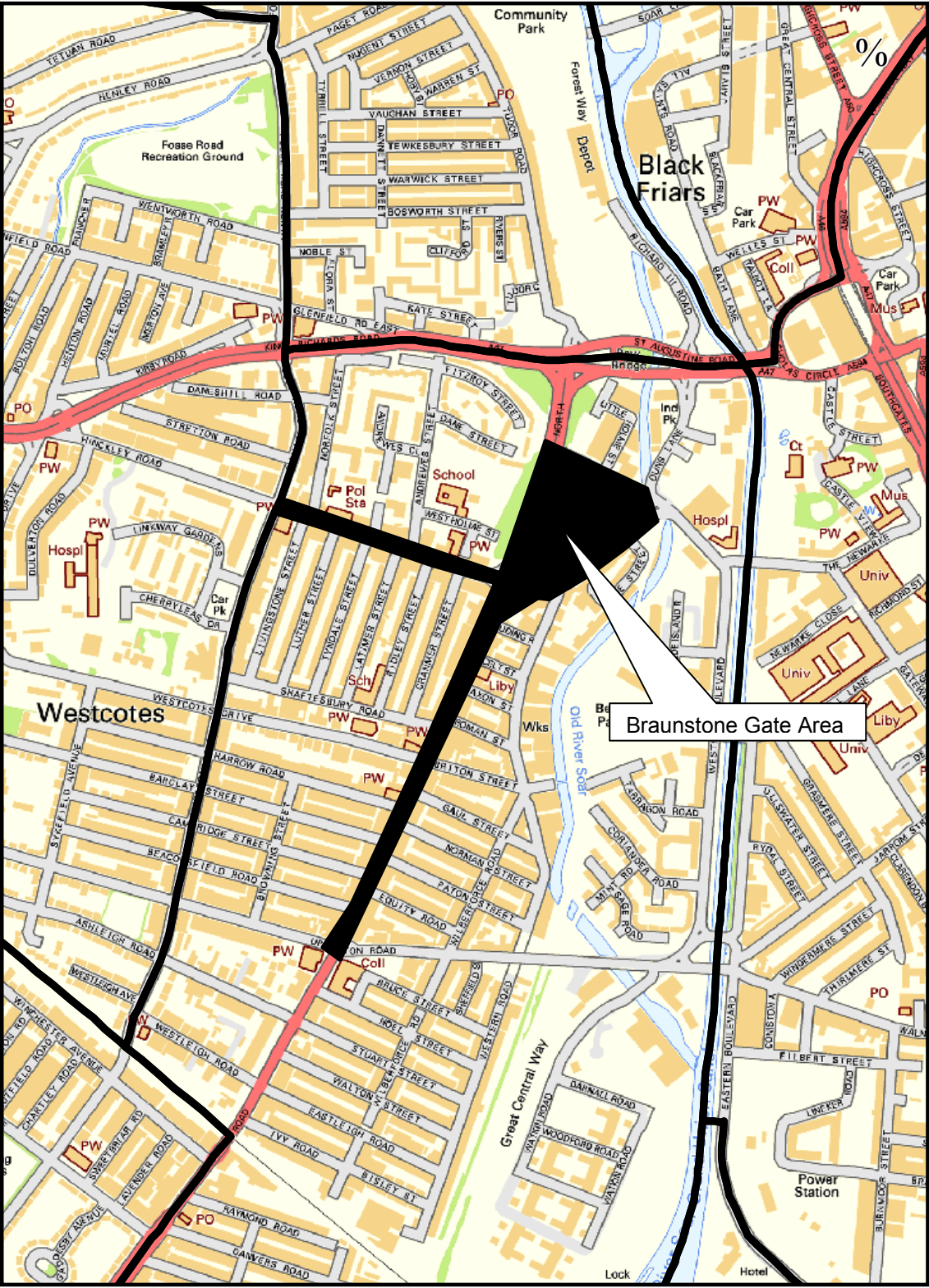


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Proposed City Centre Cumulative Impact Areas



Proposed Braunstone Gate Cumulative Impact Area



Section 1 - Controlling opening hours for Licensed Premises

The Crime and Security Act 2010 allows licensing authorities to require that all premises which sell alcohol should close between the hours of 3am and 6am. This requirement may be applied to all or any part of the City. These powers are not in force yet, but in readiness for their introduction the City Council would like your views on whether it should make use of them.

	Agree	Disagree
The City Council should make an order requiring all premises which sell alcohol to close between 3am and 6am	26 (70%)	9 (24%)
The City Council should make an order requiring all premises within certain areas of the city, which sell alcohol, to close between 3am and 6am.	20 (54%)	10 (27%)
Please specify any areas of the city where premises selling alcohol should close between 3am and 6am		
All of them	6 (16%)	
Belvoir Street	4 (11%)	
Housing areas	3 (8%)	
Not stated	13 (35%)	

Section 2 – Steps to promote the Licensing Objectives

The City Council intends to recommend a number of steps that applicants could take to promote the licensing objectives. Whilst we cannot impose these conditions on all licences, we think it would be helpful to inform applicants what we consider to be best practice. It may also be useful to anyone wishing to make a representation about an application and also to members of the Licensing Committee when determining an application after a hearing. The steps which may be appropriate would depend on the location and type of premises concerned. Please give your views on the steps that you think would be appropriate for the following types of premises in each of the following areas:

a) Local Neighbourhood Premises

	Pubs and bars	Club (eg, working men's club, members' club)	Premises run by a local / community organisation	Restaurants / cafés with little or no bar area	Off licences
Personal licence holder to be on the premises when alcohol is being sold	24 (65%)	19 (51%)	15 (41%)	11 (30%)	19 (51%)
CCTV to be installed and maintained to a specified standard	28 (76%)	23 (62%)	18 (49%)	14 (38%)	25 (68%)
Door supervisors to be on duty at all times	22 (60%)	16 (43%)	6 (16%)	2 (5%)	2 (5%)
Door supervisors to be present a specified times (subject to the particular application)	23 (62%)	17 (46%)	16 (43%)	5 (14%)	4 11%
Security staff to be inside the premises	25 (68%)	16 (43%)	7 (19%)	3 (8%)	7 (19%)
Staff training to be provided and documented	33 (89%)	30 (81%)	27 (73%)	27 (73%)	28 (76%)
Customers to be searched on entry using metal detectors	17 (46%)	10 (27%)	6 (16%)	3 (8%)	5 (14%)
Use of polycarbonate glasses and bottles	21 (57%)	7 (19%)	12 32%	5 (14%)	6 (16%)
Use of noise limiting device(s) within the premises	26 (70%)	20 (54%)	16 (43%)	12 (32%)	5 (14%)
Sound insulation to be installed to prevent noise breakout	27 (73%)	22 (60%)	17 (46%)	10 (27%)	5 (14%)
Other (please give details)					
Licence to be publicly displayed; Control noise outside premises; Control queueing outside premises; Drinking pubs etc to be well away from residential					

areas; Any commercial premises playing music late into the night; No licences at youth clubs; Why do you not have nightclubs on your listings?; Shops such as Tesco Express to be made responsible for all noise on their land during the hours they sell alcohol

b) City Centre and other areas associated with the night time economy.

	Premises open after midnight	Premises with facilities for dancing	Premises such as cinemas and theatres	Premises with high proportion of space for drinking whilst standing up	Pubs and bars	Club (eg, working men's, members')	Restaurant / café with little or no bar area	Off licences	Late night take aways
Personal licence holder to be on the premises when alcohol is being sold	23 (62%)	17 (46%)	8 (22%)	9 (82%)	17 (46%)	18 (49%)	8 (22%)	4 (11%)	15 (41%)
CCTV to be installed and maintained to a specified standard	27 (73%)	22 (60%)	13 (35%)	9 (82%)	27 (73%)	19 (51%)	12 (32%)	21 (57%)	19 (51%)
Door supervisors to be on duty at all times	24 (65%)	31 (84%)	7 (19%)	2 (5%)	24 (65%)	13 (35%)	5 (14%)	7 (19%)	8 (22%)
Door supervisors to be present a specified times (subject to the particular application)	22 (60%)	18 (49%)	10 (27%)	5 (45%)	19 (51%)	16 (43%)	4 (11%)	10 (27%)	9 (24%)
Security staff to be inside the premises	27 (73%)	25 (68%)	10 (27%)	5 (45%)	19 (51%)	16 (43%)	4 (11%)	10 (27%)	9 (24%)
Staff training to be provided and documented	30 (81%)	28 (76%)	25 (68%)	9 (82%)	30 (81%)	27 (73%)	24 (65%)	27 (73%)	23 (62%)
Customers to be searched on entry using metal detectors	8 (73%)	8 (73%)	1 (9%)	8 (73%)	4 (11%)	1 (9%)	1 (9%)	1 (9%)	1 (9%)
Use of polycarbonate glasses and bottles	24 (65%)	20 (54%)	11 (30%)	8 (73%)	20 (54%)	15 (41%)	6 (16%)	6 (16%)	12 (32%)
Use of noise limiting device(s) within the premises	26 (70%)	26 (70%)	16 (43%)	9 (82%)	26 (70%)	18 (49%)	8 (22%)	9 (24%)	12 (32%)
Sound insulation to be installed to prevent noise breakout	27 (73%)	26 (70%)	16 (43%)	9 (82%)	27 (73%)	17 (46%)	9 (24%)	10 (27%)	11 (30%)
Other (please give details) Reduction in hours of stores such as Tesco express									

Section 3 – Special Policy on Cumulative Impact

“Cumulative impact” is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. There must be evidence that crime and disorder or nuisance is happening and is caused by the customers of a number of licensed premises, or that the risk of cumulative impact occurring is imminent.

The City Council established a Special Policy on Cumulative Impact alongside its first Licensing Policy, which came into effect in 2005. This policy affects the area of the city centre bounded by Churchgate, Haymarket, Belgrave Gate (from Haymarket to Abbey Street), Abbey Street and Burleys Way (from Abbey Street to Churchgate).

Following consultation for the second Licensing Policy, the Special Policy was retained for 2008-2011.

We are in discussions with the Police about “cumulative impact”. We may propose changes to the existing Special Policy in order to include other streets / areas such as Belvoir Street and Braunstone Gate.

Please let us know what your views are on the existing Special Policy, and the need for any alterations to it.

	Agree	Disagree	Don't know
The existing Special Policy on Cumulative Impact should be retained	17 (46%)	9 (24%)	4 (11%)
The existing Special Policy on Cumulative Impact should be extended	26 (70%)	4 (11%)	3 (8%)
The existing Special Policy on Cumulative Impact should be extended to include the following:			
Belvoir Street	27 (73%)	4 (11%)	3 (8%)
Braunstone Gate area.	24 (65%)	5 (14%)	3 (8%)
The Special Policy on Cumulative Impact should be extended to include another area (Please give details)			
Queens Road / Clarendon Park Road / London Road	5 (14%)		

Section 4 – Information and Guidance

There are certain matters that must be included in the Licensing Policy, in accordance with the Licensing Act 2003. Leicester City Council is considering the inclusion of additional information and guidance, which would set out the authority's aspirations in relation to licensing matters. We would be interested to hear whether there are any particular matters you consider should be included in any additional information.

Please provide details of any other information that should be included in the City Council's Licensing Policy document

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Section 5 – Other comments

Please provide us with any other comments you have in relation to our Licensing Policy for 2011-2014.

Do you consider that there are any potential implications for equality issues that we should address in our new policy? If so, please explain what these are.

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Please provide any other comments:

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Section 6 - About You

This section is optional.

Please provide any information about yourself that you wish. All information will remain confidential to the City Council and will not be given to any third parties.

Name		
Address		
Organisation (if relevant)		
Capacity (please select)	Member of the public	21 (57%)
	Business	5 (14%)
	Licence holder	0
	Elected member	1 (9%)
	Interested organisation	7 (19%)
	Responsible authority	1 (9%)
	Other (please state)	0

Return of Forms

Please return completed forms by **30 September 2010** to:

Licensing Section
Leicester City Council
New Walk Centre
Leicester
LE1 6ZG

Or by email: Licensing@Leicester.gov.uk

Summary of comments and responses on draft Licensing Policy

Originator	Reply No.	Comment	Response
Barrister/licensing specialist	2	<p>One of the key principles of LA 2003 is that the measures should be risk-based, related to the circumstances of the premises/locality. It is wrong in principle to push general measures to all premises of a certain type - e.g. sound insulation will depend on nearest neighbours, previous problems, character of premises, type of entertainment, hours of operation; each of the above steps MAY be useful in appropriate circumstances, and all of the above are already available as potential conditions.</p> <p>The "authority's aspirations in relation to licensing matters" does not really help to understand what the question is driving at.</p>	<p>This is accepted. We cannot, and don't intend to, impose conditions on any premises or operator. What we would like to do is create a policy that sets out both the legal requirements and gives guidance to operators, responsible authorities, interested parties and councillors about what the Licensing Authority believes is good practice.</p>
Anonymous member of the public	3	<p>Pubs and bargain booze type shops too close to houses and on street parked cars should be closed down - full stop. Some drunks scratch cars on their way home.</p>	<p>The Licensing Authority is not able to act in this way. Premises may only have their licences revoked following a review hearing, as a result of proven problems at the premises. Any decision to revoke must be necessary and proportionate with regard to the promotion of the four licensing objectives.</p>

Summary of comments and responses on draft Licensing Policy

		<p>Shops selling just mainly alcohol should be banned. They make the areas look run down and cause decadence</p> <p>Apart from night clubs - no place should be allowed to sell alcohol after 12pm if city centre based.</p> <p>If near to houses and on street car parked, then should be closed down - full stop</p>	<p>As above</p> <p>The early morning alcohol restriction orders that the government MAY bring into effect will only allow the Licensing Authority to restrict the sale of alcohol between 03.00 and 06.00 hours.</p> <p>As above</p>
Leicestershire Fire & Rescue Service	7	Informing licence holders on their responsibility towards the Regulatory Reform (Fire Safety) Order and in particular their obligation to have a suitable and sufficient Fire Risk Assessment	Noted. This will be considered for information and advice publications and during compliance checks.
Interested organisation	8	No Bars or clubs should be allowed to open after 2am	The early morning alcohol restriction orders that the government MAY bring into effect will only allow the Licensing Authority to restrict the sale of alcohol between 03.00 and 06.00 hours. The geographic extent of any such restriction is a matter for the authority, following consultation.
Anonymous	9	Number of licensed properties in an area. Proximity to residential areas.	'Need' is a planning matter.

Summary of comments and responses on draft Licensing Policy

member of the public		Access of users to licensed properties and how arrival and departure can lead to minimal disruption of neighbouring businesses and residential areas (disruption through litter, noise, anti-social behaviour, vandalism etc)	<p>Cumulative impact policies may be introduced to deal with areas already 'saturated' with licensed premises, leading to problems with crime & disorder or public nuisance.</p> <p>The impact of licensed premises may be minimised in some cases by the licence holder operating in a certain way. (Eg, asking customers to leave quietly, contracting a local taxi firm with an understanding that they won't sound their horns to signal arrival, employing door supervisors to oversee the departure of customers in an orderly manner). In cases where problems do exist, a review may be sought by a responsible authority or interested party.</p>
Member of the public	10	"There are 13 licensed premises in Churchgate, 82 in the Braunstone Gate/Narborough Road area and 10 in Belvoir Street." - Mercury I'm surrounded by licensed premises. You can hear music from these premises in the early hours. And it's impossible to sleep when customers leave. Where's the sense in having more late premises in the residential Braunstone Gate/Narborough Road area than in the city centre? Premises	Noted. One part of the consultation document was dedicated to 'cumulative impact' and asked for suggestions about the extent of the existing special policy and whether any more

Summary of comments and responses on draft Licensing Policy

		near where people live should have sensible closing times and restrictive music policies. Customers should also be prevented from drinking outside in the open air after certain times.	were necessary. Braunstone Gate and Belvoir Street were specifically mentioned due the the concentration of premises there in relation to the length of road. Premises that cause noise nuisance may have their licences reviewed upon application (as described above). The Licensing Authority may only refuse applications for new or varied licences where representations are received. Such representations could relate to the points raised in this comment.
Member of the public	14	At present it appears that the council does not care if every other shop opening in an area was a licensed premises? you have to ask the question is there a need for another off licence or licensed premises? in the same way that the question should be asked do we need another post office or butchers shop. this is surely a sensible approach which will help the local economy and the residents alike?	'Need' is a planning matter, and not a licensing consideration. Even if a cumulative impact policy is in place, the licensing authority must still grant a licence if no representations are received. If representations are made, each case must be considered on its merits and the decision must be necessary and proportionate with regard to the promotion of the four licensing

Summary of comments and responses on draft Licensing Policy

			objectives.
Member of the public	18	I would want you to review the criteria you use for people to object to a new license because I don't want all our shops (particularly in small local shopping areas) having to sell alcohol in order to make a profit. People should be able to object to any application for an alcohol license on the grounds of cumulative impact and because they feel the area is already saturated with outlets selling alcohol	The Licensing Act 2003 sets out the criteria against which representations may be considered, ie, the promotion of the four licensing objectives. Cumulative impact can only be considered where there is a formal policy on cumulative impact in place for the area concerned. In all other cases, each application must be considered entirely on its own merits.
Interested organisation	19	New licenses should not be issued when already provided for in the area.	The licensing authority is obliged to grant all applications that do not attract any representations. Where representations are received, the authority cannot take account of 'need', which is a planning matter.
Anonymous member of the public	20	I can't understand the need for any premises to be open until 6am selling alcohol. What happened to clubs closing at 2am?? We need some joined up thinking here. The NHS are talking about alcohol and related illnesses, The police are stretched and this is costing the taxpayers a lot of money when places need to be policed more rigorously and alcohol abuse leads to crime.	Applicants are entitled to apply for the hours they wish to use – this is a feature of the Licensing Act 2003. The licensing authority's discretion is only engaged when relevant representations are received.

Summary of comments and responses on draft Licensing Policy

			Any decision to amend the hours or activities applied for must be necessary and proportionate, based on the four licensing objectives. Such amendments must also be relevant to the representations received.
Member of the public	23	The cost of licences for live entertainment can be prohibitive for small venues like pubs, clubs and are too wide-ranging - say for spontaneous music like a small gathering with guitars and a bit of singing which makes a place attractive without causing nuisance.	The fees for all applications made under the Licensing Act 2003 are prescribed by central government and cannot be altered by the licensing authority
Business	26	I can only comment on Belvoir Street but the saturation level for clubs/pubs, licences has been surpassed. The area has gained an unwelcome reputation that has severely impacted on the daytime economy	A cumulative impact policy is being considered for the Belvoir Street area.
Member of the public	29	Opportunities for young people to get cheap alcohol must be restricted for their own protection. They should not extend to petrol stations.	The Licensing Act deals with under age sales and proxy purchasing, and all premises licences and club premises certificates are now subject to mandatory conditions regarding proof of age. A premises licence may be granted to a petrol station, but the licence does not have effect if the premises is used solely or primarily as a garage (ie, if more people visit for petrol, oil, etc rather than for

Summary of comments and responses on draft Licensing Policy

			groceries, newspapers,etc)
Interested organisation	32	<p>You should stagger closing times but prevent club from allowing people in after (2am) this will enable people to filter away and avoid trouble</p> <p>Aspiration to encourage people to remain in the city 5pm to 10pm, cafe society, good management through Best Bar None, dispensations for charity and community initiative and BBN accreditations. It is a partnership to create a vibrant city not a police state.</p>	<p>This could be suggested as best practice, but blanket conditions on all existing or new licences are not permitted. This may be introduced as part of the government's rebalancing the Licensing Act agenda</p> <p>Whilst these aspirations are outside the remit of the licensing policy, we will work to promote a vibrant nigh time economy.</p>
Member of the public	33	<p>Extending the policy on cumulative impact to include Clarendon Park Rd will help to limit the number of under age drinkers getting alcohol, anti-social behaviour, noise and nuisance behaviour. This is important to many residents, as Clarendon Park is still predominately residential. The effect on the local community is massive particularly during term time when the students bring drink fuelled anti social behaviour giving more and later outlets selling alcohol will increase this problem later and later into the evening, causing more problems for the local residents, and the police who are already facing huge cut backs and their ability to tackle ASB is bound to be reduced.</p>	<p>We have not received evidence, (other than anecdotal evidence) of sufficient problems with crime and disorder or public nuisance to justify the introduction of a cumulative impact policy for the Clarendon park area.</p>
Member of the public	34	<p>The 24 hour economy has generally increased anti social behaviour. Greater awareness/acceptance that City Centre Residents suffer enormously from the problems of drunken anti social behaviour. Residents also have to have their rights acknowledged - there is only now a growing acknowledgment that residents/visitors have equal rights to a safe/secure/quiet environment</p>	<p>The policy will say that the needs of businesses and residents must be balanced against one another. In accordance with the 2003 Act</p>

Summary of comments and responses on draft Licensing Policy

		<p>at least during the night-time hours</p> <p>Equal rights of residents as opposed to just the right of people to come into the City to socialise and behave unacceptably</p>	<p>residents have the right to make representations about applications close to their homes, and to ask for existing licences to be reviewed if there are problems. Greater opportunity to protect residential premises may be introduced as part of the government's rebalancing the Licensing Act agenda.</p>
Anonymous Member of the public	35	<p>Immediate closure if premises cause anti-social behaviour</p> <p>Listen to local community and impact of anti-social behaviour especially experienced by disabled people - currently they are being ignored and made to suffer, especially those opposite Tesco Express on Hinckley Road</p>	<p>The Police have the power to close premises immediately in certain circumstances. This is then followed by a formal review of the premises licence, and depending on the circumstances the premises may have to remain shut in the meantime.</p> <p>In accordance with the 2003 Act residents have the right to make representations about applications close to their homes, and to ask for existing licences to be reviewed if there are problems. Concerns reported</p>

Summary of comments and responses on draft Licensing Policy

		The Licensing Committee to be made accountable if they approve an alcohol licence that causes anti-social behaviour	to the licensing authority are always investigated and the appropriate action taken, in accordance with the legislation. The Licensing Committee is accountable for its decisions by way of appeal to the Magistrates Court.
Interested organisation	36	While there may be premises for which particular conditions should be applied, the categories above are too broadly drawn to suggest that all premises in a category should be restricted. Any restrictions put in place should not affect the operation of traditional pubs with no history of problems.	The licensing authority cannot apply blanket conditions – any conditions imposed must be necessary and proportionate for the promotion of the licensing objectives. The authority may only impose additional conditions where relevant representations have been received. Any conditions must be designed to address the concerns raised in the representations.
Interested organisation	37	We remain of the opinion that the inclusion of regulated entertainment in the Licensing Act 2003 is not necessary and has greatly increased bureaucracy for very little benefit to the licensing objectives.....	Noted, but not relevant for inclusion in the Licensing Policy. Public entertainment was regulated prior to the Licensing Act 2003. A greater number of

Summary of comments and responses on draft Licensing Policy

		<p>...Together with the Musicians Union, Equity has recently been campaigning to secure the reform of the regulation of live entertainment. We are very pleased to note that the government is considering an exemption from the Act for live music venues with capacity for fewer than 200 people and would encourage your local authority to support such a change.</p> <p>...regulated entertainment is a broad category. Many forms of travelling entertainment that for many years did not require a licence are covered by the provisions of the Licensing Act 2003. Consequently circuses have to get a separate licence for every single new site they go to – which can be as many as 40 each season. They also have problems if a site becomes unavailable at the last minute, as alternative sites will not ordinarily have a licence and it takes at least a further 28 days to arrange one.</p> <p>In 2009 the Culture, Media and Sport’s Select Committee’s report into the Licensing Act contained a number of proposals which would have lifted some significant barriers to work faced by entertainers. The report recommended the creation of portable licence for travelling entertainment and circuses which would reduce the need for multiple applications and would provide greater freedom to perform on a basis agreed with local authorities. Equity supported these recommendations and would encourage</p>	<p>premises are authorised to provide public entertainment than previously.</p> <p>There is considerable scope for smaller venues to cause problems of crime and disorder and public nuisance. This exemption would not be supported.</p> <p>Leicester City Council has licensed the vast majority of parks and open spaces in the city, for regulated entertainment. The circuses that come to Leicester usually operate from one of these areas and hence do not have to obtain their own licences.</p> <p>Officers are unaware of proposals for portable licences, and have some concerns about how they would operate. The existing system of licensing the premises rather than the operator means that site specific</p>
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Summary of comments and responses on draft Licensing Policy

		<p>your local authority to look into the possibility of streamlining the process of approving licences for travelling entertainment.</p> <p>The report also recommended that simplification of the Licensing Act is necessary in order to reduce bureaucracy and better meet the licensing objectives. In particular, the Committee stated that better consistency between local authorities would aid travelling performers. We would also encourage your local authority to work alongside other authorities in order to achieve this much needed consistency and to establish best practice in terms of licensing policy.</p>	<p>matters can be addressed. It is not clear how this would work if a travelling entertainer had a generic licence allowing them to provide licensable activities in different locations without taking account of local factors.</p> <p>Noted, this may be introduced as part of the government's rebalancing the Licensing Act agenda</p>
Member of the public	38	<p>Comments that Working Men's and Social Clubs (with club premises certificates) operate as "family orientated bingo halls". Notes that the police have a limited right of entry under the 2003 Act compared to premises operating with a premises licence.</p> <p>Wants the law to be changed to allow the police access to check for breaches of licensing law.</p> <p>Wants clubs holding special events to be required to provide the licensing authority with names and addresses of non-members with proof of age</p>	<p>No comment</p> <p>There is no evidence to suggest this is necessary.</p> <p>This can only be done following a review application if there are specific problems at a specific club, which may be addressed by implementing the condition</p>

Summary of comments and responses on draft Licensing Policy

		Wants TENs to include a stipulation that SIA registered door staff will be provided.	referred to The licensing authority cannot impose conditions on Temporary Event Notices
Leicestershire Constabulary	39	<p>My thoughts include an expansion of advice re the frequent situation where there is no day to day DPS. When writing to licence holders I find it helpful to refer to your policy and a little more clarity on this issue would help as currently there is only advice re personal licence holders (para 14.2).</p> <p>I also wonder if there is a place for the advice contained in the attached documents?</p> <ul style="list-style-type: none"> • CCTV on licensed premises • Checklist for incident management • Letter re drunkenness <p>Support increase in saturation zones, possibly to include the whole city centre.</p> <p>Support of inclusion of some steps to promote the licensing objectives being promoted as best practice for certain types of premises.</p>	<p>Agreed</p> <p>Agreed – these documents will be referenced in the policy</p> <p>This is noted. An increase in saturation areas is proposed.</p> <p>This addition is included in the policy</p>
Interested organisation.	40	<p>I Have Been saying It Now For A Long Period That There Are Too Many Shops Being Granted Licenses To Sell Alcohol.</p> <p>Take A Example Of Barkby Road, There Are NOW Three Shops with Licenses With In 200 yards.</p> <p>Secondly You Have Got No Staff To Make sure That These Premises Are</p>	<p>See responses above</p> <p>No evidence that a cumulative impact policy is appropriate</p> <p>There are sufficient enforcement</p>

Summary of comments and responses on draft Licensing Policy

	<p>Working To Rules.</p> <p>The reason For Non duty Paid Stock Has Increased Is Also Due To This Fact.</p> <p>I Can Not Understand Why Police request Are Not Taken Into Consideration.</p> <p>The Neighbourhood Should Also Be Consulted Prior Granting The License.</p> <p>There Should Be Better Education For The Staff Of These Premises.</p>	<p>staff to deal with the current workload. We operate a risk-based enforcement service</p> <p>No comment</p> <p>Police representations are taken account of at hearings. The police have the right of appeal if they are dissatisfied with the outcome</p> <p>The applicant is required to post notices at the premises throughout the representation period, and in a local paper once in the first 10 working days after an application is made. The application is also available on our website. There is no requirement for the licensing authority to carry out any consultation</p> <p>Training is an important part of being a responsible operator, and our policy will reinforce this message</p>
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Summary of comments and responses on draft Licensing Policy

		<p>The Same applies For Granting Licenses To Pubs/Clubs. Example: Shops converted To Drink Houses [Melton Road]. To Grant License was a Proud Honour For The Law!</p> <p>Stop All,' The All Night Drinking Clubs'</p>	<p>Unable to comment</p> <p>If there are problems with particular premises their licences can be reviewed as described above, and appropriate action taken</p>
Interested organisation	41	<p>Mandatory Code The Policing and Crime Act 2009 created a mandatory code of practice for all alcohol retailers. While four of the mandatory licence conditions relate solely to the on trade, one of the conditions also applies to the off trade. This states that: <i>all those who sell alcohol must have an age verification policy in place requiring them to check the ID of anyone who looks under 18 to prevent underage drinking which can lead to anti-social behaviour and put young people at risk of harm.</i></p> <p>While the mandatory condition demands a proof of age scheme is in place, the condition does not prescribe which schemes retailers have to adopt. We support this flexibility for retailers and strongly discourage a more restrictive approach. The main responsibility of alcohol retailers is to ensure that they do not sell alcohol to those underage. They should not be dictated to on how to achieve compliance.</p>	<p>Agreed</p>

Summary of comments and responses on draft Licensing Policy

	<p>Form of Identification It is important that there is consistency on which proof of age documents retailers are allowed to accept. ACS is a founding member of the PASS and board member of the CitizenCard proof of age scheme. CitizenCard has given out over 1.8 million cards, and offers young people who do not have a passport or drivers licence a valid form of ID. Particularly in society where identity fraud is a growing problem, it is even more important to offer a form of ID that it is not a passport or driving licence since these can facilitate fraud if lost.</p> <p>Government and most local authorities accept passport, driving licence and PASS card as valid proof of age. ACS urges all local authorities to adopt this position.</p> <p>We would also urge Local Authorities to consider how best to tackle fraudulent ID, in consultation with local retailers</p> <p>Community Alcohol Partnerships Through our membership of RASG, ACS is also heavily involved in the Community Alcohol Partnerships (CAP) initiative. These innovative projects aim to tackle the local problems with underage drinking and anti social behaviour through partnership working. CAPs brings off-trade retailers together with local authorities, police and schools to tackle underage drinking and proxy purchasing in a holistic way. During the schemes test</p>	<p>This issue is addressed in the policy</p> <p>This condition cannot be implemented across the board, but we accept this point and will continue to use it in our model pool of conditions</p> <p>This is noted and we will consider how best to take this forward in our compliance activities.</p> <p>The Licensing Authority and police are working in partnership to promote best practice in off-licences by introducing the 'Best of Green' initiative.</p>
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Summary of comments and responses on draft Licensing Policy

	<p>purchases are not carried out; instead any problems are dealt with using communication and support networks.</p> <p>The project has been independently evaluated, finding a decline in offences of criminal damage some 6% greater than in non pilot areas.</p> <p>Test Purchasing ACS believes that the Partnership approach, where retailers are not penalised but are educated and supported, is a more effective way to tackle alcohol related problems. However we recognise that test purchasing is a tool at the disposal of local authorities and that some will find it necessary to use test purchasing to tackle the small minority of problem premises that repeatedly sell alcohol to children.</p> <p>However if test purchasing is utilised it must be done in accordance to Government guidelines. It must be led by clear intelligence that there is a problem in with underage purchasing on a premises. It also needs to be ensured that test purchasing will target both on and off trade when required.</p> <p>It is important that test purchasing does not descend into a tool to “catch-out” responsible retailers, who make a genuine mistake. Guidance issued by LACORS on how to conduct a test purchase must be adhered too. Using an individual who looks much older than 18 and allowing them to lie or show fake ID is unacceptable.</p> <p>If a retailer does fail a test purchase, it is important that the first recourse is constructive support, rather than overzealous punishment. Punishments are</p>	<p>Test purchasing is not part of our licensing policy. It is generally undertaken by the Police and/or the council’s Trading Standards department. However, the points raised are put into practice by these responsible authorities, who follow the LACORS advice.</p>
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Summary of comments and responses on draft Licensing Policy

	<p>effective only when they are proportionate. We support tough sanctions against persistent offenders.</p> <p>We also strongly advise local authorities to recommend that retailers are notified of any test purchases they have passed. This helps stores to recognise if their policy to prevent underage sales is working and facilitates a partnership based relationship.</p> <p>ACS supports the Local Better Regulation Office (LBRO) on Trading Places Scheme. The scheme places local authority employees with retailers so that they can see the challenges retailers face regarding underage sales on a daily basis and also understand what the retail trade is doing to tackle them. ACS advises Local Authorities to contact LBRO if they wish to partake in the scheme.</p> <p>Crime</p> <p>There has been proposals in some draft licensing policy statements that retailers should restrict where they place alcohol to prevent underage theft. Although it may be useful to make retailers aware of best practice, they should not be told where to place they products the sell. Ultimately the retailer will be aware of where best to place products to ensure security.</p> <p>It is also important that retailers are not penalised for thefts that occur in store. If alcohol is being stolen from a store then it is not the retailers fault and fully culpability must fall onto the culprit. In these incidences the retailers are victims and should be supported. Any move to penalise retailers for thefts will be counter productive, as retailers will be discouraged from reporting crime.</p>	<p>This practice has been introduced</p> <p>This proposal will be passed on to the authorities responsible for test purchasing</p> <p>Our licensing policy will not cover this point, as it is a matter for the licence holder</p>
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Summary of comments and responses on draft Licensing Policy

		<p>Underage Drinking and Proxy Purchasing</p> <p>Retail staff often face abusive or intimidating behaviour when refusing a sale. It is important that they feel sufficiently supported in their role as enforcers and local authorities have a role to play in this. Underage drinkers need to understand that it is against the law and unacceptable for them to attempt to buy alcohol. The wider community need to understand that it is unacceptable and illegal to buy or supply alcohol to a minor.</p> <p>Being given alcohol by a parent or friend, or buying alcohol from someone else is the most common way for underage drinkers to buy alcohol. The proportion of pupils who were given alcohol by a parent or friend has increased from 9%in 1998 to 24%in 20081. 18% of young drinkers buy alcohol from someone else, compared with 6% who buy from the licensed trade. It is clearly a route of supply which needs to be tackled.</p> <p>While it is currently offence to proxy purchase or attempt to buy alcohol while underage, there is little enforcement of these laws. Local licensing policies should address these issues and explore the most effective way to combat these crimes in community, rather than just targeting all their enforcement on licensees.</p>	The Safer Leicester Partnership has introduced initiatives to tackle proxy purchasing.
Highways	42	The text in the current policy is still relevant and is very likely to be for beyond March 2010 ie for LTP3	Noted
Interested organisation	43	The BBPA recognises the concerns both the LGA and LACORS have with the Home Office proposals as they stand, and would urge Councils not to pre-empt the results of the consultation process in their licensing policy consultations.	The proposals have not been pre-empted.

Summary of comments and responses on draft Licensing Policy

	<p>We also have some concerns that the Council may receive representations for change to which we will be unable to respond until after the policy is approved by the Council.</p> <p>This is of particular concern in the case of Leicester which appears to be consulting by means of an on-line questionnaire with little or no opportunity for relevant organisations such as ourselves to make further comment on the revised policy before it goes before the Council.</p> <p>We will take this opportunity therefore to highlight certain issues which we would not support being included in, or arising from, the final policy document as they are beyond the provisions of the Licensing Act.</p> <p>BBPA would recommend that Licensing Policies should take into account points such as:</p> <p>Blanket Conditions Blanket or standard conditions cannot be imposed under the Licensing Act, except where there are valid objections to a licence on the grounds of one of the licensing objectives, ie. crime and disorder, public safety, public nuisance and the protection of children. The licensing authority can only attach a condition where an objection is upheld following a hearing.</p> <p>Pubwatch As a major supporter and funder of National Pubwatch, the BBPA is very keen that public houses participate in their local Pubwatches, but we are opposed to such participation being a condition of the licence. Pubwatches</p>	<p>It is not intended to go through a second phase of consultation. All consultees had an opportunity to express their views in whatever format they felt was appropriate.</p> <p>Agreed</p>
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Summary of comments and responses on draft Licensing Policy

	<p>are voluntary organisations and membership must remain voluntary if they are to be effective. They are also co-operative bodies that must be able to determine their own membership, which would become almost impossible if leaving a Pubwatch would result in a breach of condition. We trust that the policy merely seeks to encourage Pubwatch membership rather than make it a condition of licences.</p> <p>Glassware It would be helpful if the policy could include a reference to the following approach outlined in the National Alcohol Strategy on alternatives to glass, namely a risk based, per premises approach.</p> <p>“The Government believes that a risk-based, rather than blanket, approach to requiring licensed premises to use safer alternatives is the best way to tackle the problem of glass-related injuries.”</p> <p>The BBPA has consolidated good practice on combating violence in licensed premises into a guide to risk assessment available on our website at www.beerandpub.com .</p> <p>Minimum Pricing The licensing authority should not seek to encourage licensees to breach competition law by advocating a minimum price for alcoholic drinks. Any agreement of a minimum price would be a clear breach of competition law which would leave operators open to prosecution and a financial penalty of 10% of turnover. Any condition of this nature would clearly be unlawful.</p> <p>There have been examples of local authorities/police attempting to use</p>	<p>Agreed</p> <p>This is dealt with in our policy</p> <p>Agreed</p>
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Summary of comments and responses on draft Licensing Policy

	<p>'voluntary' agreements and the Mandatory Code on Alcohol sales to justify a minimum price in a specific area. This is illegal as stated above.</p> <p>Mandatory Code on Alcohol Sales The conditions relating to promotions, direct dispense into the mouth and tap water were introduced in April 2010. Conditions relating to age verification policies and smaller measures of alcohol come into force on 1st October 2010. If Mandatory Conditions are referenced in the policy, it should also make reference to the Home Office guidance available to download at www.beerandpub.com</p> <p>Smoking Where customers are outside the premises because they are smoking, there should not be an automatic assumption that this will lead to unacceptable noise nuisance. If it does, then interested parties and responsible authorities are legitimately entitled to raise the issue as they would for any other cause of noise nuisance. In the event that customers outside a licensed premises give rise to noise nuisance and representations are made to the licensing authority on these grounds, then the matter can be dealt with via the processes contained in the Licensing Act 2003. Therefore, any conditions on a licence should be evidence based and relate to noise nuisance and not smoking. Smoking itself is not, of course, a licensable activity.</p> <p>Risk Assessments The Association is very much in favour of the use of risk assessments, but the provision of a risk assessment to support an application is not a requirement under the Licensing Act 2003, therefore the licensing authority</p>	<p>Mandatory conditions are referred to in advice and information publications and letters</p> <p>Agreed</p> <p>Agreed</p>
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Summary of comments and responses on draft Licensing Policy

	<p>has no powers to demand to be shown risk assessments. We believe that this reference should either be removed or amended to as to be a recommended practice rather than a requirement. During the recent World Cup, some Local Authorities and police issued inappropriate risk assessments for pubs to sign, and assessments such as these should not be required by the licensing policy.</p> <p>Cumulative Impact Policies The policy should make it clear that applications within the cumulative impact policy area will be considered on their own merits, and determined by the Licensing Committee in the event of relevant representations being received. Where there are no relevant representations, the application must still be granted.</p> <p>Designated Premises Supervisors If the policy contains the expectation that the DPS will spend a significant amount of time on the premises, or should be on the premises at all times, this should be deleted. There is no legal obligation for the DPS to be on the premises at all times, but they do, of course, remain responsible for the premises in their absence.</p> <p>There is no mechanism in the Licensing Act for licensing authorities to: insist that the DPS be on the premises at all times</p> <ul style="list-style-type: none"> • to make a fit and proper judgement on individuals nominated as the DPS • insist on experience, training or qualifications in addition to the personal licence qualification • insist on more than one personal licence holder for the premises. 	<p>Agreed</p> <p>Agreed</p> <p>Agreed, although we may state that this is considered best practice</p>
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Summary of comments and responses on draft Licensing Policy

		<p>The law simply requires a DPS to be nominated for licensed premises where the sale of alcohol is to take place. The DPS must hold a personal licence. We welcome the clarification in the revised Government Guidance to the Licensing Act on this issue.</p> <p>The DCMS guidance also outlines good practice for the authorisation of the sale of alcohol. Written authorisation may be appropriate for some premises, but not all, and is not a legal requirement. Ultimately, it is for the DPS to decide how to manage this issue. There is also no legal requirement for daily authorisation of the sale of alcohol, which would, in our view, be unenforceable and impose an unnecessary burden on operators.</p> <p>We note that a number of these issues are covered in your on-line questionnaire namely under Section 2- Steps to promote the Licensing Objectives- and Section 3- Special Policy on Cumulative Impact.</p> <p>Although the document states in Section 2 that these are “steps that applicants could take to promote the licensing objectives “ this method of consulting could almost be seen as encouraging the public to support certain practices and make representations when in the majority of cases these steps would be unnecessary.</p> <p>As stated earlier we believe interested parties/consultees should be given an opportunity to comment on the revised policy.</p>	<p>Agreed</p> <p>Agreed</p> <p>Noted. However, previous consultations have resulted in limited responses from all quarters and therefore a new method of seeking views has been used on this occasion.</p> <p>Not agreed. Comments made, whether via a questionnaire or a draft policy, may affect the final policy in a way that some</p>
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Summary of comments and responses on draft Licensing Policy

			consultees disagree with. Officers do not accept that the method of consultation used had adversely affected the process
Member of the public	34	<p>I have the following comments to make regarding the review of Leicester's Licensing policy</p> <p>1) Please include the Queens Rd and Clarendon Park area in the "Special Policy on Cumulative Impact"</p> <p>It appears to me the Licensing Act works reasonably well for residents living close to one licensed premises. If there are problems with disorder or public nuisance such as noise, it is clear where the problem lies and appropriate action can be taken and controls applied. Where there are a number of premises, it is much more difficult to control. Residents living near several premises often cannot identify where noise is coming from, and troublemakers outside always belong to 'another premises'. Groupings of several premises in a row can be a particular problem in this respect, as occurs on some parts of Queens Rd. Even if all premises are, by themselves, not a problem, the cumulative effect can be. This is a principle embodied in common law on which the Licensing Act is based. Some examples -</p> <ul style="list-style-type: none"> • Premises may have their noisiest events on different days of the week, so what may be mere irritation if it is just occasional becomes less tolerable as the number of days increases. This particularly applies in Queens Rd area because premises have student nights on what would normally be quieter nights – but residents working or with children at school cannot cope with disturbed weekday nights. 	<p>Although there have been a number of requests for Queens Road and the surrounding streets to be the subject of a cumulative impact policy, there is insufficient evidence to justify this. This issue will be kept under review and liaison continued with the police about areas with high levels of crime and disorder that can be linked to licensed premises.</p>

Summary of comments and responses on draft Licensing Policy

	<ul style="list-style-type: none"> • While some competition can raise standards, too much leads to pressure for bad practice such as discounted drinks to attract customers to their venue. As well as the many existing licensed premises who may wish to alter their licence, there are 8 further existing takeaways, cafes, food shops on Queens Rd that might like a new licence, as well as empty shops. Applicants believe there is a market because of the University, but existing premises now struggle, and need to attract customers from a wide area. Encouraging too many visitors rather than local regulars to the area also makes it more difficult for licensees to know who are troublemakers or buying for those who are under-age. It means more speculative taxis hanging about with engines running outside premises, and tooting, further nuisance often quoted by local residents, but not able to be controlled. • A mixture of premises types can give a varied night out, but leads to more people switching between premises, and lingering on the streets eg to eat takeaways after drinking. This can increase noise nuisance - and the risk of different groups of people being in conflict. The smoking ban has led to more people standing outside and shouting across the street. • Unlike some other "night economy" areas where there is a "buffer" between it and residential areas, (eg with office or industry or a major road) in this area the housing directly adjoins - indeed there are licensed premises that share a party wall with a home. Most of the premises were originally built as houses, more recently used as shops with large areas of glass, and noise insulation is poor. <p>Personal experience:-</p>	
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Summary of comments and responses on draft Licensing Policy

	<p>As the number of licensed premises around Queens Rd has increased, so has the nuisance for residents, and difficulties for control. I have around 8 licensed premises from which I have directly heard noise at times (eg customers rowdy outside the premises or music noise). There are more beyond from which I get indirect effects. But mostly I cannot tell where it is coming from, or distinguish it from people returning drunk to the area from other premises, or indeed private parties, unless I go out on the street to look. I used to do this, but as I get older I feel increasingly reluctant to do so. Without the information it is impossible to complain effectively, as all require different agencies, and much goes unreported and unresolved. I live in a street close to Queens Rd that is 'hidden' and attractive to those who have bought alcohol in the area, whether to drink after premises have closed, or by those that cannot drink in the bars such as under-age drinkers and those smoking cannabis. This is rarely done quietly, and has led to damage to property in front gardens as well as littering and broken glass. Our alleyways are also used as toilets. It is intimidating to wonder what is going on outside your home, and to have to walk past such groups on returning home. I have on occasions not gone out as planned in order to avoid having to go past a group, and I am anxious if I return home at night until I have turned the corner and seen it is "all clear". There are other "hot-spots" close to licensed premises in the area similarly affected by this range of problems. Because the number of premises draws people in from outside the area, I rarely recognise who these people are, again making it more difficult to control. It has now reached the point where I know of residents that have moved because of the problems, those that have 'hidden' the true situation to get a buyer for their house, and people who have developed significant health problems. This year things became so bad,</p>	
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Summary of comments and responses on draft Licensing Policy

	<p>leading to significant distress for one neighbour particularly affected, that police concentrated patrols in our street. This has much improved the situation, but they do not have resources to keep this up indefinitely. I have now largely given up going out onto Queens Rd in the evening, after a summer two years ago when I was asked for sex on 4 occasions while standing waiting for friends. This "cuts me off" from usual activities within my residential community.</p> <p>Evidence can be seen from the large number of objections to recent licence applications in the area, the details within them and comments made to councillors, that other people are similarly affected, and feel we now have enough licensed premises.</p> <p>It can now only be prevented from getting even worse by restricting the number and type of licences allowed. In short a licence application needs to be judged not in isolation but as to its overall cumulative impact. That is why being included as a 'saturation zone' is so important.</p> <p>2) Hours in residential areas</p> <p>I believe the current policy recognises that hours for premises in residential areas may need to be curbed. I trust that this will continue to be recognised in the revised policy. It is probably the single most important factor of control for residents, as lack of sleep has such profound effects. I can cope with a "lively" evening if I have slept well, but a disturbed night makes me sensitive to noise. It needs to be remembered that much of the noise that disturbs comes when people are leaving premises and waiting for taxis etc, and hours need to reflect this.</p>	
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Summary of comments and responses on draft Licensing Policy

		<p align="center">3) Noise limiters</p> <p>I think noise limiters are a good idea in any premises where music is an "entertainment". Not just live music as DJ's and Karaoke can be some of the most intrusive.</p>	
Cultural Services	35	<p>General</p> <p>The current Statement of Licensing Policy references the Cultural Strategy in the Integrating Strategies section. It was integrated into the policy as part of previous consultation. We would want the text in this section, section 11.6 to 11.11 (page 12) to remain as it stands. We advocate the continual inclusion of this within future statements as it highlights an important fundamental premise; the rights to participate in cultural life against managing the detrimental effects of activity that can be regulated by license. By operating in the spirit of the Cultural Strategy and the International Covenant on Economic, Social and Cultural Rights (ICESCR) which recognises "the right of everyone to take part in cultural life" and that active steps are taken to develop cultural activity and ensure that everyone can participate in the cultural life of the community, a balance can be maintained. The issue of balance is set out in section 2.3 (page 3) and we want to restate the importance of this as a fundamental principle as it stands in the document.</p> <p>Specific Comments</p> <p>With regard to the statement above it is essential to monitor increases in</p>	<p>Noted</p> <p>Licensing fees are set by central</p>

Summary of comments and responses on draft Licensing Policy

	<p>cost for licenses and the potential effect on small scale groups. Small community events which offer huge benefits to the community are often operating under the constraints of very limited budgets. As referenced in section 11.11 (page 13) bullet point 4, it is essential to ensure that imposed conditions attached to licenses do not deter small scale groups and activities by costs disproportionate to the size of the event.</p> <p>It would be useful to provide clarity on educational events, such as author events, being exempt from licensing as it adds disproportionate cost and inconvenience to a very low risk type of event.</p> <p>For Temporary Event Notices, section 15, (page 17) it would be useful for consideration to be given to allow local authority discretion on the limit of the total number of people by allowing flexibility to increase numbers on the current 500 total.</p> <p>Cultural Services fully adhere to noise monitoring and noise action plans. If not already in place, we would encourage Licensing to consider noise monitoring and noise action plans for all premises Licensed for Entertainment.</p>	<p>government and are outside the licensing authority's control. All conditions imposed following a hearing must be necessary and proportionate.</p> <p>Only events involving licensable activities require permission under the Licensing Act 2003. There are certain exemptions included in the legislation.</p> <p>The limit on numbers at an event authorised by a TEN are included in the legislation and cannot be altered by the licensing authority.</p> <p>Licensing can only deal with individual premises where there are problems, following a review application. Where necessary, steps in relation to noise control may be taken. Ongoing monitoring is a matter for the Noise Control team.</p>
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Summary of comments and responses on draft Licensing Policy

	<p>Section 17 (page 18) of the current Statement deals with Live Music, Dancing, Theatre, Circuses and Street Arts. Clarity needs to be given on what the definition of Street Arts is and what it includes as it can impact on certain events. An example would be the involvement of stilt walkers in a parade. Also there is no clear distinction for busking. Licensing for funfairs is not currently covered by the statement but should this be considered as subject to licensing when the Funfair is the main activity and not solely part of an event.</p> <p>Clarity needs to be given for activities that take place outside venues, particularly private venues. This would be when the main event was taking place within a venue but there is related activity occurring outside or around the venue, such as street arts.</p> <p>Licensing is asked to consider giving priority to the ratio of new licenses for premises that provide live music. Venues that provide live music have been proved to reduce incidents of disorder and anti social behaviour which addresses one of the four licensing objectives of the Licensing Act; the prevention of Crime and Disorder as referenced in section 2.2 (page 3).</p> <p>In terms of Cumulative Impact, section 3 (page 4) particular support is given for section 4 (page 5) Special Policy on Cumulative Impact, and in particular any proposals that would extend the area to include Belvoir Street. The Library Service has experience of litter, broken windows and other issues already at weekends and if the building changes its use it would continue to experience problems on a similar scale.</p> <p>As we are reviewing partnership arrangements please omit the last sentence</p>	<p>Each application must be considered on its merits, and preferential treatment is not permitted.</p> <p>Noted – a cumulative impact zone is proposed for Belvoir Street</p> <p>Actioned</p>
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Summary of comments and responses on draft Licensing Policy

		<p>in section 11.6 (page 12) "Leicester City Council is committed to its implementation working with the 50 strong Cultural Strategy Partnership."</p> <p>Section 11.15 to 11.19 (page 14) should refer to other equality duties. Irene Kszyk, Head of Equalities, will be able to advise Licensing on appropriate points.</p>	
Castle Ward community meeting	36	<p>Councillor Kitterick, in summary noted that there were issues to be taken forward with regard to saturation zones, putting the best practices of bars into the policy and issues with regard to the display of license application notices:-</p> <p>The following areas were proposed as having reached saturation point:-</p> <ul style="list-style-type: none"> - Queens Road - Clarendon Park Road (for off licences) - Belvoir Street – (this area, it was felt was suffering a public nuisance from a loss of retail units and crime problems in the evening) - Granby Street / London Road (for off licenses) – The number of off licenses, it was felt was adding to problems with regard to street drinking. - No objections were raised to Churchgate retaining it's current saturation status. <p>...look into the possibility of providing the public with email copies / or posting the weekly list of licensing applications on the internet.</p> <p>A resident enquired whether licensing powers could be used to encourage different types of establishments in different areas, ie some areas becoming more 'café society', perhaps this could be through the Best Bar None</p>	<p>Saturation zones are proposed for Belvoir Street, and with regard to off licences on London Road / Granby Street. However, it is felt that there is insufficient evidence to warrant a similar proposal for the Clarendon park area at present</p> <p>This option will be considered by officers</p> <p>Each licensing application must be considered on its merits. This suggestion is considered to be a</p>

Summary of comments and responses on draft Licensing Policy

		scheme.	planning matter.
Interested organisation	37	<p>Belvoir Street has already gone beyond saturation point, and alcohol is taking its toll on the whole of the city.</p> <p>Belvoir Street's daytime economy used to make the area a special place due to the type of businesses that operated. Now it is tarnished by the widespread 'reputation' that has been generated by the night time operators who have created a bar strip mentality to the detriment of the daytime economy. The 'quality reputation' has all but disappeared.</p> <p>Although a council cleaner does turn up with a mechanical sweeper at approximately 7am, this only cleans where it touches. Shop front businesses are regularly faced with cleaning away bottles, plastic tumblers, polystyrene cartons, takeaway foodstuffs, leaflets, vomit, urine, excrement, cigarette ends, blood, condoms, etc from doorways and surrounds. This is not a pleasant way to start the day and certainly gives us a jaundiced view of the late night bars. A visitor to the city would not leave with a good impression.</p> <p>Customers also talk of the reputation that Belvoir Street has gained and some now feel uncomfortable in the area.</p> <p>Although the residents, including the Ramada Jarvis Hotel, do expect a certain amount of noise with city centre living there must be a reasonable and acceptable limit. Closing bars at 3am, and even later at certain times, Encourages more rowdy and boisterous behaviour. We suggest there is a restriction on the number of days each week that clubs and bars can operate in this manner.</p>	A saturation zone is proposed for Belvoir Street

Summary of comments and responses on draft Licensing Policy

	<p>Enforcement needs to be in place to ensure that ... any possible noise nuisance is controlled.</p> <p>It is quite common for drink and food to be consumed whilst queuing. The alcohol can be purchased from off licence premises and the food from the numerous takeaways that have sprung up to cater for this market. The bars and clubs must take responsibility at this point to ensure that their potential customers are acting in a 'reasonable and sensible' manner.</p> <p>At the end of a nights entertainment the 'punters' are put into the street and the responsibility for their actions is no longer with the bars and clubs. This causes problems. In fact the volume of people should be shepherded away to areas of the city where taxi ranks are situated.</p> <p>However, further noise is created when taxis and hire vehicles congregate in the street to take away the revellers. There is restricted legal parking so the street becomes jammed with vehicles unlawfully parked, each with their engine, usually diesel, running. Cab doors are being slammed, people are shouting to hail taxis. This is in addition to the noise caused by the high spirits of the clubbers.</p> <p>There is no reason why the night time and day time economies cannot co-exist but common sense must prevail.</p>	
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Dear...	Postal Name	Address 1	Address 2	Address 3	Address 4	Address 5
Sir	Chief Officer of Police	Leicestershire Constabulary	Mansfield House	74 Belgrave Gate	Leicester	LE1 3GG
Sir	Chief Fire Officer	Southern Fire Station	Meridian Business Park	Meridian East	Leicester	
Sir	Health & Safety Executive	900 Pavilion Drive	Northampton Business Park	Northampton	NN4 7RG	
Sir	Planning					
Sir	Health & Safety					
Sir	Pollution					
	Trading Standards					
Sirs	Leicester Safeguarding Children Board					
Sirs	Association of Conservative Clubs	24 Old Queen Street	London	SW1 H9HP		
Sirs	Association of Convenience Stores	Federation House	17 Farnborough Street	Farnborough	Hampshire	GU14 8AG
Sirs	Association of Licensed Multiple Retailers	9B Walpole Court	Ealing Studios	London	W5 5ED	
Sirs	Association of Town Centre Managers	1 Queen Anne's Gate	Westminster	London	SW1H 9BT	
Sirs	Berwin Leighton	Adelaide House	London Bridge	London	EC4R 9HA	

APPENDIX 5

	Pasner					
Sirs	Blake Laphorn Linnell	New Court	1 Barnes Wallis Road	Segensworth	Fareham	Hants PO15 5UA
Sirs	British Beer & Pub Association	Market Towers	1 Nine Elms Lane	London	SW8 5NQ	
Sirs	British Board of Film Classification	3 Soho Square	London	W1D 3HD		
Sirs	British Hospitality Association	Queens House	55-56 Lincolns Inn Fields	London	WC2A 3BH	
Sirs	British Institute of Innkeeping	Wessex House	80 Park Street	Camberley	Surrey	GU15 3PT
Sirs	British Retail Consortium	21 dartmouth Street	London	SW1H 9BP		
Sirs	Campaign for Real Ale	230 Hatfield Road	St Albans	Hertfordshire	AL1 4LW	
Sirs	Circus Arts Forum	info@circusarts.org.uk				
Sirs	Cinema Exhibitors Association	22 Golden Square	London	W1F 9JW		
Sirs	CIU	Leicestershire Branch	Spinney Hill WMC	Frisby Road	Leicester	LE5 0QD
Sirs	Club and Institute Union Ltd.	253-254 Upper Street	Islington	London	N1 1RY	
Sirs	Department for Culture, Media & Sport	2-4 Cockspur Street	London	SW1Y 5DH		
Sirs	Equity	PO Box 1221	Warwick	CV34 5EF		
Sirs	Federation of Small Businesses	Sir Frank Whittle Way	Blackpool Business Park	Blackpool	FY4 2FE	

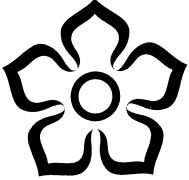
APPENDIX 5

Mr Whale	Mr F Whale	Harvey Ingram LLP	20 New Walk	Leicester	LE1 6TX	
Sirs	Fraser Brown	Solicitors	84 Friar Lane	Nottingham	NG1 6ED	
Sir or Madam	General Secretary	Equity	Guild House	Upper St Martins Lane	London	WC2H 9EG
Sirs	Hammonds	Rutland House	148 Edmund Street	Birmingham	B3 2JR	
Sirs	Harding and Barnett	Solicitors	12 New Street	Leicester	LE1 5NE	
Sirs	Independent Street Arts Network	54 Charlton Street	London	NW1 1HS		
Sirs	Institute of Licensing	45 Larcombe Road	St Austell	Cornwall	PL25 3EY	
Sirs	Joelson Wilson	30 Portland Place	London	W1B 1LZ		
Sirs	Justices Clerks' Society	secretariat@jc-society.co.uk				
Sirs	LACORS	info@lacors.gov.uk				
Sirs	Federation of Licensed Victuallers Associations	126 Bradford Road	Brighouse	West Yorkshire	HD6 4AU	
Sirs	Latch Hotels	Leicester Assoc. of Hotels	Via Leicester Promotions	Every Street	Leicester	
Sirs	Barlow Poyner Foxon	1 Berridge Street	Leicester	LE1 5JT		
Sirs	Musicians Union	Midlands Region	Benson House	Lombard Street	Birmingham	B1 0QN
Sirs	Musicians' Union	Benson House	Lombard Street	Birmingham	B12 0QN	
Sirs	National Association of Local Government	Oakvilla	Off Amman Road	Brynamman	Ammanford	Neath SA18 1SN

APPENDIX 5

	Arts Officers					
Sirs	National Federation of Sub Postmasters	Leicester Branch	Great Glen Post Office	Shelton Road	Great Glen	Leicestershire
Sirs	National Pub Watch	PO Box 3523	Barnet	EN5 9LQ		
Sirs	NOCTIS	5 Waterloo Road	Stockport	Cheshire	SK1 3BD	
Sirs	Performing Rights Society Ltd	29-33 Berners Street	London	W1T 3AB		
Sirs	Poppleston Allen	37 Stoney Street	The Lace Market	Nottingham	NG1 1LS	
Sirs	The Portman Group	4 th Floor	20 Conduit Street	London	W1S 2XW	
Sirs	Wine and Spirit Trade Association	39-45 Bermondsey Road	London	SE1 3XF		
Sir	Mr M Radcliffe	Freeth Cartwright LLP	Imperial House	108-110 New Walk	Leicester	LE1 7EA
Sirs	Leicestershire Chamber of Commerce	Charnwood Court	5b New Walk	Leicester	LE1 6TE	
Sirs	Leicester Shire Promotions	7-9 Every Street	Leicester	LE1 6AG		
Sirs	Kuit Steynard Levy	3 St Mary's Parsonage	Manchester	M3 2RD		
Sirs	Eversheds LLP	Eversheds House	70 Great Bridgwater street	Manchester	M1 5ES	

Appendix C



Leicester
City Council

WARDS AFFECTED
All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Planning and Development Control Committee
OSMB
Cabinet
Council

9th November 2010
18th November 2010
22nd November 2010
25th November 2010

Local Development Framework: Adoption of Core Strategy and Revision of Local Development Scheme

Report of the Strategic Director, Development, Culture and Regeneration

1. Purpose of Report

- 1.1. This report considers the adoption of the Local Development Framework Core Strategy which will provide the overarching planning policies to guide development in the City to 2026. It also seeks approval for a revised Local Development Scheme which sets out policies that need to be saved alongside the Core Strategy.

2. Recommendations

- 2.1. Cabinet is requested to:

1. recommend to Council acceptance of the Inspector's report and to adopt the Core Strategy as amended by the changes set out in the Inspector's report (see paragraph 3.1)
2. approve a revision of the current Local Development Scheme to ensure that it is in conformity with the adopted Core Strategy.

3. Summary

- 3.1. The Council has been successful in securing approval from an Independent Planning Inspector of its Local Development Framework Core Strategy. In doing so it becomes one of only five councils and the only city in the East Midlands to have a Core Strategy rated as sound. The Inspector's report is available to view at www.leicester.gov.uk/corestrategy or in the Members' Areas.
- 3.2. The Local Development Framework Core Strategy will provide the overarching planning vision and strategy for the City to 2026 and will guide decisions on planning applications and encourage investment in the City in relation to housing, employment, retail and other land uses. It also provides a policy context for protecting and enhancing the environment.

When adopted, the Core Strategy will replace some of the policies of the current City Local Plan.

- 3.3. Following extensive public consultation the Draft Core Strategy was submitted to the Secretary of State in December 2009. An independent Planning Inspector conducted an examination, which included public hearings in April 2010, to assess the 'soundness' of the document and to consider the comments made during consultation. The Council proposed changes to the Core Strategy during the examination to meet legal and statutory requirements or for clarity.
- 3.4. The Planning Inspector has judged it to be effective in the way it plans for the homes, job opportunities required for the city's families and growing population over the next 15 years. The proposed changes ensure that the Core Strategy is sound and can be adopted.
- 3.5. The Core Strategy includes a list of existing Local Plan policies that will be replaced. This list has been revised following advice from the Inspector. The Council's Local Development Scheme (LDS), adopted in March 2010 needs to be revised to ensure that it is compliant with the Core Strategy.
- 3.6. Copies of the Inspector's report; the Core Strategy, incorporating the changes, and the revision to the LDS will be made available in Members' Areas.

4. Report

- 4.1. The Local Development Framework (LDF) is the planning system that replaces the Local Plan. The Core Strategy will be the key document of the LDF, setting out an overarching, high level planning strategy for development of the city, with a diagrammatic plan instead of a detailed Proposals Map. It will provide certainty for investors and developers.
- 4.2. The Core Strategy will be the instrument for delivering the land use implications of the 25 year vision for the city set out in the 'One Leicester' Sustainable Community Strategy. Therefore the Core Strategy incorporates the One Leicester vision and this has contributed to the Core Strategy objectives.
- 4.3. Public involvement is at the heart of the new planning system and the Core Strategy was the subject of extensive public consultation at various stages of production. The Inspector was satisfied that this consultation was compliant with the Council's Statement of Community Involvement adopted in 2006.
- 4.4. Council approved the submission Draft Core Strategy in September 2009. Public consultation took place between 18 September and 30 October 2009 when 250 representations were received from 56 respondents. The strategy was submitted for examination to the Secretary of State in December 2009 with copies of the representations and all the Council's evidence.

Examination

- 4.5. The details of the examination including all the submission documents, consultation and statements made during the examination are available at www.leicester.gov.uk/corestrategy

- 4.6. The examination included Public Hearings over 2 weeks, from 20th to 29th April 2010, when objectors were able to put their case to the Inspector in person. During the course of the examination the Planning Inspector considered whether changes were needed to make the Core Strategy sound, taking account of objections made during the public consultation and the Council's responses.

Changes to the Core Strategy

- 4.7. The Council proposed changes that could overcome some of the objections and provide more information to satisfy the Inspector. These changes were of a technical nature or clarified issues and did not change the substantive policy stance in the document. A list of Proposed Changes was published on 12 April with Further Proposed Changes published on 24 May. Each list was subject to six weeks public consultation and the Inspector took account of all the comments made.

Inspector's Report

- 4.8. In her report the Inspector identifies seven main issues on which the soundness of the Core Strategy depends:
- Whether it deals adequately with uncertainty
 - Whether it makes sound provision for housing
 - Whether it makes appropriate provision for employment
 - Whether it provides a sound framework for the city centre and for retail needs
 - Whether the policy for open space is appropriate
 - Whether the policies on sustainable construction and renewable energy developments are appropriate and justified
 - Whether the plan gives sufficient guidance on the provision of infrastructure required to support development
- 4.9. The Inspector was satisfied that the Core Strategy is sound in respect of all these issues subject to a limited number of changes that are needed to meet legal and statutory requirements. All but one of the changes recommended in her report are based on the proposals put forward by the Council in response to points raised and suggestions discussed during the public examination or in response to the revocation of the Regional Spatial Strategy (see paragraphs 4.14). The Inspector wanted one additional change, to make it clear that affordable housing targets will be reviewed if the housing market improves.
- 4.10. The Core Strategy provides the policy support for development at Ashton Green and for housing led regeneration in the central areas of the City. It makes a clear statement on the threshold for requiring affordable housing on new developments, reducing it from 25 dwellings to 15 and establishes affordable housing targets based on viability. These figures will be used to negotiate the provision of affordable housing through S106 agreements in respect of planning applications. The Core Strategy requires all new dwellings to be designed to 'Lifetime Homes' standards where feasible.
- 4.11. Policies to address the challenges of climate change are integral to the Core Strategy and are supported by the Inspector. The Council will now be able to seek more stringent

standards of energy efficiency and renewable energy for new development to contribute towards the achievement of the One Leicester targets for zero carbon development.

- 4.12. The Inspector recognised that the City has limited capacity to meet its need for employment land. However she is satisfied that the Core Strategy takes an integrated approach to employment provision which includes working with neighbouring local authorities to address the potential shortfall.
- 4.13. Changes to the submission Core Strategy include the addition of a schedule of the primary infrastructure needed to support development, based on evidence produced by the Council. The Inspector is satisfied that this provides a reasoned and balanced approach to the provision of infrastructure as the framework for further negotiations with infrastructure providers on the level of developer contributions.

Changes to National and Regional Planning Policy

- 4.14. Before the Inspector had completed her report on the examination, the Coalition government announced the revocation of the Regional Spatial Strategy (RSS) and issued a revised Planning Policy Statement 3: Housing (PPS3) to address the issue of 'garden grabbing'. The Council produced a statement that these changes in regional and national planning policy did not affect the Core Strategy. This is because RSS housing targets were based on evidence supplied by the Council on the capacity of the City to accommodate housing growth and the Core Strategy includes general guidance on protection of larger gardens in suburban areas. The Council proposed amendments to update the Core Strategy in respect of references to the RSS
- 4.15. In the letter accompanying her report, the Inspector thanked the Council's officers for the helpful and professional way in which they prepared for and contributed to the examination.

Revisions to Local Development Scheme

- 4.16. The Council's Local Development Scheme (LDS), adopted in March 2010, includes a list of local plan policies that will be replaced by the Core Strategy. This was included in Appendix 2 of the Submission Core Strategy. The Inspector has endorsed changes to Appendix 2 of the Core Strategy that allow for more local plan policies to be saved so that the Proposals Map is not affected. They will be replaced by the Site Allocations and Development Management Policies DPD and a new Proposals Map which are scheduled for adoption in 2014.
- 4.17. As a result of the change to Appendix 2 of the Core Strategy the LDS must be revised to ensure that the Core Strategy is compliant with it. A copy of the LDS incorporating a revised list of replaced and saved local plan policies will be forwarded to the Secretary of State in compliance with Planning Regulations. The Secretary of State must notify the Council of any concerns relating to this revision.
- 4.18. The revised LDS will come into effect when the Core Strategy is adopted.

Next Stage

- 4.19. Once Council has adopted the Core Strategy, the planning regulations require that a notice of adoption is published and that any person aggrieved by the adoption has 3 months in which to make an application to the High Court.

4.20. The next Development Plan Document (DPD), the Site Allocations and Development Management Policies DPD, will be started later this year. It will provide more detail on housing, employment and retail sites and will include a new Proposals Map.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

5.1.1. There are no direct financial implications arising from this report. Costs for the Local Development Framework process have been met from existing budgets.

Martin Judson; Head of Finance, Financial Services; Ext 297390

5.2. Legal Implications

5.2.1 The Core Strategy will be a local development document within the meaning of the Planning and Compulsory Purchase Act 2004. It has been prepared in accordance with statutory guidance and other statutory provision.

5.2.2 The Core Strategy has been subject to a sustainability appraisal and consultation. It has been submitted to the Secretary of State for independent examination in public for the purpose of determining whether or not the provisions are ‘sound’. The Council is bound by the recommendations made by the inspector appointed by the Secretary of State.

Anthony Cross, Head of Litigation Ext 296362

5.3. Climate Change Implications

5.3.1 Addressing the impacts and implications of Climate Change is at the heart of the Core Strategy. A Climate Change and Flood risk Policy sets out the requirements for development to meet national and One Leicester energy efficiency targets.

6. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph references within the report
Equal Opportunities	Yes	The document has been subject to an Equality Impact Assessment
Policy	Yes	The whole report refers to a policy document
Sustainable and Environmental	Yes	The document has been subject to a Sustainability Appraisal
Crime and Disorder	Yes	Design Policy, Neighbourhood policy, City Centre Policy
Human Rights Act	Yes	There is a requirement for public consultation
Elderly/People on Low Income	Yes	Housing policies

Corporate Parenting	No	
Health Inequalities Impact	Yes	The strategy promotes cycling and walking

7. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
That there will be a legal challenge to the adoption of the Core Strategy	L	M	The inspector was satisfied that all legal procedures were followed in the preparation of the Core Strategy.

8. Background Papers – Local Government Act 1972

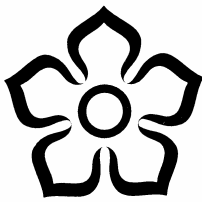
9. Consultations

9.1. The Core Strategy has been the subject of extensive internal and public consultation

10. Report Author

10.1. Alison Bowen, Team Leader Planning Policy
 Ex 297228
alison.bowen@leicester.gov.uk

Key Decision	Yes
Reason	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)



Leicester
City Council

MINUTE EXTRACT

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: TUESDAY, 9 NOVEMBER 2010 at 5.30pm

P R E S E N T :

Councillor Potter - Chair
Councillor Mayat – Vice-Chair

Councillor Bhavsar
Councillor Desai
Councillor Glover
Councillor Shelton

Councillor Chowdhury
Councillor Gill
Councillor Kitterick
Councillor Suleman

Councillor Thomas

* * * * *

In accordance with the provisions of the Constitution (A4, Rule 42) the following Councillor attended the meeting and with the sanction of the Committee spoke on the item indicated but did not vote:

Councillor:
Councillor Cleaver

Applications details:
20101242-Sturdee Road: The Exchange
and the Invincible PH

46. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bayford and Joshi.

47. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda, including under the Council's Code of Practice for Development Control Decisions, and/or indicate that Section 106 of the Local Government Finance Act applied to them.

Councillor Desai declared a personal and prejudicial interest in respect of Application 20101490, 14 Ashfield Road and Application 20101512, 14 Ashfield Road, as he was the previous owner of the house and the current owner was a relative of his. Councillor Desai undertook to leave the meeting during consideration of these applications.

Councillor Suleman declared a personal interest in respect of Application 20101490, 14 Ashfield Road and Application 20101512, 14 Ashfield Road as he was a relative of Councillor Desai and he had been to the house in question. Councillor Suleman added that he did not know the current owner of the property and had an open mind on the Applications.

Under the Code of Practice for Member Involvement in Development Control Decisions, the following declarations were made:

Councillor Gill declared that in respect of Application 20101242, Sturdee Road, the Exchange and the Invincible Public House, he had been contacted by a constituent in respect of a notice that had been served earlier in the year on the owners of the public house.

Councillor Kitterick declared in respect of Application 20101242, Sturdee Road, the Exchange and The Invincible Public House, that as the previous Cabinet Lead for Regeneration and Transport he had been involved with discussions with various parties involved in the application and under the circumstances he felt it was inappropriate to be involved in the consideration of the item. Councillor Kitterick undertook to leave the meeting during the discussion and vote on the application.

Councillor Potter declared that in respect of the Consultation Draft Affordable Housing Supplementary Planning Document, she was a council house tenant and members of her family were council house tenants.

Councillor Thomas declared that in respect of the Consultation Draft Affordable Housing Supplementary Planning Document, a member of his family was a council house tenant.

Councillor Kitterick declared that in respect of the Consultation Draft Affordable Housing Supplementary Planning Document, a member of his family was a council house tenant.

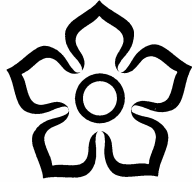
50. LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CORE STRATEGY AND REVISION OF LOCAL DEVELOPMENT SCHEME

The Strategic Director, Development, Culture and Regeneration submitted a report that considered the adoption of the Local Development Framework Core Strategy which would provide the overarching planning policies to guide development in the City to 2026.

Members congratulated Officers on the Strategy and welcomed the findings of the Independent Planning Inspector.

RESOLVED:

that the report be noted.



Leicester
City Council

WARDS AFFECTED
Type in Ward

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

**OSMB
Cabinet
Full Council**

**18th November 2010
22nd November 2010
25th November 2010**

Partnership Arrangements for providing Care Management Services for Persons with Substance Misuse Problems

Report of the Service Director – Adults and Communities

1. Purpose of Report

- 1.1. The purpose of this report is to convey the success of partnership working as described in this report and seek Council approval for the acceptance of a delegated function, to the City Council from Leicestershire and Rutland County Councils, thus enabling it to carry out Community Care Assessment and Care Management arrangements for people with Substance Misuse problems living in those areas.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the success of the interim arrangements for working with people with substance misuse problems. This has been an excellent example of partnership working between the three councils in order to provide a quality service in an efficient and practical way.
- 2.2 Note and formally approve the delegation to the Council of a social care function by Leicestershire and Rutland County Councils of their community care assessment and care management arrangements for people with substance misuse problems (i) from 1st April 2009 to present and (ii) from 25th November 2010 to until 31st March 2011 as described in this report.
- 2.3 Authorise the Service Director Care Management Services to present the report to full council and gain approval to enter into agreements which given effect to the arrangements as detailed in this report and in paragraph 2.2 in consultation with and advice from the Director of Legal Services.

3. Summary

- 3.1. In March 2009 Cabinet approved the setting up of a revised Community Care Assessment and Care Management service for persons with substance misuse problems, which was to be hosted by Leicester City Council.
- 3.2. Cabinet also authorised the Corporate Director, Adults and Communities together with the Service Director, Legal Services, to enter into a Legal agreement with Leicestershire and Rutland County Councils in order to put the above arrangements into place.
- 3.3. The new service has been operating successfully under interim arrangements for approximately 16 months, during which time it has proven itself to be both practical and efficient.

4. Report

- 4.1. Prior to April 2009 the previous arrangements for managing community care drug and alcohol assessments and the commissioning of residential rehabilitation placements was via Leicestershire Community Projects Trust, a Voluntary Sector provider who also provided a similar service to Leicestershire and Rutland County Councils.
- 4.2. In March 2009 cabinet approved the setting up of a revised Community Care Assessment and Care Management service for persons with substance misuse problems.
- 4.3. This new service would comprise of a jointly funded single team of social workers who would work across geographical boundaries to provide a high quality and more efficient service. This team would be hosted by the City Council.
- 4.4. Since April 2009 the new team has operated from a base in the city and has proven itself to be both effective and able to make far better use of resources.
- 4.5. Given the relatively small size of the team and the highly specialised nature of this work, cross boundary joint working has proved to be both sensible and efficient.
- 4.6. Statistics for the service's first year of operation indicate improved performance in all areas and as a consequence, better outcomes for service users.
- 4.7. Whilst the operation of the team has been approved by cabinet the permanent delegation of this social care function, as detailed in the joint agreement between the councils, requires the approval of full council.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications – Rod Pearson

The above recommendation for the City Council to officially accept the delegated social care function of Community Care Assessments and Care Management Services should not have any additional financial implications, as we are already providing this service, as agreed by the Cabinet on 9th March 2009. However, there

may be some legal costs incurred with the drawing up of this new contract. We are awaiting a forecast of legal costs.

Total Partnership budget 2009/10 £202,900

Of which the:

Leicester City Council fund	69%	£140,400
Leicestershire County & Rutland Council fund	21%	£ 42,500
Leicestershire County PCT	10%	£ 20,000

5.2. Legal Implications – Beena Adatia, Senior Solicitor

This report describes arrangements between the Council and the Leicestershire and Rutland Councils for the provision by the Council of certain social care functions. The legal power to enable such arrangements is contained in s 101 Local Government Act 1972. The Council's constitution requires that the approval of full Council is obtained in order to accept this delegation of function from Leicestershire and Rutland County Councils.

5.3 Climate Change Implications

This report does not contain any significant climate change implications and therefore should not have a detrimental effect on the Council's climate change targets.

Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement

6. Other Implications

6.1 See report

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	Yes	Through Report
Policy	Yes	Whole report
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	Through Report
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

7. Background Papers - See report -

NHS and Community Care Act 1990
Fair Access to Care Services 2002

Local Government Act 1972
One Leicester – Tackling Alcohol Harm
Cabinet Report 9th March 2009
Partnership Arrangements for providing -
Care Management Services for Persons -
with Substance Misuse Problems

8. Consultations

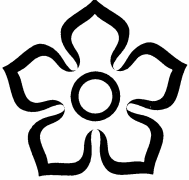
8.1. See report

9. Report Author

9.1 Helen Coombes
Interim Service Director
Community Care Services
Tel: 0116 252 8301
Email: Helen.Coombes@leicester.gov.uk
Dave.Durrant@leicester.gov.uk

Dave Durrant
Service Manager
Learning Disabilities
Tel: 0116 256 5149
Email:

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

**OSMB
Cabinet**

**18th November 2010
22nd November 2010**

The Future Arrangements of the Deprivation of Liberty Safeguards (DOLS) Service under the provisions of the Mental Capacity Act 2005

1. Purpose of Report

- 1.1 To seek Cabinet approval for a three year rolling financial agreement for the provision of the DOLS service from 1st April 2011.

2. Summary

- 2.1 The purpose of this report is to review the first year of the Deprivation of Liberty Safeguards Service (DOLS) for Leicester, Leicestershire, Rutland and the NHS, to consider the options for the future of this Service and to seek approval for Leicester City Council's approach as one of the five partner organisations to future investment in this statutory area of service.

3. Recommendations (or OPTIONS)

- 3.1 The City will need to provide a DOLS service in some form and this Partnership has produced already in its first year of operation a nationally recognised service model and is providing a professional service to the vulnerable citizens of Leicester, as well as training, advice and support to colleague professionals in the City.
- 3.2 The other organisations in the Partnership have agreed in principle to a new agreement on a three year rolling basis and it is recommended that Leadership / Cabinet agree this too as the way of embedding this cost effective and necessary service to some of the most vulnerable citizens of Leicester.

4. Report

4.1 Background

4.1.1 The Deprivation of Liberty Safeguards (DOLS) is a later addition (2007) to the Mental Capacity Act (2005). It provides a legal framework for the lawful depriving of liberty of people who lack the capacity to consent to arrangements made for their care or treatment and who need to be deprived of their liberty to protect them from harm. These safeguards apply to adults aged at least 18 years, whose care and treatment is being delivered in a registered care home, or hospital, that has not been authorised already under the provisions of the Mental Health Act 1983.

4.1.2 The purpose then of the DOLS is to safeguard the rights of vulnerable adults living in care homes or who are in hospital from arbitrary decisions being made to deprive them of their liberty, and to provide a robust and transparent framework in which to challenge the authorisation of DOLS.

4.1.3 The DOLS came into force on 1st April 2009 since when registered care homes or hospitals (Managing Authorities) must seek authorisation from 'Supervising bodies', local authorities with adult social services responsibilities, in order to lawfully deprive a person of their liberty. There is a formal and set process for assessment involving a multi disciplinary approach, with strict timescales, before Supervising bodies can decide whether to exercise their powers.

4.1.4 The decisions of supervising bodies are challengeable in the High Court.

4.2 Partnership Agreement

4.2.1 A Partnership Agreement for the delivery of the DOLS Service in Leicester, Leicestershire and Rutland was agreed by the parties and the "Deed of Agreement" signed on 31st March 2009. It expires on 31st March 2011. Partner organisations passport their allocation of the Mental Capacity Act Grant to provide a single DOLS service, including the two Health bodies for Leicester, Leicestershire and Rutland.

4.2.2 A Local Implementation Network and a Commissioning and Assurance Group oversee the partnership Agreement and the DOLS service.

4.3 The DOLS Service

4.3.1 The core DOLS Team is hosted by the County Council and comprises:

- i. 1 x full time Team Manager
- ii. 4 x full-time Best Interest Assessors (BIAs),
- iii. 1 x full time Administrator and one half times Administrator.

In addition there are:

- iv. 20 x “floating” BIAs, employed by local health and social care partners and “loaned” to the DOLS Service on Section 113 arrangements.
- v. 25 x Mental Health Assessors, that is doctors who have been specially trained to carry out DOLS Mental Health Assessments
- vi. A DOLS Independent Mental Capacity Advocacy Service and a Paid Person’s Representative Service, local Voluntary Sector advocacy providers who provide this Service through spot contract arrangements.

4.3.2 The core team are not funded permanently, but through the Mental Capacity Act Grant and staff are either seconded into posts or on temporary contracts, all of which will end on the current agreement on 31st March 2011. There is one Best Interest Assessor post holder who is seconded from the City Council.

4.3.3 Leicestershire County Council’s Legal Section provides legal advice for the DOLS Service as part of DOLS Assessments and Authorisation Reviews.

4.3.4 Each local authority is responsible for signing off DOLS applications as the ‘Supervising Authority’. In Leicester City Adult social Care, this is presently delegated to a Service Manager in the Care Management Division.

4.3.5 Decisions about DOLS are challengeable in the Court of Protection. However, the Council’s DOLS Service operates on the principle that concerns about the deprivation of liberty are resolved informally or through robust “complaints” procedures linked to the

Service, rather than through the Court of Protection. This is very much in line with the national DOLS Code of Practice that aims to limit applications to the Court to cases that genuinely need to be referred there. So far, this has proved successful and several potentially costly applications across the Partnership have been avoided. However, with deprivation of liberty at stake, it will at times prove impossible to resolve concerns satisfactorily through other routes and an application to the Court of Protection will be unavoidable, if not desirable, particularly if it relates to potentially a point of law.

4.3.6 If a case is taken to the courts it is likely to prove expensive. While it is usually expected that each party bears its own costs, the Official Solicitor will expect his costs to be paid by the Applicant/legal aid. This has implications if the Applicant is the local authority.

4.4 Summary of First Year of Implementation

4.4.1 In its first year of operation 2009 - 2010, the Leicester DOLS Service has:-

- Successfully met all statutory requirements.
- Provided ongoing refresher training for Mental Health Assessors and BIA as required by the DOLS Regulations.
- Delivered 541 DOLS Assessments across the Partnership.
- Delivered 102 DOLS Authorisation Reviews across the Partnership.

4.4.2 Leicester's summary of the figures is as follows:-

Overall activity

Total numbers of referrals 01 Apr 09 – 31 Mar 10	92
Total number of referrals granted	63
Total number of referrals declined	29

Reason for declining authorisation

Best Interests Assessment	26
Mental Capacity Assessment	3
Eligibility Assessment	0
No Refusals Assessment	0
Mental Health Assessment	0
Age Assessment	0

Disability

Physical Disability Frailty and/or Sensory Impairment	56
Physical disability, frailty and/or temporary illness	40
Hearing Impairment	11
Visual Impairment	26
Dual Sensory Loss	8
Mental Health	78
<i>of which Dementia</i>	48
Learning Disability	18

Note: multiple designations

Age Group

18 - 64	33
65 - 74	14
75 - 84	16
85+	29
Total	92

Gender

Male	44
Female	48
Total	92

4.4.3 The DOLS Local Implementation Network has overseen the review and re-tendering of an updated Independent Mental Capacity Advocacy Service.

4.5 Key Findings from the first year

4.5.1 In summary the key findings are –

- Referrals to DOLS across the Partnership are in the mid range of what the Department of Health (DH) anticipated from its early modelling.
- Most referrals are for ‘urgent’ authorisation rather than a ‘standard’ authorisation. The ‘core’ team of DOLS has therefore had to focus on the former and the ‘floating’ BIAs on the latter.
- Rising demand for assessments and reviews of existing DOLS necessitated an additional BIA post in the ‘core’ team bringing it to current numbers. This has been justified by continued demand.

4.5.2 The demand for the Paid Person's Representative Service is currently at the estimated levels (20% of DOLS Authorisations). The existing "spot" contractual arrangements with providers are under review.

4.6 Independent Review

4.6.1 The DH reviewed implementation of DOLS Service nationally to examine variations in service delivery and developments by a sampling of DOLS services across England and Wales. The Leicester, Leicestershire and Rutland DOLS were one of those chosen. The DH published its findings and conclusions in January 2010. It said of the Partnership –

- Fulfilling its statutory responsibilities.
- Complying with the MCA DOLS Code of Practice and DOLS Regulations.
- Adhering to its own local policies and procedures.
- The 'model' of service demonstrates high standards and adheres to a person centred approach.

4.6.2 The findings of the independent Report highlighted -

'Excellence' in:

Design, Quality and Relevance
Effectiveness (Delivery of Service).

'Very good' in:

Efficiency of Planning and Implementation
Impact
Sustainability

4.6.3 There is now evidence that the model of good practice established by the Partnership is being followed by a number of local authorities and health bodies across other parts of the country.

4.6.4 The Commissioning and Assurance Group for DOLS has discussed options for the future of the Service and the partnership, given that the agreement ends next year. It concluded that for the following reasons, the partnership should be renewed every three years, rather than annually or every two years: -

- DOLS is a statutory requirement designed to provide legal protection for the most vulnerable citizens in care homes or hospital.
- Demand for this service will continue if not grow as it is linked directly to safeguarding the vulnerable, driving up quality of care in residential homes and improving knowledge and practice amongst the wider health and social care community.
- This partnership has developed a wealth of expertise and learning in a short time such that has been recognised nationally.
- The Service is cost effective providing inter agency advice and support that if dismantled would have to be replicated in each local authority.
- Providing a three year rolling agreement, subject to review in each or every second year provides the Council with a more stable DOLS service.
- During this time more permanent arrangements for the City's contribution to the DOLS Team can be made.
- Providing a longer term agreement enables the DOLS service to mature and develop as part of the City's wider strategic development of its safeguarding function. This forms the foundation for a potential wider model of good practice for Leicester and its partners.

4.7 Options

4.7.1 Leicester City Council is required to make provision for the deprivation of liberty safeguards for people who may or do come within the terms of the Mental Capacity Act 2005. The Department of Health encouraged local councils and health services to combine where possible and practicable to provide jointly arranged services to ensure adequate cover of specialist skills and knowledge and economies of scale.

4.7.2 Leicester City Council embraced this concept from the outset and has had its efforts recognised nationally as good practice. Its option is to now embed this good practice in long term arrangements so that the expertise its staff and those of its partners can develop for the benefit of local vulnerable people, by agreeing the funding of a rolling one, two or three year partnership agreement. It is recommended that arrangements for less than three years are not effective or efficient timescales within which to operate.

4.7.3 If this option is chosen then the post and position of the City staff member on 'loan' to the DOLs team will be addressed before the Agreement is renewed.

4.7.4 Alternatively, Leicester can decide to set up its own DOLS, but this will require either setting up a new team or ensuring that there is sufficient expertise and availability of expert staff across the City. Given that there are statutory timescales to the provision of these services, this is not a route for action to be recommended.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Financial Implications – Rod Pearson, Head of Finance – 29 8801

5.1.1 The current DOLs Service is funded by the Mental Capacity Area Based Grant (ABG). The allocated ABG for 2010/11 is £182,200.

5.1.2 The full £182,200 is allocated to the County for this service. This does not include the cost of the City Council Manager, as mentioned above in 4.3.4. A 3% "hosting" fee is charged to us by the County for this arrangement.

5.1.3 There are risks attached to this funding. The Government could cut the grant either as part of the forthcoming comprehensive spending review or subsequently. Also the allocation of the ABG is in the hands of the Leicester Strategic Partnership and they may or may not allocate the same amount to Social Care in future years. Should funding be reduced then the Authority will have to decide whether the service should be reduced accordingly or whether to use main stream funding to make up the shortfall in which case reduced expenditure in other services will be necessary.

5.1.4 The City's seconded post to the DOLS is a social worker that is currently backfilled. If the postholder is successful in getting a permanent post within the DoLs team then, replacement of this post will be part of the recruitment exercise of the new organisational structure. Currently there is a base budget for this post (approx £38k) which will either be recruited to or seen as a saving if not recruited to, depending on the new structure.

6. Legal Implications – Kamal Adatia – Head of Community Services Law - 29 7044

6.1 The main report refers throughout to the legal obligations of Managing Authorities to seek authorisation from a Supervisory Body to deprive a person of their liberty. The arrangements in place since 01.04.09 have complied with the legal obligations, and should the Council not wish to renew those arrangements then an alternative will need to be found.

6.2 Climate Change

This report does not contain any significant climate change implications and therefore should not have a detrimental effect on the Council's climate change targets.

**Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement
Ext: 29 6770**

7. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	NO		
Policy	NO		
Sustainable and Environmental	NO		
Crime and Disorder	NO		
Human Rights Act	YES	ECHR Article 5 (1) Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:(e) the lawful detention of persons...of unsound mind, 5 (4) Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.	
Elderly/People on Low Income	NO		

8. Background Papers – Local Government Act 1972

9. Consultations

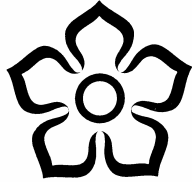
9.1 Members of the inter agency Local Implementation Network have been consulted.

10. Report Author

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Appendix F



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
OSMB
Cabinet

18th November 2010
22nd November 2010

Community Legal Advice Centre (CLAC) service and future commissioning of advice services in Leicester City

Report of the Divisional Director – Adults and Communities

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval from Cabinet for extending the current CLAC contract by 12 months from 1st April 2011 until 31st March 2012 and support a strategic review of advice services in Leicester City.
- 1.2 A cabinet decision on March 2010 gave approval for a full tendering of this contract to take place in 2011 for a new three year contract, however this can not be progressed as the joint funder of the contract, the Legal Services Commission (LSC) have formally advised the council that they are not in a current position to commit to a new three year contract.

2. Recommendations

Cabinet is recommended to:

- 2.1 Approve the extension of the current CLAC contract by 12 months from the 1st April 2011 until 1st April 2012.
- 2.2 Note and support the undertaking of a strategic review of advice services commissioned and/or provided by the council for advice services to adult sin the areas of: housing, financial employment, immigration nationality and asylum and health and community care. This will enable the development of a commissioning model and specification that provides high quality, accessible and cost effective advice services at neighborhood and a city level that is responsive to the changing economic conditions.

3. Background

- 3.1. On the 29th March 2010 Cabinet approved a specification and tendering process for a new three year contract for the Leicester CLAC with the new provider in place from 1st April 2011. Due to the value of the contract the tendering process needed to comply with the European Procurement Directives which include a timetable commencing in July 2010. The Cabinet also approved a specification which set out the elements of advice to

be provided as part of the new contract and reflected an increased focus on immigration work and a greater number of out reach sessions to take place in specified locations.

- 3.2 The LSC have now formally advised the council that they are not able at present to continue with their commitment to the tendering process due to a budget review which is part of the wider public sector budget review process. They are not able to confirm when they will be able to confirm their future position.
- 3.3 The council would not be able to continue with the tendering process as a single entity with a new provider in place by the 1st April 2011 and comply with the timescales and processes set out in the European Procurement Directives.

4. Report

- 4.1. The council needs to offer a co-ordinated approach to social welfare law services to tackle the common causes of legal problems with a focus on those in the greatest need, those who are vulnerable, living in deprived areas and most excluded. The provision of high quality advice is a key element of prevention and early intervention strategies for families and individuals, tackling inequalities and contributes to wider economic sustainability in the city. To be effective advice services should provide a seamless transition between universal and targeted services so that customers are able to get the right advice at the right time.
- 4.2. Advice services contribute to the delivery of the One Leicester vision, directly impacting on the achievement of the priorities relating to Thriving and Safe Communities and to the wider theme of prosperity. Advice services in the current financial climate will have an even greater role in supporting the residents of Leicester and reducing inequality.
- 4.3. In developing the recommendations for cabinet, consideration was given to tendering the council funded elements of the CLAC only. This option was discounted due the inability to comply with the timescales that would need to be adhered to and also the lack of analysis and mapping on wider council commissioned and provided advice services to inform a revised specification that could respond to the changing economic conditions.
- 4.4. The recent data loss incident reported by the current provider A4e was also considered in developing the recommendation to extend the contract to ensure that sufficient assurance exists in relation to this provider. The subsequent investigation has identified that as commissioners the LSC and the council are satisfied that the appropriate level of response to the incident was provided and that the clear quality assurance mechanisms are in place to manage the contract effectively.
- 4.5. Supporting an extension to the existing contract until 1st April 2012 allows the council to maintain the current advantages of having the CLAC and the funding to support this particularly the added value provided by the level of transition from universal to targeted advice that is in place. Though this could be improved both in the short and longer term within the existing contract the CLAC does provide a bridge at the present time for these different elements.
- 4.6. The risk with this option is that no guarantee can be given that the LSC will be able to sustain its present level of funding so the council may be in a position in 2011 having to proceed on a tendering process for the council funded elements. Over the next 12

months it is anticipated this funding will also be subject to review as part of the overall council budget review. However the extension of the contract would allow the council to undertake a more strategic review of advice services commissioned and/or provided across the council and develop a more responsive, effective and financially sustainable commissioning model for the future that would also respond to specific city challenges and the neighbourhood agenda.

- 4.7. The strategic review of advice service will have the following scope for tier 1(initial; enquiries and sign posting) and tier 2 (specialist) services delivered to adults:
- Housing
 - Financial
 - Employment
 - Immigration, nationality and asylum
 - Health and community care
- 4.8 It is anticipated the review of advice services will be concluded by the end of March 2011 in time for the tendering of any new services during 2011. Activities to be undertaken during the review will include
- National and local best practice reviews
 - Current provider profile mapping and utilisation: desk top analysis to map all current internal and external funded advice services and their utilisation, client demographic, revenue costs, service performance and outcomes, to include a mystery shop exercise to examine current pathways of advice.
 - Commissioner needs identified and assessed using survey assessments and specific engagement events
 - Wider stakeholder needs identified and assessed using survey assessments and specific engagement events
 - Customer and service user needs identified and assessed using small focus groups, wider customer and service user engagement events, mystery shopping of current providers and pathways of advice modelling with customers and service users.
 - Market assessment and development work with current and future providers including assessment of needs and actions for developing thriving third sector.
 - Equality impact assessment
 - Development with partner's stakeholder and customers of affordable, preferred local delivery models that meets the move towards prevention and early intervention, neighbourhood need and dovetails into changes in specialist functions such as adult social care and the personalisation agenda.
- 4.9 The approval for the original tender process included a revised specification that took into account the concerns of the voluntary sector and other organisations about the lack of immigration and asylum work in the city. In addition members wished to see a greater focus on out reach work. In extending the current contract it is suggested that the council will seek to negotiate with the existing provider on adjustments to the current contract

and explore further opportunities for housing possessions and increased welfare rights advice. However as this is an extension of an existing contract achievement of any adjustments is not guaranteed.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications – Rod Pearson

The current (2010/11) Leicester City Council funding for the Leicester CLAC is circa £380k. Funding from the LSC is for 2010/11 is circa £500k. The LSC has confirmed in writing that it is able to support this level of funding for the period covered by the extension.

The report recommends the extension of the current CLAC contract by a year from 1.04.2011 to 31.03.2012 partly due to uncertainty around the LSC's ability to continue its funding contribution. Their contribution for the one year extension has been confirmed in writing by the LSC.

6. Legal Implications – Gregory Surtees, Senior Solicitor, Resources

6.1 This Advice Report has been discussed with the author. Employee liabilities would only be acquired by the Council if an undertaking providing the legal advice in question transferred from the present provider company into the Council. This is not the intention of the Council and (provided that the undertaking either (1) continues, (2) reduces, (3) ceases or (4) transfers directly to another contractor) the Council will not acquire such employee liabilities. The author has also confirmed that the existing contract includes provision for a one-year extension. Therefore, the procurement of that further year's service provision has already been procured and, to that limited extent, there is no need to consider further EU or UK procurement law, or the Council's Contract Procedure Rules. However, all these provisions will need to be followed, when a new contract is procured.

7. Other Implications

7.1 See report

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	Yes	Through Report
Policy	Yes	Whole report
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	Through Report
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

Background Papers - See report -

8. Consultations

8.1 See report

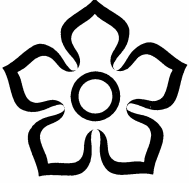
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Leicester
City Council

WARDS AFFECTED
All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
OSMB
Cabinet

18th November 2010
22nd November 2010

Review of Rival Market Policy

Report of the Director of Planning and Economic Development

1. Purpose of Report

- 1.1. To consider revisions to the Rival Markets Policy to provide clearer guidelines for any potential operators seeking a licence and to review licence fees for each category.

2. Recommendations

- 2.1. Cabinet is requested to approve the revised Rival Market Policy with immediate effect.

3. Summary

- 3.1 Leicester City Council holds market franchise rights, and these are enshrined in a Market Charter. This allows the Council to control all markets operated within a 6 2/3rd mile boundary of its own operated markets in the Market Place, Leicester City Centre and at Beaumont Leys. Any Market which is operated, other than by the City Council, within this radius is deemed a Rival Market. It is unlawful to operate such a market without a licence and, where required, planning permission.
- 3.2 The City Council approved licensing regulations within an adopted Rival Markets policy in 1985 and these were last reviewed in 2007. This outlines the process to apply for a licence and conditions under which licences will be issued to operators, allowing Rival Markets to be held.
- 3.3 The Rival Markets Policy is periodically reviewed and this report proposes amendments to make the policy clearer and easier for potential operators to understand the licencing process. It also reviews the fee charges for different types of markets under the licence. The fee levels have been set in light of current budget pressures on the Council and also a review of current and proposed charges elsewhere in the country.

4. Report

- 4.1 Leicester City Council holds market franchise rights which are enshrined in a Market Charter. This allows the Council to control all markets operated within a 6 2/3rd mile boundary of its own operated markets in the Market Place, Leicester City Centre and at Beaumont Leys. Any market proposal not operated by the City Council, within this radius is considered to be a Rival Market. As such a licence is required to operate the market. Planning permission may also be required as well as a licence.
- 4.2 The Council's Rival Markets Policy provides the framework to consider proposals for Rival Markets which can be in the form of car boot sales, farmers markets, speciality markets or regular markets. The City Council first approved licensing regulations within an adopted Rival Markets Policy in 1985. These were last reviewed in 2007 where specific amendments were made regarding farmers markets.
- 4.3 The Rival Markets Policy outlines the process to apply for a licence and conditions under which licences will be issued to operators, allowing Rival Markets to be held. It also sets fee charges for the different types of markets.
- 4.4 A regular market category was introduced to the Rival Market Policy in 2004 and until 2009 no application had been received. At that time a review of the policy was under discussion and at the same time the Walkers Stadium Market proposal was under consideration. In considering this proposal it was clear that some guidelines within the Policy could be improved and made clearer. Consequently the Policy has been revised as attached in Appendix 1.
- 4.5 Each different type of rival market attracts a daily fee charge and these are reviewed periodically. The proposed revisions to the Rival Markets Policy in Appendix 1 also amend the fee charges and related refund considerations. In reviewing the charges account has been taken of the current financial circumstances the Council finds itself in following severe budget constraints and the need to maximise income. Account has also been taken of the potential to increase local food trade, as well as policies elsewhere in the country both in terms of current and proposed increases to fee charges. The charges also reflect the officer resources required to manage the licencing process.
- 4.6 The significant changes to the Rival Markets policy are:
- Greater clarity on the information required at the time of applying.
 - Clear guidelines as to how regular market applications will be processed and decisions taken.
 - Reduction in Farmers Market fee from £300 to £200 per day. The maximum stall number has also been increased from 25 to 30. This is to encourage local food trading.
 - The specialist market fee has been revised from £300 to £500
 - The regular market licence fee has been revised from £500 to £1200 per trading day.
- 4.7 It should be noted also that the current provisions for determining future applications for

regular markets is retained. Each application will be considered on its own merits and will be considered by the relevant Director responsible for the Markets in consultation with the Cabinet Lead. The revised policy makes it clear however that applications may be referred by the Cabinet lead to Cabinet for a decision to be made and that comments will also be sought from the Council's Market's Forum.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

It is good practice to review fees and charges on a regular basis. Given that at present we have not received any regular market licences the increase in fees won't have a significant impact on the Market's income as a whole.

Martin Judson, Financial Services

5.2. Legal Implications

Although there are no direct legal implications, it should be noted that the Council's Rival Markets Policy provides guidelines for potential operators seeking a licence to hold a rival market. The Council approved licensing regulations within an adopted Rival Markets policy in 1985 and these were last reviewed in 2007. It is good practice that this Policy is reviewed on a periodic basis to ensure the policy and guidelines are updated. The updated policy now provides clearer guidelines for those wishing to apply for a rival market application.

Dina Nathwani, Legal Services

5.3. Climate Change Implications

None

6. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	NO	
Policy	YES	Whole report deals with Rival Markets Policy
Sustainable and Environmental	NO	
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly/People on Low Income	NO	
Corporate Parenting	NO	
Health Inequalities Impact	NO	

7. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
Not reviewing the policy regularly will not allow the opportunity to improve guidelines based on experience of operating the policy. This may lead to a weaker policy over time potentially threatening the Council's markets. Also fee levels will become outdated.	M	M	Review the policy regularly.

8. Background Papers – Local Government Act 1972

8.1. None

9. Consultations

- Martin Judson – R&C Head of Finance
- Dina Nathwani – Solicitor, Resources Department

10. Report Author

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Appendix 1

Proposed Rival Markets Policy



LEICESTER CITY COUNCIL RIVAL MARKETS POLICY



1. INTRODUCTION

- 1.1 Leicester City Council's market service operates retail markets in the Market place, and also at Beaumont Leys Shopping Centre. Any market that is operated, other than by the City Council's market service within a radius of 6 2/3rd miles of any retail market shall be deemed to be a Rival Market.
- 1.2 A market shall be deemed a Rival Market, irrespective of the type of goods or general nature of the market. The legal definition of a market, being "a concourse of buyers and sellers" shall apply in the determining whether an event constitutes a rival market or not. In this respect such events as car boot sales, antiques fairs etc shall be deemed rival markets.

2. LICENSING POLICY

- 2.1 The City Council has approved a policy outlining conditions under which licenses will be issued to organisers/ operators allowing rival markets to be held. This revised policy is effective from (new date).
- 2.2 The licensing policy enables Leicester City Council to regulate markets within its radius to ensure that proposed markets do not become a nuisance to residents, neighbouring businesses and are operated in the appropriate manner. Where planning permission is required this will require the retail impact aspect to also be satisfied.
- 2.3 Any person who wishes to operate a rival market may only do so if such a market has been licensed by the City Council. A license normally will be issued provided the application complies with relevant criteria.
- 2.4 Rival Markets will be categorised into four different types:
 - (a) Car Boot Sales
 - (b) Speciality Markets
 - (c) Farmers Markets
 - (d) Regular Markets

3. CAR BOOT SALES

- 3.1 Car boot sales will be limited to a maximum of 50 trading positions (i.e. stalls / vehicles / pitches) each trading position shall be of a standard size with a maximum size of 8x6 feet (2.5 x 1.5 metres).
- 3.2 Car boot sales shall be restricted, as far as is possible, to householders selling surplus household articles. No new goods are permitted for sale at any car boot sale. The car boot sale description will also cover events such as computer, records, toy and book fairs providing all other car boot sale criteria are met.
- 3.3 Permission shall only be granted to any organisation or individual during the course of any twelve month period, to hold a maximum of six licenses.
- 3.4 Individuals shall be regarded as persons who are actually the organisers of the event. One individual will be permitted to apply per household.
- 3.5 An organisation shall be deemed a group, e.g. Scouts, P.T.A., Sports Clubs. All events that are for charitable purposes should only be applied for by the Charity concerned. A letter confirming that the full proceeds will be received by the organisation must be sent on application. Commercial organisations are entitled to apply and all proceeds from the market should be strictly received by the organisation.
- 3.6 A registered charity may apply to hold a car boot sale and will need to supply their registered charities number on application. All proceeds must be received by the registered charity.
- 3.7 Any site or premises may only be used for a maximum of six car boot sales during the course of any twelve-month period, with not more than one market being held on a Sunday in any 28-day period. Should any part of the site or premises be used for a car boot sale, any other part of the site "or premises should not be deemed as a separate site or premises for the purposes of the condition. A site must be of a different location, have separate

boundaries and be of a suitable distance from other operated sites, as described from time to time by the Council.

- 3.8 If, in the opinion of the Council, any organiser of a car boot sale either directly or indirectly contravenes any of these conditions, then the City Council will not issue that person with any further licenses to operate any markets within the 6 2/3rd mile boundary for a period of five years from the date of the breach.
- 3.9 Any venue used for the purposes of a car boot sale which, in the opinion of the Council, either directly or indirectly is used in contravention of these conditions will not be permitted to host any further markets of any description until such time as the matters giving rise to the breach have been remedied to the Council's satisfaction.

4. CAR BOOT SALE - LICENCE FEES

4.1 In respect of a car boot sale organised by commercial organisers/ operators: A £160.00 fee to be paid on application not less than 28 days before the event.

4.2 In respect of a car boot sale operated by non-commercial organisers/ operators:

A deposit of £64.00 shall be required upon application not less than 28 days before the event, any balance payable within 14 days after the event. This deposit accounts for the first 20 trading places.

A fee of £3.20 shall be payable for each trading position over 20 let, payable within 14 days after the event, subject to the minimum £64.00 deposit being retained by the council.

4.3 In respect of a car boot sale operated by registered charities:

A deposit of £20.00 shall be payable on application not less than 28 days before the event, any balance payable within 14 days after the event. This deposit accounts for the first 20 trading spaces.

A fee of £1.00 shall be payable for each trading position over 20 let, payable within 14 days after the event, subject to the minimum £20.00 deposit being retained by the council.

4.4 A refund for a cancelled market is available, providing notification is received prior to the day of the event. The refund is as follows:

In the case of commercial organisers/ operators a £150.00 refund of the fee.

In the case of non-commercial organisers/ operators a full refund of the £64.00 fee.

In the case of registered charities a full refund of the £20.00 fee.

5. SPECIALITY MARKETS - CRITERIA

5.1 Speciality markets are themed markets whereby a mixture of new and second hand goods, fresh produce and other products may be sold, for example markets such as French and Continental.

5.2 Speciality markets will be limited to a maximum of 50 trading positions (i.e.: stalls / vehicles/ pitches) each trading position shall be of a standard size with a maximum size of 8x6 feet. (2.5 x 1.5 metres).

- 5.3 Speciality markets will be permitted for the sale of both new and second hand products.
- 5.4 Permission shall only be granted to any organisation or individual during the course of any twelve month period, to hold a maximum of three Speciality markets.
- 5.5 Individuals shall be regarded as persons who are actually the organisers of the event. One individual will be permitted to apply per household.
- 5.6 Any site or premises may only be used for a maximum three Speciality markets during the course of any twelve month period, with not more than one market being held on a Sunday in any 28-day period, should any part of the site or premises be used for a market, any other part of the site or premises should not be deemed as a separate site or premises for the purposes of the condition. A site must be of a different location, have separate boundaries and be a suitable distance from other operated sites, as described from time to time by the council.
- 5.7 If, in the opinion of the Council, any organiser of a specialist market either directly or indirectly contravenes any of these conditions, then the City Council will not issue that person with any further licenses to operate any markets within the 6 2/3rd mile boundary for a period of five years from the date of the breach.
- 5.8 Any venue used for the purposes of a Speciality market which, in the opinion of the council, either directly or indirectly is used in contravention of these conditions will not be permitted to host any further markets of any description until such time as the matters giving rise to the breach have been remedied to the Council's satisfaction.

6. SPECIALITY MARKETS - LICENCE FEES

- 6.1 In respect of a Speciality market licence the sum of £500.00 per trading day is required. The fee should be paid in full not less than 28 days before the event.
- 6.2 A refund for a cancelled market is available, providing written notification is given 7 days prior to the event. The refund will be £170.00 per trading day.

7. FARMERS MARKETS - CRITERIA

- 7.1 Farmers Markets are themed markets whereby local Farmers meet at a market to sell their own produce.
- 7.2 Farmers should live within a 30-mile radius of the operated market, and the organiser/operator should supply the Council with a register of all Farmers trading together with the address of the farm.
- 7.3 Farmers Markets will be permitted for the sale of the Farmers own produce only. This produce shall not be produce that has been bought to directly sell on.
- 7.4 Farmers Markets will be limited to a maximum of 30 trading positions (i.e. stalls/vehicles/pitches). Each trading position shall be of a standard size with a maximum size of 8x6 feet (2.5 x 1.5 metres).
- 7.5 Permission shall only be granted to any organisation or individual during the course of any

twelvemonth period to hold a maximum of twelve Farmers Markets. Individuals shall be regarded as persons who are actually the organisers of the event. One individual will be permitted to apply per household.

- 7.6 No Farmers Market will be approved if it is proposed to operate it from a venue within 3 miles of a site previously authorised to hold such events.
- 7.7 Any site or premises may only be used for a maximum of twelve Farmers Markets during the course of any twelve-month period, with not more than one market being held on a Sunday in any 28-day period.
- 7.8 Should any part of the site or premises be used for a market, any other part of the site or premises should not be deemed as a separate site or premises for the purposes of the condition. A site must be of a different location and have separate boundaries and be a suitable distance from other operated sites, as described from time to time by the council.
- 7.9 If, in the opinion of the Council, any organiser of a Farmers Market either directly or indirectly contravenes any of these conditions, then the City Council will not issue that organiser with any further licences to operate any markets within the 6 2/3rd boundary for a period of five years from the date of the breach.
- 7.10 Any venue used for the purposes of a Farmers Market which, in the opinion of the Council, either directly or indirectly is used in contravention of these conditions will not be permitted to host any further markets of any description until such time as the matters giving rise to the breach have been remedied to the Council's satisfaction.

8. FARMERS MARKETS – LICENCE FEES

- 8.1 A market licence fee will be charged of £200.00 per trading day, as per other market licence applications. The fee should be paid in full not less than 28 days before the event.
- 8.2 A refund of a cancelled market is available, providing written notification is provided 7 days prior to the event. The refund will be £100.00 per trading day.

9. REGULAR MARKETS CRITERIA

- 9.1 No regular Market will be operated without a market licence first being issued by Leicester City Council
- 9.2 Each application will be considered on it's own merits taking into account any cumulative impact. Comments will be sought from the Council's Market's Forum. The application shall be considered by the relevant lead Director in consultation with the Cabinet Lead for Markets. Applications may be referred by the Cabinet Lead for a decision to be taken by Cabinet.
- 9.3 Each application must meet the criteria as set out below in order to be considered for a licence.
- 9.4 The applicant must:

Be fit for the purpose and fully compliant with all Council policies and must PROVIDE:

- A copy of the Planning Permission that allows the proposed venue to hold a market. This must be in place and a copy provided to the Council at the time of making an application for a market licence.
- The results of any retail impact assessment required through the planning process will indicate to what extent the proposed market will affect the city centre and Leicester Market. Any planning permissions issued for regular markets may impose conditions on its operation. Additional conditions may be imposed through the licence regime.
- An application submitted for a market to be held outside the City boundary will need to also provide a satisfactory retail impact assessment to the Licensing Authority.
- A plan showing the proposed layout of the market.
- The Companies financial position
- The company's policy on consumer protection
- The company's environmental policy
- The Company's approach to managing waste at the proposed market including waste minimisation, recycling and removal of waste after the market finishes.
- The company's Health and Safety Policy coupled with necessary risk assessments; Documentary evidence with supporting references demonstrating the applicants experience and track record.

9.6 The Council may insert additional conditions to the licence prior to it being issued.

9.7 Should the Council refuse to grant a licence, the Council will provide their reasons to the applicant.

9.8 If, in the opinion of the Council, any organiser of a Regular market either directly or indirectly contravenes any of the Conditions that have been inserted as part of the market licence, the operator will not be permitted to host any further markets of any description until such time as the matters giving rise to the breach have been remedied to the Council's satisfaction. The Council may refuse to issue a licence for a period of five years from the date of the breach.

10. REGULAR MARKETS - LICENCE FEES

10.1 In respect of a regular market the sum of £15200.00 per trading day is required. The fee should be paid in full not less than 28 days before the event.

10.2 A refund for a cancelled market is available, providing written notification is given 7 days prior to the event. The refund will be £500 per trading day.

11. LICENCE APPLICATIONS

11.1 An application for a licence must be made on an official application form obtainable from: The Markets Manager, 3rd floor Market Centre, Leicester LE1 5HQ (an application form can also be downloaded from the Leicester City Council Website www.leicester.gov.uk/markets)

- 11.2 Completed application forms must be returned to the above address, so as to arrive not less than 28 days before the event. Please note that applications for some types of market make take considerably longer than 28 days to determine and advice should be sought from the markets team in this respect. The required fees outlined in sections 4, 6, 8 and 10 must accompany all applications.
- 11.3 All organisers/ operators who wish to operate markets will be required to submit a passport sized photograph with the application form. Failure to comply with this requirement will result in the application being rejected.
- 11.4 The organiser/operator undertakes not to affix any notices or signs related to the event to any street furniture, structure or trees on the public highway. Such signs contravene section 132 of the Highways Act 1980.

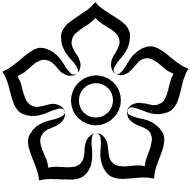
12. FINAL LICENCE FEE

- 12.1 All non-commercial and registered charity car boot organisers/ operators issued with a licence will be required to complete a pro-forma indicating the number of trading positions let. The pro-forma that will be sent to applicants with a licence must be returned to the Markets Manager (see 9.1 above) within 14 days of the event being held.
- 12.2 In respect of non-commercial and registered car boot organisers/ operators this pro-forma will be used to calculate the balance of the licence fee due. Any such balance must accompany the proforma.
- 12.3 Any charity not completing a pro-forma as required will not be granted any further licences until compliance.

13. GENERAL

- 13.1 All payment of licence fees paid by cheque must be crossed and made payable to Leicester City Council.
- 13.2 Periodic visits will be made to licensed markets by an officer of the City Council to ensure compliance with the licensing conditions. The standard conditions attached to any licence will include a right of access for authorised Council Officers. Any non-compliance with the conditions, including attempts to avert payment of the full licence fee, will result in future applications being refused.
- 13.3 The Council has adopted Section 37 of the Local Government (miscellaneous provisions) Act 1982. This requires that the Council be given at least one months notice of any intention to operate or hold a temporary market. Full details of these requirements including the definition of a temporary market are available from the Markets Manager. The requirements of Section 37 are separate and distinct from the application for a licence from the Council under this policy and must be complied with in each case.
- 13.4 It is the responsibility of the organiser and operator to ensure that the market does not become a nuisance to residents or neighbouring businesses, and are operated in an appropriate manner, including compliance with relevant legislation for public events and with Environmental Health and Trading Standards requirements.

- 13.5 Applications will be treated on an individual basis, however additional conditions may be applied to an organiser, operator or venue dependant upon circumstances. Such conditions will also be a condition of the licence being granted.
- 13.6 The Council may from time to time need to consult with external organisations / groups such as Police, Highways Dept, Trading Standards, Emergency Services and residential parties.
- 13.7 The Council reserves the right to take formal legal action against any person(s) or company who attempts to operate an unlicensed rival market.



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
CABINET
COUNCIL

22 November 2010
25 November 2010

Corporate Equality Strategy

Report of the Director of Human Resources

1. PURPOSE OF REPORT

- 1.1 The report presents a revised corporate equality strategy which sets out how the Council aims to reduce inequality within the city as well as how it will meet its public sector equality duties.

2. RECOMMENDATIONS

- 2.1 Cabinet is asked to agree to the revised equality strategy. A separate action plan for its implementation will be brought before Cabinet for approval.

3. REPORT

3.1 The proposed Equality Strategy

- 3.1.1 The attached equality strategy is in two parts:

Part 1	How we propose to reduce inequality within the city
Part 2	How we will meet our public sector equality duties

- 3.1.2 The aim of the strategy is to present an integrated approach that demonstrates our approach to reducing inequality within the city and meeting our public sector equality duties.

- 3.1.3 The proposed approach to reducing inequality within the city is outcome based. The main building blocks described in the attached strategy are:

- Understanding inequality within the city
- Reducing inequality

- Fair and transparent access to services
- Having a representative workforce
- Young people as equality champions.

3.1.4 Our public sector equality duties, as specified in the Equality Act 2010, are to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

3.1.5 The chart below sets out how the proposed actions to reduce inequality enable us to meet our public sector equality duties.

	Eliminating discrimination	Advancing equality of opportunity	Promoting good relations
Understanding inequality within the city	X		
Reducing inequality	X	X	X
Fair and transparent access to services	X	X	X
A representative workforce		X	X
Young people as equality champions			X

4.2 The development of the Equality Strategy

4.2.1 Corporate Equality Strategy Group held an away day in November 2009 to consider how best to take forward the Council's equality agenda. The away day involved divisional directors, equality officers, and representatives from the Council's various employee equality groups. Participants identified the priority equality objectives that underpin this strategy.

4.2.2 The previous Government introduced the contents of its proposed Equality Bill during 2009, and the Equality Act was agreed by Parliament in April 2010. Although the Government is currently consulting on the implementation of the public sector duty which will come into force in April 2011, no major changes are anticipated that will alter our approach to meeting these duties.

4.2.3 In addition to consolidating the diverse elements of existing legislation, the Bill and subsequent Act introduced a new socio-economic duty for local authorities, focused on expanding equality impact assessment to socio-economic considerations of proposed services and policies. It is unlikely that the Coalition Government will enact this part of the legislation. However, given the socio-economic profile of the city, the need for considering socio-economic considerations in addition to the protected groups covered

by the legislation (disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation) is built into the equality strategy. This element enables the Council to begin to address the implications of the significant budget cuts being proposed by the Coalition Government and their impact on the city's residents.

4.2.4 The Coalition Government's proposed changes to the health service will broaden the Council's responsibility for addressing health inequalities. The Council is working closely with NHS Leicester City to plan and prepare for this transition. The equality strategy and its action plan will be amended to incorporate and reflect these changes as they arise.

4.2.5 The Council is preparing to be validated for the Excellent level of the Equality Framework for Local Government, which will take place in March 2011. As part of the preparations, much work has taken place on specifying our expectations for standard equality practices across all services (an equality scorecard) and working with main project groups to embed equalities within their emerging programmes/practices. The equality strategy incorporates this work.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

There are no financial implications arising directly from the report.

Alison Greenhill, Interim Chief Accountant

5.2 Legal Implications

Any action taken in respect of equalities should be permissible conduct under the Equality Act 2010. Legal advice should be taken where appropriate.

Paul Atreides, Team Leader, Legal Services

5.3 Climate Change Implications

This report does not contain any significant climate change implications and therefore should not have a detrimental effect on the Council's climate change targets.

Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph references within the report
Equal Opportunities	Yes	The report as a whole
Policy	No	
Sustainable and Environmental	No	

Crime and Disorder	No	
Human Rights Act	Yes	Indirectly, through the report as a whole
Elderly/People on Low Income	Yes	Part 1, Section 3 of the attached equality strategy
Corporate Parenting	No	
Health Inequalities Impact	No	

7. CONSULTATIONS

Corporate Equality Strategy Group
Strategic Management Board

8. REPORT AUTHOR

Irene Kszyk
Head of Equalities
Irene.Kszyk@leicester.gov.uk
Ext. 391624

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Corporate Equality Strategy 2010 - 2013

Leicester City Council

Part 1: Reducing inequality

1. How well are we doing in 'driving out inequality'?

- 1.1 'Driving out inequality' is one of the values underpinning One Leicester, the city's sustainable community strategy.
- 1.2 Leicester is ranked as the 20th most deprived city in the country according to the Government's indices of multiple deprivation. Its level of deprivation has worsened over time. In the Centre for Cities Outlook for 2010 report, Leicester was ranked 58th out of 63 cities in terms of the level of inequality within cities, as measured by differences between claimant count rates for different areas of the city.
- 1.3 This measure of inequality focuses on differential economic outcomes: those who are dependent on the state for benefits and those who are not. Unequal economic outcomes are only one area of inequality. The Equality and Human Rights Commission in their 2007 Equality Review also listed these 'equality gaps': unequal educational attainment, unequal health outcomes, unequal housing conditions, and unequal experiences of the criminal justice system. These equality gaps are reflected in the issues addressed through the delivery plans of the Strategic Theme Groups within the One Leicester strategy and expected customer outcomes measured through a series of National Indicators (these are listed in Appendix 1).
- 1.4 The key aim of this strategy is to assist the Council in assessing whether or not it is being successful in 'driving out inequality'. It sets out what needs to be monitored and measured in order to determine whether the differential outcomes arising from the equality gaps identified above are being reduced as a result of the strategic service delivery plans of the Council.

2. Adopting an equalities perspective in measuring inequality

- 2.1 Our statutory equality duty is to: eliminate discrimination, promote equal opportunities, and promote good relations between different groups of people. At present these duties are limited to race, disability and gender equality but as of 1st October 2010, the wider range of protected characteristics presented within the Equality Act 2010 comes into effect. These protected characteristics include gender reassignment, pregnancy and maternity, religion or belief, and sexual orientation as well as race, disability and sex (gender). Meeting this equality duty shapes the way we consider need (particularly in regard to people with each of the shared protected characteristics), and ensure their access to and take up of the range of services we provide. Measuring National Indicator performance outcomes, again on the basis of specific protected characteristics, enables us to assess the success of our planned interventions in bringing about desired reductions in inequality.
- 2.2 The Council has introduced strategic commissioning as an evidence based approach to strategic and service planning which separates the outcomes to be achieved from the services to be provided. Commissioning statements have been produced by the

Strategic Theme Groups and these reflect how each Group has analysed their customer needs and priorities and set out delivery plans for meeting them. This commissioning process provides three main sources of information that will inform the assessment of whether inequality is being reduced:

- (a) Needs assessments of Strategic Theme Group users and potential users: the type and volume of need within the city, by people with a shared protected characteristic
- (b) Monitoring of current service users: profile of who is receiving what service, by people with a shared protected characteristic
- (c) Monitoring of service user outcomes: profile of who has benefited from services aimed at achieving priority outcomes, and who has not benefited from services they have received, by people with a shared protected characteristic (based on outcome related National Indicators).

2.3 This information provides the basis for ongoing assessment over time.

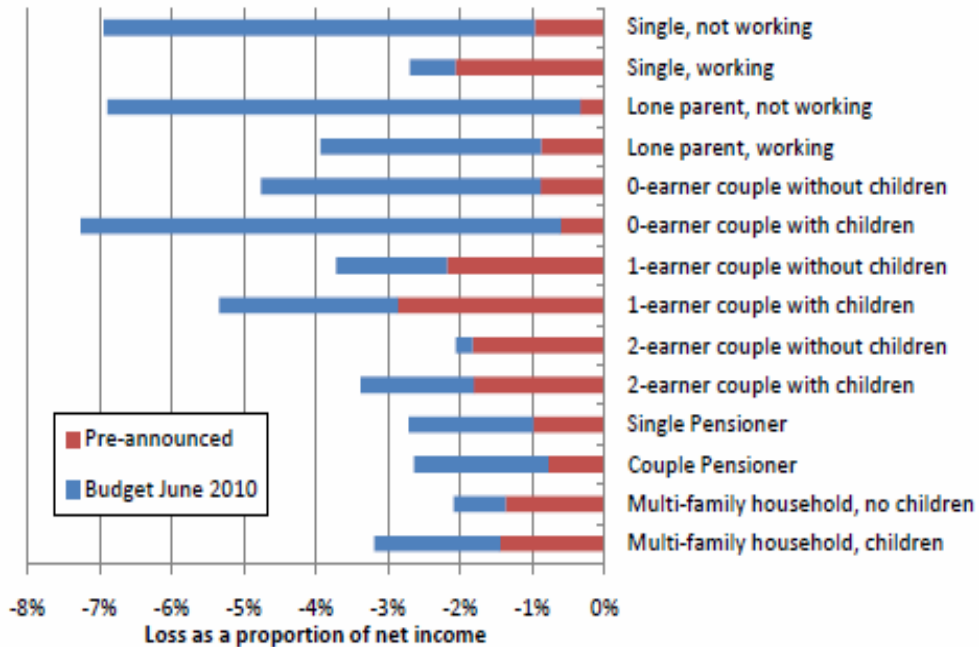
3. Factoring in the Coalition Government's budget implications

3.1 The new Coalition Government has stated its intention of making £34 billion in public spending cuts over the next four years. Initial impact assessments of the budget proposals have been undertaken by the Fawcett Society and the Institute for Fiscal Studies, as well as by Horton and Reed on behalf of the TUC.

3.2 The Fawcett Society's paper, 'A Gender Impact Assessment of the Coalition Government Budget, June 2010' identified women as being most adversely affected by the proposals. They estimate that 72% of cuts will be met from women's income as opposed to 28% from men's, because the greatest proportion of cuts will be to benefits that more women than men rely on, compared to the proposed changes to the tax system that will benefit far more men than women. They have identified low income mothers as the main losers, with women from black and minority ethnic households hardest hit, as nationally 40% live in poor households. They also estimate that women will be more disproportionately affected by cuts to public services as they tend to rely on public services more than men, and will most likely also pick up any shortfall in reduced state services. Initiatives to control the public sector wage bill also impact more on women because they make up 65% of the public sector workforce.

3.3 The Institute for Fiscal Studies' August assessment of the distributional effect of tax and benefit reforms to be introduced between 2010 and 2014 indicated disproportional impacts on different types of households (see chart below). The households hardest hit are: 0 earner couples with children, lone parents not working, singles not working, and 1 earner couples with children.

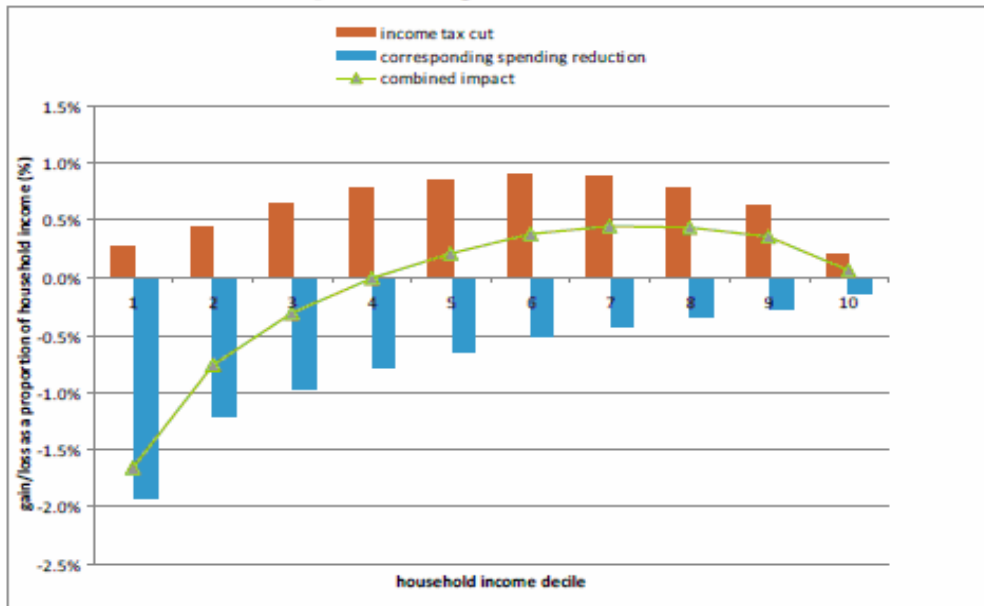
Figure 4.1: The effect of all tax and benefit reforms to be introduced between June 2010 and April 2014 by household type



Source: Institute for Fiscal Studies, Briefing Note BN108

3.4 Horton and Reed’s analysis of the impact of the June budget, ‘Don’t forget the spending cuts!’, focus on their analysis of its impact on public services. They estimate that the average annual cut in public spending per household will be £1,344 for the poorest tenth of households compared to £1,135 for the richest tenth of households. They view is that a lot of public spending is ‘pro-poor’ with poorer households receiving a greater value of services to meet their extra welfare needs. Cuts in public spending on major areas of welfare (such as education or social housing) will tend to hit the poor the hardest. The graph below illustrates their assessment of the distributional impact of the proposed tax cuts and the impact of the proposed spending reductions in public services.

GRAPH 2: Net distributional impact of the budget's £3.7 billion income tax cut



Source: Horton & Reed, 'Don't Forget the Spending Cuts!'

- 3.5 The above three sets of analysis set out an overall picture of who is likely to be most adversely affected by the Government's budget proposals. Aside from the specific reference to gender differentials, the other main impacts are measured by household type and household income decile, The addition of this type of analysis should be included in the Council's assessment of inequality within the city, given the significant impact of the budget proposals on city residents, particularly those most economically vulnerable. Quantitative and qualitative assessment of the impact of the budget proposals on local residents, particularly for those groups highlighted in the external impact analysis above, should be undertaken on a regular basis to inform potential increases in inequality.

4. Identifying our equality priorities

- 4.1 Members of Corporate Equality Strategy Group and representatives from the Council's employee groups held an away day in November 2009 to identify what they felt were the Council's equality priorities. They identified four main equality objectives for the organisation:
1. To reduce inequality within the city by targeting services that address economic, health and social problems experienced by disadvantaged and vulnerable residents, and monitoring their participation in those services.
 2. To promote fair and transparent access to services and remove any barriers to resident participation in those services.
 3. To demonstrate, through workforce recruitment and development of staff based on merit, that our workforce reflects the diverse nature of the city.
 4. To support young people to be champions of equality and diversity, reflecting their demographic importance in shaping Leicester's future.

Targeting services that reduce inequality

- 4.2 This strategy aims to be outcome focused, with that outcome being the reduction of inequality facing residents in the city. To be successful, Council staff **commissioning** services must be clear as to how this outcome can be accomplished within their specification of service provision, and which residents must be targeted for support in order to reduce the social and health impacts of economic inequality. The identification of resident needs, the analysis of their service take-up and the analysis of customer performance outcomes will enable us to determine which services reduce inequality.
- 4.3 In addition to this targeted action, the **procurement** process can play a complementary role to reducing inequality by specifying social benefits within the specification of services to be delivered by the Council's supply chain. Specifying desired social outcomes such as the employment of local residents particularly in deprived areas of the city and the use of local businesses to provide services, contributes to the economic viability of the city, and the infrastructure required to reduce economic inequality. At present, the specification of social benefits within invitations to tender does not systematically take place, resulting in significant 'missed opportunities' to reducing inequality. A change in practice is recommended in order to achieve these outcomes by directly engaging the economic community to exercise its corporate social responsibility in reducing inequality.

Fair and transparent access to services

- 4.4 The Council has been undertaking **Equality Impact Assessments** for a number of years now. Many of the early EIAs focused on service access, ensuring that any barriers to customers accessing that service were removed. However, service provision is a dynamic process, with customers changing, their access requirements changing and the method of service delivery changing to keep up with service models in the private sector that our customers now expect. There must be ongoing review of the effectiveness of customer access to services, building on our knowledge of what they want and need to access the services we provide. Their broader access needs to the landscape of the city must also be considered, through inclusive design principles. We have these skills in place and have excellent examples of service practice to learn from. We must be consistent across all front facing services in their application, ensuring that we remain customer focused.
- 4.5 As a service provider, we make decisions that affect people's lives. We must ensure that we are fair and transparent in our decision making, providing information that people need, in an accessible way. And we must ensure that as a service provider, we treat people with dignity and respect, ensuring that we are aware of and acknowledge their human rights. Our **customer care** must incorporate these principles.

A representative workforce

- 4.6 The Council is a major local employer and 57% of its workforce live in the city. Of the staff living in the city, 39.3% of them live in the city's four most deprived areas. The importance of the Council as an employer in contributing to the employment and development of local people, particularly those in our most disadvantaged communities, cannot be under-estimated. Leicester is one of the country's most diverse cities, and serves a wide variety of communities. Service users want to be served by people who understand their needs, and by people they can relate to. Therefore, it is vital that our

workforce reflects the community we serve. However, we must be a fair employer and be **inclusive** in the recruitment and development of our employees, reflecting what is socially expected from a public sector workforce in matching the demographic profile of the city. The challenge of providing services in a post-recession world is great, and the Council must ensure that it has the right person, with the right skills, for the right job.

Young people as equality champions

- 4.7 This equality and diversity strategy, for the most part, is inward focused in order to ensure that the organisation is clear as to its equality responsibilities and how it can meet them and also contribute to the reduction of inequality. This is about influencing organisational behaviour and practice. In order for this strategy to be effective, it also must take into account how it fits in with the 'outside world'. The Council does work with a number of different organisational partners to pursue a shared approach to equalities. But again, these partnership arrangements are very much organisationally focused. At present there is little direct engagement with the community itself on a shared vision for equality within the city.
- 4.8 Leicester is unique in the country in one particular aspect of its demographic profile: the proportion of young people and children (it is a much 'younger' city than the average), and the majority coming from a non-white ethnic background. Our young people are the city's key future assets and it is crucial that the Council takes part in raising their aspirations and expectations for their future economic livelihood. There are engagement mechanisms in place to tap into the views of young people and find out their long-term aspirations and expectations. Schools are responsible for meeting public sector equality duties and the Council is working with them on their implementation. But the equality agenda, for and by young people is undeveloped. The Council should take this opportunity to explore with young people the equality ideals they wish to see instilled within life in the city, and the long term equality outcomes they wish to see in place, to shape a long term equality vision to accompany the 25 year long term vision of One Leicester.

5. The corporate equality offer

- 5.1 The Council at present does have dedicated equality officers supporting the organisation – but this provision is based on the old departmental structure, serviced by four service equality officers and two equality assistants, with a separate two person team overseeing corporate working. Within the new divisional structure, there is no 'standard' **equality offer** across all divisions, and limited corporate capacity to undertake the monitoring and scrutiny required to quality assure practice across the organisation. Therefore, as part of the Strategic Support Services review, a review of current equality arrangements is taking place to review strategic and operational equality support and realign available staffing resources accordingly.

Part 2: meeting our public sector equality duties

1. Background

- 1.1 Until April 2011, the Council has legal responsibility to demonstrate that they are taking action on race, disability and gender equality in their policy-making, the delivery of services and employment of their staff. The aim is to deliver better outcomes for people of different racial groups, disabled people, and men and women, including transsexual men and women. These duties require the Council to eliminate unlawful discrimination and harassment, actively promote equality, and promote good relations between different groups.
- 1.2 After April 2011, the public sector equality duty as specified within the Equality Act 2010 comes into effect. The single duty still relates to the three duties identified above, but is extended across additional 'protected characteristics': gender reassignment, sexual orientation, religion and belief and pregnancy and maternity – in addition to race, disability and gender/sex. This section of the Equality Strategy sets out how the Council intends to meet its public sector equality duty across all protected characteristics.

2. The Council's commitment to equality

- 2.1 Leicester City Council is committed to equality of opportunity, elimination of discrimination, and promotion of good relations between all people regardless of age, disability, race, colour, ethnic or national origin, gender, gender identity, religion and belief, sexual orientation, marital or civil partnership status, or trade union membership.
- 2.2 We aim to be responsive and open, and to demonstrate both quality and equality to our citizens, to our service users and to our employees. It is our aim to ensure that people can fully participate in and benefit from the social, cultural, economic and environmental quality of life the city offers its users.
- 2.3 We are committed to promoting equality in respect of:
 - **Our role as service provider** - providing a range of facilities and services meeting the differing needs of local people.
 - **Our role as employer** - ensuring fair recruitment, having a representative workforce, and providing a working environment that is safe, accessible and free from harassment and discrimination.
 - **Our role as community leaders** - through our democratically elected Members, working with communities and partners in the statutory, voluntary and private sectors to improve the quality of life for the people of Leicester.

3. Principles

Freedom from unfair discrimination, harassment and victimisation

3.1 The Council is committed to eliminating discrimination across all protected characteristics, as well as prohibiting harassment and victimisation and will work with its employees, elected Councillors and local residents to ensure the following:

- That service users, Council staff, members of the public and elected Councillors are entitled to be treated with respect and not to be subjected to discriminatory remarks or behaviour, harassment or victimisation (if they do make a complaint).
- That any discriminatory remarks or behaviour, or harassment or victimisation by Council employees towards other employees or towards service users will be treated as a disciplinary offence.
- That the Council's service provision will not discriminate against any member of the public in need of its services on the basis of their protected characteristics, and will ensure that there is fair access to services on the basis of need. The Council will also ensure fair treatment to those accessing and receiving its services by their providers, whether they be Council employees or external contractors.
- That service users, members of the public and employees who have experienced overt discrimination, such as hate crime, are encouraged to report such incidents and directed to a reporting centre or online reporting site.

3.2 In order to ensure that its policies and practices do not deliberately or inadvertently discriminate against anyone with protected characteristics, or create an adverse impact on them, the Council undertakes Equality Impact Assessments of its proposed decisions.

Advancing equality of opportunity

3.3 The Council, through its commissioning process, proactively seeks to understand the needs of its residents. For those residents who experience unequal outcomes that significantly impact on their quality of life in the city, the Council will seek to reduce inequality through the provision of services and achievement of improved personal outcomes. The Council will ensure the following:

- That it engages with local residents, through service user forums, ward and neighbourhood meetings, and consultation sessions in order to understand their needs and receive feedback on the quality/effectiveness of its services in meeting those needs.
- That the information it provides on its services is accessible and suitable to the needs of the individual seeking that information.
- That its design and delivery of services takes into account the social, cultural, and religious needs of its users, and from a diversity perspective, are 'fit for purpose'.
- That it monitors service take up by people with protected characteristics, to ensure that those needing services have access to them and the benefits they provide.
- That it monitors customer outcomes by protected characteristics, to ensure that those identified as experiencing unequal outcomes are benefiting from service provision and that their quality of life has improved.

- That it monitors the representativeness of its workforce in terms of the diversity of the communities across the city that it serves.
- That it is an equitable and fair employer.

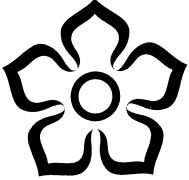
Fostering good relations between people and communities

- 3.4 The Council is committed to community cohesion. Community cohesion means that communities from different backgrounds in the city get on well together. To be able to do this, communities need to feel secure and have a sense of belonging (in their neighbourhood and the city as a whole). They also need to feel that they have been treated fairly as other communities.
- 3.5 They also need to mix with other communities to develop respect and understanding for people from different backgrounds, to appreciate their differences and learn about things they have in common. Community Cohesion is about the relationships between any different community: for example, settled communities and new arrivals, young people and older people, straight communities and gay communities, affluent and poor, and so on. If these things are not in place, some communities can be stereotyped by others, and myths and misunderstandings can develop. At its worst, weak community cohesion can lead to significant tensions between communities, and sometimes even hatred. The Council will work towards:
- Ensuring that different communities do not live segregated lives.
 - Ensuring that economic, social and language barriers facing new arrivals do not prevent them from integrating within the wider community.
 - Ensuring that young people as a whole are not stigmatised because of the activities of a few.
 - Ensuring that its employees have been trained, where appropriate, in diversity awareness and community cohesion to enable them to achieve the above outcomes.
- 3.6 The Council has put together a Community Cohesion Commissioning Plan to indicate how it will deliver the above community cohesion priorities and outcomes.

National Indicators measuring customer outcomes

One Leicester Theme	Description	Indicator Number
Invest in Our Children	Stay safe	NI59
	Be healthy	NI50, NI56, NI57
	- emotional health	
	- physical health	
	Enjoy and achieve	NI72, NI73, NI75, NI87
	- readiness for school	
- KS2 attainment		
- Attendance at school		
- KS4 attainment		
Make a positive contribution	NI110	
Achieve economic wellbeing	NI117	
Parents satisfaction with schools	Local indicator	
Creating Thriving Safe Communities	Cohesion	NI1, NI5
	Crime	NI16, NI20, BCS indicator
Improving Wellbeing and Health	Affordable housing	NI155
	Mortality	NI120
	Alcohol and smoking harm	NI39, NI123
	Teenage pregnancy	NI112
Participation in sport	NI8	
Independent living for older people	NI139	
Investing in Skills and Enterprise	Employment	NI152, NI153
	Adult education and training	NI163, NI165
	Business growth	NI172
Planning for People not Cars	Housing growth	NI154
	Traffic congestions	NI167
	Road safety	NI148
Reducing our Carbon Footprint	Carbon emissions	NI186
	Landfill	NI193

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Leicester
City Council

WARDS AFFECTED
ALL

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Cabinet
Full Council

22nd November 2010
25th November 2010

State of the City Report: Leicester Partnership Annual Report 2009/10

Report of the Chief Executive

1. Purpose of Report

- 1.1. To present the state of the city report that assesses the progress made in delivery of the One Leicester aims and priorities up to April 2010.

2. Summary

- 2.1. The One Leicester vision, agreed in March 2008, contains a commitment to produce an annual State of the City report. This report has been produced to fulfill that commitment. One Leicester set out seven priorities that Leicester Partnership agreed to deliver. Each of the seven priorities contains several themes and, in total 78 commitments. A full technical report explains some of the work undertaken to meet each of these commitments and assesses the progress made (the full report is available on request). This scope of this document is to report progress within each theme, towards delivering the vision of Confident People, New Prosperity and Beautiful Place.
- 2.2. The council annual report that is also presented on this agenda reports current performance of the key targets agreed by the council within the corporate plan. This report demonstrates the contribution made by the council to the delivery of One Leicester.

3. Recommendations

Members are recommended to:

- 3.1. Approve the report and note the arrangements for publication and circulation.

4. Report

- 4.1. The State of the City report is intended to:
 - 4.1.1. Report progress on the delivery of the One Leicester vision and priorities.

4.1.2. Provide information for the next planning cycle.

- 4.2. Leicester Partnership Executive Board has welcomed the two versions of the State of the City report. The full, technical report has been circulated to partners to inform business planning within member organizations. It is available to other stakeholders on request and will be made available on the One Leicester website.
- 4.3. This report is intended for elected members, partners, and staff of partner organizations and available to other interested stakeholders. A limited number of hard copies will be produced and the report made available on the One Leicester website. Leicester Partnership agreed to assist in the dissemination of the report.
- 4.4. A four page supplement will be included in the December/January issue of LINK to inform the citizens of the progress of One Leicester, it will signpost the reports on the One Leicester website.
- 4.5. This report and the LINK supplement will be illustrated with case studies of innovative working. A library of case studies will be made available on the One Leicester website. The attached is a text only version of the report.
- 4.6. Additional methods of publication are being considered and an assessment of cost effectiveness made in the current financial climate.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

Financial

Although there are financial implications to varying degrees inherent within the seven priorities of One Leicester, there are no specific financial issues directly arising as a result of this report.

Looking towards the future progress of the delivery of the One Leicester aims and priorities, the financial climate for the public sector is to result in significant reductions in Government grant funding and clearly this is going to have an inhibitive impact on the resources available to deliver these aims.

Although the long term aims of One Leicester will continue as set out in the vision, prioritisation and seeking of alternative funding will need to be looked at in the short to medium term. As stated in the report, the need for obtaining value for money and continually striving to deliver efficiencies is of significant importance going forward in order to minimise the impact of cuts on priority front line services.

Alison Greenhill
Interim Chief Accountant

Legal
To follow

Climate change implications

Whilst progress has been made in recent years to reduce city-wide carbon emissions (as outlined in section 3.4) a continued effort will be required to maintain this position and to continue to reduce the city's carbon footprint to achieve the long-term targets set.

Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph references within the report
Equal Opportunities	No	
Policy	Yes	2
Sustainable and Environmental	Yes	3.3 and 3.4
Crime and Disorder	Yes	3.5
Human Rights Act	No	
Elderly/People on Low Income	Yes	3.6.4
Corporate Parenting	No	
Health Inequalities Impact	Yes	3.6

7. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

One Leicester
LAA Performance Outturn Report

8. CONSULTATIONS

Divisional Directors were consulted on the report prior to SMB
Strategic Management Board approved the report on 17th August subject to final editing.
Strategic Director were consulted on the amendments
Leicester Partnership Executive endorsed the report on 13th October

9. REPORT AUTHOR

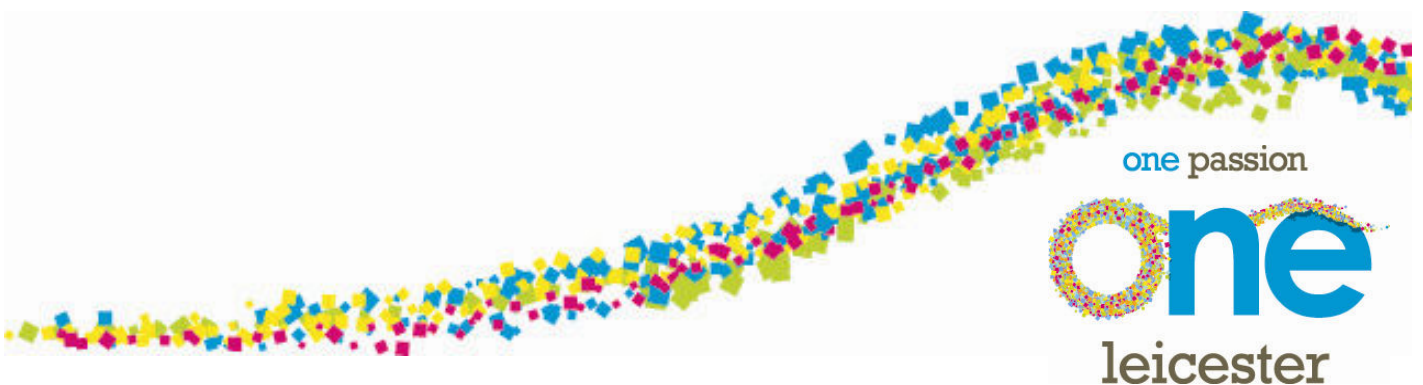
Margaret Frith
Partnership Executive Team
Tel 297121
Margaret.frith@leicester.gov.uk

Appendix One

State of the City

2009/10

Leicester Partnership Annual Report



1. INTRODUCTION

1.1. Purpose of the Report

1.1.1. The purpose of this report is to summarise our progress of the delivery of the 25 year vision for the city set out in “One Leicester”. It is produced on behalf of the Leicester Partnership; a full technical report is available on request.

1.1.2. We, the partnership, have achieved these results only through working in partnership. Achievements in this report are not generally attributed to one organisation.

1.1.3. One Leicester is Leicester’s Sustainable Community Strategy. It was developed in 2008 by Leicester Partnership in consultation with a wide range of people and organisations across the city.

1.2. Leicester Partnership

1.2.1. Leicester Partnership is the Local Strategic Partnership for Leicester. It brings together at a local level the different parts of the public, private, community and voluntary sectors so that we can work together to improve services and the quality of life in Leicester.

1.2.2. Leicester is a diverse city and wants its partnership to represent that diversity. It comprises public agencies, private organisations and the voluntary and community sector.

1.2.3. The two main responsibilities the Leicester Partnership has are to:

- develop and drive the One Leicester sustainable community strategy; and
- deliver the targets in Leicester’s Local Area Agreement

1.2.4. The 25 year vision was agreed in March 2008; all partners use the agreed vision as the overarching strategy for their own organisations. Hence, the partnership influences the strategy and activity of member organisations.

1.2.5. Local Area Agreement – all partners signed up to the LAA and delivery of challenging targets is through Strategic Theme Groups.

1.2.6. Strategic Theme groups produce joint commissioning statements that are shared to enable connections to be made between theme groups. This is one way of identifying the opportunities for reducing duplication and pooling resources.

2. THE ONE LEICESTER VISION

2.1. One Leicester sets out a 25 year vision for a better Leicester:

- We want the people of Leicester to become more confident – in themselves, their communities and their city.
- We want there to be greater prosperity in Leicester, so everyone can reach their potential, no-one is trapped by poverty and people are more active and healthy.
- We want Leicester to be a truly beautiful place, with less traffic, clean and tidy streets, excellent green spaces and attractive buildings.

2.2. This vision sets out seven levers for change that will make Leicester a truly sustainable city and improve the quality of life for our citizens.

2.2.1. **Investing in our children** – if we are to drive our inequality, we need to start by tackling the current inequality of life chances faces by our children. We need to give our children the best possible start in life.

2.2.2. **Planning for people not cars** – we want to make Leicester a city for people and families rather than a city for cars.

2.2.3. **Reducing our carbon footprint** –we want Leicester to play its part in tackling global warming by having the lowest carbon footprint of any major city in Britain.

2.2.4. **Creating thriving safe communities** –the challenges we face as a city cannot be solved without the active involvement, participation and enthusiasm of the people of Leicester.

2.2.5. **Improving wellbeing and health** –the general health of people in Leicester is not improving as quickly as the rest of the country and, whilst life expectancy is increasing, its not increasing as fast as elsewhere.

2.2.6. **Investing in skills and enterprise** –the economy of the city underpins so much of what we do and by improving the city's economy we can help lift more people out of poverty.

2.2.7. **Talking up Leicester** – Leicester has an unfortunate reputation for talking itself down. Yet, we have a lot to be proud of in Leicester and we want the people of Leicester to take a greater pride in their city.

2.3. Delivery – we agreed some key targets in the Local Area Agreement over three years, from 2008 to 2011. Delivery groups made up of representatives of key agencies and called Strategic Theme Groups are responsible for achieving the agreed targets. Performance is monitored regularly and reported to the Leicester Partnership Executive Board and the wider Leicester Partnership. A Partnership Scrutiny Board scrutinises areas of performance and reports to the Leicester Partnership.

3. PROGRESS AGAINST THE PRIORITIES

3.1. An Overview

We are two years into a 25 year strategy and already seeing improvements in quality of life and place. This report covers only the specific things we said we would do, as partners and individual organisations we have done much more. We are making progress on 72 of our 78 commitments. We are developing an approach to neighbourhood working that will involve more people in decisions about the services that affect their lives.

One Leicester is about shaping Leicester as a sustainable city. In October 2010 the Forum for the Future, an independent organisation, rated Leicester as second in its ranking of 20 sustainable cities in Britain. Leicester has improved its position from 12th in 2007. Improvements in biodiversity transport and local food contributed to our improved rating. The index confirms that through One Leicester we are addressing the most pressing priorities of health inequalities, employment, education and air quality.

3.1.1. Confident People

People of Leicester will feel confident about themselves, their neighbourhoods, their city and their future.

Children are achieving more each year and more children now have a better start in life. Through increasing walking and cycling to school, play and sporting activities more children are healthier. More young people gain employment or are in education or training, securing better futures for themselves. There are signs that adults are becoming fitter and healthier too, though we have not yet increased the numbers with level 2 qualifications. Levels of crime are falling and we have new arrangements to safeguard adults, families and children. Older and vulnerable people no longer need to be in hospital for longer than necessary and can remain independent in their own homes. Soon, all council homes will be decent homes and the council now has funds to build new council housing to meet shortages.

3.1.2. New Prosperity

We see Leicester as an ambitious and progressive city with renewed prosperity, where everyone meets his or her individual potential.

Leicester has felt the effects of recession, in spite of this Prospect Leicester, our economic development company attracted 110 new jobs last year. Our multi access centres are up and running to help people into work, building on the Highcross experience where nearly half the 2,000 people recruited were previously unemployed. We are investing in new work spaces, not only in the Business Quarter but across the city, regenerating run down sites. The economic slowdown hindered new investment in the city but we are well placed to take advantage of an upturn and are working with our links in China and India to bring new business to the city.

3.1.3. Beautiful Place

Our vision is of a beautiful, vibrant, clean and green city that is a great place for people to live, but that does not create an unacceptable burden on the planet

The city centre has been improved with more, attractive places to walk and cycle and this, along with better shopping has attracted more visitors. There is less litter and graffiti and the city centre looks cleaner and more prosperous. We have replaced old buildings with new exciting places including, Curve, Phoenix Square and the Tigers Stand. We have planted over 9,000 of 10,000 planned new trees so far that will leave a legacy for future generations. Carbon emissions are falling, reducing Leicester's footprint on the environment and homes and buildings are being constructed to sustainable standards.

3.2. Investing in Our Children

3.2.1. Closing the Gap

The health and wellbeing of children is improving following reductions of smoking during pregnancy and increased rates of breastfeeding. 23 Children's centres have been established to support families with integrated parenting and health services. Rising numbers of young people are in education, employment or training. Along with reductions in persistent absence rates, teenage pregnancy and the reduction in rates of first time entrants to the Youth Justice System this shows improvements in aspiration and positive behaviour. This is also evident in improved educational attainment.

3.2.2. Transforming Leicester's Learning

The Improvement Notice served in 2008 was lifted in March 2010. As well as improvements in standards of attainment and youth inclusion, the Secretary of State for Education acknowledged the increasing quality of local schools and settings as well as the performance management, leadership and capacity building that has supported this.

The quality of city schools is improving, albeit at a slower than planned rate. The proportions of children and young people achieving age related expectations at ages 11 and 16 are increasing.

- At age 11, the city is now just three percentage points below the national average.
- Results at age 16 show significant improvement at one of the fastest rates in the country. Leicester is now 6% behind national averages
- Only three Secondary schools are now performing below the minimum standard.
- The proportion of schools judged good or outstanding by Ofsted is increasing

Inspection evidence indicates that a large majority of nursery schools and a higher than average proportion of childcare nurseries are good.

3.2.3. Building Schools for the Future (BSF)

The first refurbished BSF school opened in January 2009, there are now four. Beaumont Leys School won first prize in the National BSF School of the Year (2009) award and Soar Valley was shortlisted for "Most Inspirational Use of Outdoor Space". Where we have already made investments in schools, outcomes are improving.

We are improving sporting facilities through BSF and already have an innovative Netball Centre at Soar Valley. We plan to have an indoor cricket centre at Crown Hills School.

This programme is delivering changes to learning and children's service delivery in localities and neighbourhoods. It is raising aspirations, facilitating inclusion, increasing personalised support and providing a range of healthy activities across

the city for all. It is starting to attract back the 3,500 children and young people who choose to be educated in Leicestershire.

3.2.4. Building a children's hub

Planning and initial work on the development of a Children's Hub has been progressed. However, the continued development of the Hub is subject to Council and partnership decisions regarding feasibility and sustainability in the current economic climate.

3.2.5. Creating safe places to play

In the eight wards of the city now covered by Play Rangers, 35% more children play outside. Parents and children have reported feeling safer on the park when the Play Rangers are around. Some parents and children have stated that they use the park or open space because of the presence of the Play Rangers. 15 play areas were refurbished as part of the national Playbuilder scheme to provide innovative and stimulating equipment and landscaping. They provide physically active play opportunities that are particularly attractive to 8-13 year olds.

Taking part in sport has increased; the introduction of free swimming for young people under 16 years of age increased the number of junior swims by 49%. Although government funding has ceased, free swims will continue in deprived areas. 71% of young people (5-16 year olds) in education are now accessing 2 hours of Physical Education (PE) within curriculum time. Children's health is already improving, with a significant reduction in obesity in 2009/10.

3.2.6. Providing laptops for primary school children

There are 25,843 children in city maintained primary schools. All primary school children have access to computers with safe and secure internet provision through primary schools, 2 city learning centres, 4 study support centres and all Leicester City Libraries.

3.2.7. Supporting young people

Support for young people has improved with a new health service for 13-25 year olds in the city and improvements to youth centre buildings and opening hours. Absence and exclusion rates in secondary schools have fallen consistently since 2006. Teenage pregnancy rates are falling at a faster rate than national or regional neighbours. The numbers of young people not in education employment or training (NEET) continues to fall and there is further improvement in recorded and accredited outcomes for young people. The reduction in rates of first time entrants to the Criminal Justice System continues.

3.2.8. Eliminating child poverty

Outcomes for Children and Young People are improving in Leicester. This is mitigating and reducing the potential impact that income poverty has on their lives. We have completed a Child Poverty needs assessment as part of an overall needs

assessment for children and young people in Leicester. This will inform the development of a Child Poverty Strategy which will outline how we will progress future actions to reduce child poverty in Leicester.

3.3. Planning for People not Cars

3.3.1. Creating walking and cycling networks and a new New Walk

We extended the network of safe routes for cycling and walking, especially in St Matthews, through providing the Humberstone Bus Corridor and routes in and the Hallam Crescent area. Bikeability training and promotion of cycling through events such as Skyride have contributed to the 80% increase in cycling since 2003/04. Leicester's children are more likely to walk or cycle to school, being above the national average with only 24% of journeys to school being by car. High Street and the approach to Curve on Orton Square have become pleasant areas for pedestrians. The number of people cycling and walking in the main pedestrian areas doubled from June 2007 to Sept 2009.

3.3.2. Greening the City

We have planted 9,000 trees that will leave a long-lasting legacy for future generations of Leicester's citizens and help keep the city green. The trees improve the natural environment encourage healthy living. Five new Local Wildlife Sites were designated in 2009/10 covering an area of 13.7 hectares.

3.3.3. Connecting the city

We are improving the transport structure, providing more opportunities for bus travel and are on the way to providing low cost bus travel for young people. The Enderby Park and Ride Service has improved accessibility by public transport to the city centre and the Leicester Royal Infirmary.

3.3.4. Encouraging mixed housing developments

We built 298 affordable homes in 2008/2010; this directly benefits people who are unable to meet their housing needs in the private housing market. For the first time in many years, the council will be actually building its own homes as funding totalling £7 million has been awarded which will eventually provide 146 new build social rented council homes.

3.3.5. Creating a vibrant city centre

Public realm is improving and greater access to the city centre benefits all residents and visitors to the city. The opening of Curve and Phoenix Square, along with Cinema De Lux in Highcross has increased the cultural offer. A livelier nightlife, new University student housing developments and the opening of DeMontfort's Law and Business Schools enhance the student offer. Redevelopment of the market will further enhance the city centre. Leicester Artwalk provides vibrant, exciting and interesting artworks, many inspired by Leicester itself, in some of the empty shop windows around the city centre - all within easy walking distance of each other.

3.4. Reducing our carbon footprint

3.4.1. Reducing Carbon emissions

Latest figures show a reduction of 7.5% in carbon emissions from 2005 to 2008¹. Improvements have been made in each sector of transport, domestic and the industrial and commercial sector.

3.4.2. Travel Planning

79 percent of state schools now have a travel plan in place. Fewer children now travel to school by car. These actions are helping to keep congestion at peak times under control and reduce the car mode share of journeys to school. 39% of the labour market in the Central Transport Zone (area just beyond and including the city centre) is now covered by a workplace travel plan.

¹ The figures on the city carbon footprint are supplied by central Government (on a two-year delay).

3.5. Creating thriving safe communities

3.5.1. Investing in Community Facilities

Eight community centres were refurbished in 2009/10 leading to 1,000,100 uses of community centres.

The £11.2 million project to transform grassroots football is providing seven playing field sites and four ball courts. The £5m investment by the football association is the largest ever awarded nationally. It will bring Leicester's football provision up to a high standard and contribute to improving fitness and health.

3.5.2. Making communities safer

By the end of June 2010 overall crime (city- wide) had reduced by 7% when compared with the same period for 2009. At ward level, each ward now has a Community Warden; the Police have introduced neighbourhood beats and set ward level priorities. Community confidence and reassurance was maintained or increased in most wards. City wide, confidence that Police and local councils are handling Anti Social Behaviour is increasing.

3.5.3. Empowering and challenging communities

In the three years since community ward meetings were established, around £1million has been allocated to locally based projects. These projects contribute to delivering the ward action plan and enhancing community cohesion. The projects have various benefits including improving safety, encouraging young people to take part in activities, providing equipment and healthier lifestyles. Many of the projects bring people together; offering opportunities to socialise reduce isolation and contribute to an understanding of each other.

Three quarters of residents think their area is a place where people from different backgrounds get on well.

3.5.4. Improving peoples homes

All council tenants will live in a home that meets the Governments Decent Homes criteria by the end of December 2010. During 2009/10 456 private sector homes were made decent. We installed insulation measures into 1,481 homes and assisted 300 households to achieve affordable warmth. Over the last six years, 1,000 empty homes have been brought back into use.

3.5.5. Increasing opportunities for independence

Improvements to council houses have enabled those tenants to enjoy greater independence. The opening of Danbury Gardens has prevented people being admitted to residential care and helped to maintain their independence and quality of life.

3.5.6. Improving Social Housing

Last year 166 new affordable homes were completed in the City. 68 of these were affordable social rented homes. The council will also be building its own homes as funding totalling £7 million has been awarded. This will provide 146 new build social rented council homes.

3.6. Improving well being and health

3.6.1. Improving community services and support

The new GP practices and enhanced services mean access to health services have improved and over 6,500 more people are registered with GPs than two years ago. 49 out of 63 GP practices now open for longer hours, some including evenings and weekends. The range of services and improvements benefit all patients within Leicester and we now offer a wider choice for all registered patients. Patient satisfaction with GPs access and responsiveness has increased.

3.6.2. Improving access to preventative services

The number of health screenings was increased through providing easier access to preventative services. The provision of services within the community rather than in a hospital setting improved access for those living in relatively disadvantaged communities.

3.6.3. Actions to make healthy choices easier choices

5,032 people quit smoking for at least four-weeks during 2008/09 and 2009/10. NHS Leicester City has consistently had the highest number of sign-ups to stop smoking in the East Midlands per 100,000 population. The increased numbers taking part in health screenings and increasing numbers of people walking, cycling and taking part in activities indicates people are taking greater care of their health.

3.6.4. Improving support for older and vulnerable people

We are making progress in maintaining the independence of older and vulnerable people. This is reflected in the significant reduction in delayed transfers of care during the past year (2009/10) from 15.23 to 10.94 - enabling people to return to the community quicker. The services provided by adult social care to help people recover from a set back are highly effective – 87% of people are able to live independently in their community as a result of this care and support.

3.6.5. Better support for carers

Information is now distributed more effectively and we believe it likely that the carers who have been identified account for the great majority of those with the highest needs. The continued popularity and expansion of the Carers' Personal Budgets scheme is a significant factor in the number of assessments completed, although the number of personal budget recipients is still a minority of carers assessed. We have also funded training courses for carers, which carers have reported as invaluable to them in maintaining their caring role.

3.6.6. Tackling high rates of teenage pregnancies

We have targeted services to areas where there are more young people at risk of teenage pregnancy. We have seen a 25% reduction in the under 18 conception rate since the beginning of the Teenage Pregnancy strategy in 1998. An increasing

number (41%) of teenage parents are in education, employment or training (4% increase over the last 9 months). This will help to increase their aspirations for their future.

3.7. Investing in Skills and Enterprise

3.7.1. Creating a new economic development company

We have submitted a bid to government to establish a Local Enterprise Partnership based on city and county geographical areas, building on the current sub-regional partnerships.

Prospect Leicestershire is the economic development company for the city and sub region and has coordinated plans for the New Business Quarter. Good progress had been made with plans to relocate the existing Royal Mail building and to reach agreement with Network Rail on the scheme to re-design the station and the car park. However funding has been withdrawn owing to budget cuts; we are looking for alternative funding.

3.7.2. Improving skills for employment

We have improved access to advice and information about employment opportunities for some of our most disadvantaged communities. We have worked with employers and designed and delivered training programmes that meet their specific requirements. In the ten months from October 2009 to August 2010 Multi Access Centres (MACS) have worked up individual action plans for 1046 people, supported 553 people with relevant training courses and enabled 86 people to get jobs. The Fit for Work scheme, one of eleven national pilots signposts clients into the MACS referring them onto employment advice, CV support, training in conjunction with their health needs.

The skills pledge that linked new employers at Highcross was very successful. We have taken the best practise from that experience and broadened out our work to include brokering arrangements for job interview guarantees with employers in other sectors including construction and healthcare.

The Future Jobs Fund programme has enabled people to develop real work experience, to develop skills and good work habits whilst receiving a wage. For many young people employed by the programme this has been a first introduction to the world of work. As one of eleven national pilots, our fit for work programme had 220 referrals since April 2010 and supported 100 people to stay in work.

There has been heavy investment in skills programmes which have been successful. For example in the first 10 months of the 2009/10 academic year there has been a 26% increase in the number of new apprenticeships and Leicester College has successfully developed one of the country's first apprenticeship training agencies.

3.7.3. Improving business infrastructure

We are using land in the City Council's ownership at Ashton Green to create new employment opportunities and are investing funds to modernise and provide new work premises that will provide jobs and wealth in the future and are at the beginning of improving transport links.

3.7.4. Supporting Enterprise

European funded projects are on track to deliver targets for new businesses. Enterprise support activities have been aimed at disadvantaged communities throughout the city. The economic slowdown has hindered new investment in the science park.

3.8. Talking Up Leicester

3.8.1. Championing Leicester

We have started the journey to create and shape a unique sense of place. In just under two years, the One Leicester brand programme has made an impact on the way we present the city.

One Leicester is now a successful, easily recognisable brand in the city and county. Our recent survey assessed perceptions of the city and brand since its launch. 87% of Leicester City Residents have heard of One Leicester, with 66% of respondents living in Leicestershire being aware of the brand.

The first phase of the campaign focused on promoting One Leicester to the people of Leicester and promoting a feeling of pride in our city. Over 75% of respondents to our survey had heard of One Leicester, and considered that people can be proud of the more modern Leicester. Our next phase to drive a national/international profile will come as a result of working with city centre management to promote the city to a wider audience.

3.8.2. Promoting pride and success

The pavement plaques outside Curve celebrates the achievements of some of the city's famous names. The Lord Mayors Citizen award and Leicestherday Jubilee awards are examples of awards that celebrate the achievements of residents. Leicester is proud of its sporting heritage, including rugby, football, cricket and Leicester Riders basketball teams. The investment in a new Speedway facilities will expand our sporting offer.

Our recent survey showed the most popular were Leicester Comedy Festival, Leicester Caribbean Carnival and the Christmas Lights Switch On. The history and heritage of Leicester makes people proud as does the shopping and retail offer. Nearly 50% of respondents were proud of the regeneration of the city. Having a range of faiths/cosmopolitan nature of the city scored highly amongst city residents.

72% of people in the residents survey (2008) were satisfied with their local area as a place to live.

3.8.3. Generating more ideas for the future

In the recent perceptions survey, strengths of the city were shopping, multicultural, variety/diversity, transport/ease of getting around with least favourite aspects of the city being transport/access(getting into the city)/parking, litter, crime/unsafe and unfriendly.

3.8.4. Giving Leicester a louder voice

A recent study estimates Leicester contributes £6.24 billion to the East Midlands economy. The economies of the city and county are interdependent and the region is home to major brands including Next, Walkers, Triumph, Caterpillar, Santander, Wal-Mart, DHL and 3M.

4. DELIVERING BETTER PUBLIC SERVICES

4.1. Joining up what we do

- 4.1.1. We are making good progress on our commitment to work together more effectively for the benefit of the people of Leicester. Many services are improving and our One Leicester strategy has focused us on delivering outcomes that are right for Leicester. We are seeing year on year improvement in educational attainment, a reduction in overall crime and health improvements include a significant fall in child obesity. Leicester Partnership is more inclusive, incorporating representatives of communities of interest, and has held three “Making it Real” events that brought service providers together.
- 4.1.2. The Police, Health and Council are part of the sub-regional Public Service Board that is considering joining up services on a sub regional basis. Government funding cuts are making an immediate impact on public services with further cuts over the next few years.
- 4.1.3. Partners have participated in a Total Place Pilot Project using the theme of drugs and alcohol. The Total Place approach in Leicester/Leicestershire has identified real and significant service improvement and saving opportunities. It was achieved through considerable collaborative working across administrative and organisational boundaries, with other pilots working on similar themes, and with colleagues in Whitehall. The coalition government is evaluating the Total Place concept in the context of its policies on localism.
- 4.1.4. Partners are committed to a neighbourhood working approach in order to meet One Leicester’s aspiration of creating thriving and safe communities. This approach will enhance and improve our understanding of the different needs of different parts of the city and enable us to tailor our services appropriately. It will improve our connection with local people and their communities, empowering them to influence services.

4.2. Public Spending 2009/10

- 4.2.1. We estimate that £2bn was spent last year on public services. Part of this spend is with the voluntary and community sector who are partners in delivering some key public services. The sub regional efficiency target for City and County Councils, Fire and Rescue Service, Primary Care Trusts and Leicester Constabulary is included in the Local Area Agreement. Partners made 9.4% efficiency savings from 2007/08 to 2009/10.

4.3. Looking Forward

- 4.3.1. The recession and its consequences are posing the biggest challenge to the public sector for decades. The recession has already impacted on skills, jobs and businesses. The consequent cut in finance in public services and funding of projects is affecting housing, transport and building. The economic recovery is fragile and the removal of funding for getting people into work programmes could increase the numbers of people without jobs, particularly young people. The reduction of numbers employed in the public sector in Leicester could further increase worklessness.
- 4.3.2. An increase in worklessness could impact adversely on all areas of life that partners have been striving to improve such as crime, health, education and inequality.
- 4.3.3. One Leicester was conceived to address long term challenges faced by the city and these still remain. These include reducing health inequalities, improving life chances of children, making communities safer, increasing skills and jobs and improving our environment. Specific challenges will be identified by the Strategic Theme Groups.
- 4.3.4. Since One Leicester was developed, the population has grown by 10,000. Areas of deprivation remain in nearly half our wards: Spinney Hills, Braunstone Park & Rowley Fields, New Parks, Beaumont Leys, Freeman, Coleman, Abbey, Latimer, Stoneygate and Charnwood. Although we have made good progress, we still have to tackle the hard problems that will turn around our deprived communities.
- 4.3.5. Partners within the public sector are continually striving to deliver efficiencies and value for money services. The substantial budget reductions facing public services next year and beyond will significantly increase the need for obtaining value for money, particularly to minimise the impact of cuts on priority front line services.
- 4.3.6. The coalition government elected in May 2010 made some immediate funding cuts in the public sector and signalled further cuts and changes over the next few years, particularly in the three largest public sector agencies.

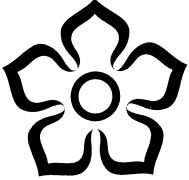
4.4. Next Steps

We intend to continue to meet the aspirations expressed in One Leicester and will conduct a full review of the strategy in 2011/12.

If you wish to make any comments on what you have read, please email leicesterpartnership@leicester.gov.uk

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

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Leicester
City Council

WARDS AFFECTED
ALL

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Performance and Value for Money Committee
Cabinet
Full Council

15th November 2010
22nd November 2010
25th November 2010

Council Annual Report 2009/2010

Report of the Chief Executive

1. PURPOSE OF REPORT

To present the Council Annual Report 2009/2010, see attached. The report is intended to inform stakeholders of the council's progress towards fulfilling its commitment to One Leicester. The report will also fulfil statutory requirements by including the Statement of Accounts (included) and the Organisation Assurance Certificate. The State of the City report is complementary to this report and is also presented, for consideration at this meeting.

2. SUMMARY

In 2008 Leicester Partnership and the council approved One Leicester, the 25 year vision for the city. In February 2010, the Council approved One Council, the corporate plan that presents the council's contribution to One Leicester. The Council budget and the Organisation Development and Improvement Plan were approved at the same time. This report establishes the latest performance against the key outcomes in the One Council plan, in effect creating a baseline for the 2010/11 to 2013/14 plan. As most of the key outcome measures are included in the Local Area Agreement, it is also possible to identify a direction of travel, i.e. improvement or decline.

3. RECOMMENDATIONS

- 3.1. Cabinet is asked to:
- 3.2. Approve the report and recommend it to full council.
- 3.3. Note the arrangements for publication and circulation of the report.

4. REPORT

The council annual report (attached) provides an overview of performance against the key outcomes in "One Council" and uses additional measures to enhance the analysis of performance.

There are 25 key outcomes in One Council, the corporate plan. Since the document was first agreed, some supplementary measures have been included and some of the data has been revised as indicators have been improved or amended. Changes

The report will be published on the council's external and internal websites.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

There are no additional legal implications.

P. Nicholls

The Council Annual Report for 2009/10 provides a snapshot of progress towards the Council's commitment to One Leicester, and fulfils its statutory requirements by including the Statement of Accounts for 2009/10. It also provides an overview of the Council's finances and challenges that it faces in 2010/11 and beyond with the significant reductions in public finances.

Alison Greenhill

Climate Change Implications

Whilst progress has been made in recent years to reduce city-wide carbon emissions (as outlined in section 3.4) a continued effort will be required to maintain this position and to continue to reduce the city's carbon footprint to achieve the long-term targets set.

Helen Lansdown, Senior Environmental Consultant - Sustainable Procurement

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph references within the report
Equal Opportunities	NO	
Policy	NO	
Sustainable and Environmental	YES	3.7; 3.8
Crime and Disorder	YES	3.9.4
Human Rights Act	NO	
Elderly/People on Low Income	YES	3.9.6
Corporate Parenting	NO	
Health Inequalities Impact	YES	3.5.2; 3.10

7. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

One Leicester
One Council
Budget

Organisation Development and Improvement Plan
LAA Performance Outturn Report
Draft Self Assessment (available on request)

8. CONSULTATIONS

Divisional Directors were consulted on the report prior to SMB
Strategic Management Board approved the report on 17th August subject to final editing.

9. REPORT AUTHOR

Margaret Frith
Partnership Executive Team
Tel 297121
Margaret.frith@leicester.gov.uk

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

LEICESTER CITY COUNCIL ANNUAL REPORT

2009/2010

This report provides the baseline position of the key priorities in the corporate plan (2010/11 to 2012/3)

DRAFT 1.2

Draft 1.1 Approved by SMB 17th August

1. Introduction

Purpose of the Report

- 1.1. The council approved One Council, the corporate plan in March 2010. This report is an assessment of past and current performance against the outcomes in this plan.
- 1.2. Delivery of our corporate plan requires us to have a financial plan underpinning our aims and priorities and which supports us to make the best use of our resources. This report therefore also includes a summary of how we spend our financial resources and provide value for money services.
- 1.3. Our Organisation Development and Improvement Plan sits alongside our corporate plan and financial strategy. It helps to ensure we have an organisation which is efficient and effective and can improve outcomes for the citizens of Leicester. This annual report therefore also includes a summary of the work undertaken to improve the council, making it more efficient and effective.
- 1.4. The council carried out its annual corporate governance review against the agreed framework. The corporate assurance statement is attached to the report.
- 1.5. For further information, please refer to the following documents:
 - One Council, Corporate Plan 2010/13
 - Self Assessment (CAA), May 2010
 - General Revenue Budget Strategy 2010/11 to 2012/13
 - One Excellent Council, Organisation Development and Improvement Plan
 - Performance Reports
 - Employment Profile, November 2009
 - Financial Statements 2009/10
 - Corporate Governance Annual report 2009/10

2. THE ONE LEICESTER VISION

The corporate plan derives from the One Leicester vision.

2.1. One Leicester sets out a vision of the city:

- We want the people of Leicester to become more confident – in themselves, their communities and their city.
- We want there to be greater prosperity in Leicester, so everyone can reach their potential, no-one is trapped by poverty and people are more active and healthy.
- We want Leicester to be a truly beautiful place, with less traffic, clean and tidy streets, excellent green spaces and attractive buildings.

2.2. The vision is owned and delivered by Leicester Partnership and its key member agencies. One Leicester has seven priorities

- **Investing in our children:** to narrow the wellbeing gap and remove barriers to improve educational achievement.
- **Planning for people not cars:** to reduce the number of cars on the roads and increase the opportunities for people to walk and cycle around the city.
- **Reducing our carbon footprint:** to help to tackle global warming and carbon emissions.
- **Creating thriving and safe communities:** to reduce inequalities by strengthening and supporting communities.
- **Improving wellbeing and health:** to reduce the health inequalities between deprived areas of the city and the whole city and between the city and the rest of the country.
- **Talking up Leicester:** to take our place as a city regionally and nationally as a centre for excellence, creating pride in our citizens and a national reputation.
- **Investing in skills and enterprise:** to improve the economy of the city by increasing skills and through growth in business.

Delivery

- 2.3.** Leicester City Council undertakes its community leadership role within the Leicester Partnership and works with partners to drive out inequality and improve the quality of life for people in the city.
- 2.4.** One Council is Leicester City Council's contribution to One Leicester. Our progress towards the vision in One Leicester is assessed in the Partnership's State of the City report.
- 2.5.** One Leicester priorities are mirrored in the management arrangements adopted by the council. The council's management team is responsible for delivering the outcomes through the services it provides. This is managed through priority boards that decide what needs to be provided, and the operations board who manage the delivery of the services effectively and efficiently.
- 2.6.** The One Council plan sets out our key priorities that have been determined from an analysis of the key issues that affect Leicester's citizens. It is supported by a range of supporting plans to ensure priorities and quality services are delivered.
- 2.7.** The council monitors performance, reporting regularly to Cabinet and the Performance and Value for Money Select Committee. This ensures we take timely action if our activity is not producing the expected results.

3. Managing Performance

3.1. This section presents the latest position (2009/10 unless otherwise stated) for the key outcomes in the corporate plan. Many of the outcome measure are used in the Local Area Agreement and have previous data that is used to describe direction of travel. A more detailed analysis is contained in the self assessment of May 2010 (available on request).

3.2. Key to data tables.

No.	Key target number in the corporate plan
Description	Short description of the measure
Baseline 2009/10	The actual figure for the financial year 1 st April 2009 to 31 st March 2010 that sets the baseline figure for the corporate plan target
Performance	Performance is assessed as <u>improvement</u> , <u>no change</u> or <u>decline (underlined)</u> The direction of travel is quantified where possible.
Target 2012/13	This is the target in the corporate plan

Overview

3.3. Working in partnership, the council is making a major contribution to changing the city, delivering the cultural quarter with its iconic theatre, new shopping precinct and better streets in the city centre, a new library and opening four new schools. Many of our new buildings have won awards, including the building at the recently opened park and ride at Enderby.

3.4. Our school improvement notice was lifted on 1st March 2010, we have an increasing number of good schools as well as significant and sustained improvement in exam results. Only a few months into a two year improvement plan our housing benefits service is already delivering results.

3.5. The recession has affected our building programmes and our ability to get people back into work. We have secured two grants to build our own housing and 8 Multi Access Centres to address problems of worklessness.

3.6. We have allocated additional resources to meet the growing pressures in Children's social care and for more adaptations that mean people can stay in their own homes. We are increasing our efforts to maintain clean streets and meet our landfill and waste targets.

3.7. We are making good progress on improving the council's effectiveness through the Organisation Development and Improvement plan. We are

confident that this will lead to further improvement that will be evident throughout this new financial year. Progress on corporate key outcomes is assessed below:

3.8. Investing in our children

Overview

- 3.8.1. Outcomes for children and young people in Leicester are improving and a range of action is underway to further accelerate this. Considerable progress was made during 2009/10 in delivering priority services and improvements. In lifting the statutory improvement notice imposed following the Joint Area Review, the Secretary of State acknowledged the improvements to the quality of local schools and settings, and the performance management, leadership and capacity building that has supported this.
- 3.8.2. Sustained improvement in schools and education attainment is the result of continuous investment in education over the last ten years. More city schools than ever before are now rated as good or outstanding. 14 city schools are now in the top achievement category compared with 10 two years ago. In the same two years, the number of good schools has risen from 34 to 52.
- 3.8.3. Alongside the continuing good quality of children's social care services, these improvements have helped to further strengthen safeguarding in Leicester and are enabling universal and targeted services to adopt more personalised approaches to learning and development. Other improvements of note include the opening of a number of new school facilities and buildings and the timely progress of phase 3 children's centres.
- 3.8.4. In 2010/11 we will invest in:
 - "Whatever it Takes", an initiative to ensure every child is ready for secondary education at age 11.
 - Continue with the Building Schools for the Future programme
 - Develop a child poverty strategy

Closing the Gap

- 3.8.5. The gap in opportunities and outcomes between most children and young people and those that are the most vulnerable or underachieving is narrowing. Problems of youth unemployment, teenage conceptions and childhood obesity that are associated with poorer life chances are showing improvement. Pupils living in the most deprived 10% areas have improved their performance by 4% in reading, 8% in writing and 3% in mathematics from 2008 to 2009.

3.8.6. However, the number of children in poverty remains too high.

No.	Description	(2009/10)	Performance compared to 08/09	Target (2012/13)
CP 1	% 16-18 year olds not in education, employment or training	7.6%	<u>Improvement</u> Reduction of 0.8 percentage points	5%
CP2a	Rate of teenage conceptions per 1,000	48.6%	<u>Improvement</u> 43% reduction on 1998 baseline	28.9%
CP2b	Obesity among primary school age children in Year 6	17.8%	<u>Improvement</u> Reduction of 2.5 percentage points	19%

No.	Description	(2009/10)	Target
CP3	% children living in 10% most deprived areas	35%	Halve the proportion of children in poverty by 2020

Educational Attainment

3.8.7. Standards of attainment in Leicester are improving rapidly, a view shared by the DCSF and National Strategies. Improvements in attainment at ages 5, 11 and 16 are, in some cases, at a pace that puts Leicester on course to move above the national average in the near future. There is also evidence which indicates that vulnerable groups, including children in receipt of free school meals, achieve better in Leicester than in comparable authorities. (Note that the attainment figures relate to summer 2009, figures for 2010 will be available in November 2010)

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 4	% young people achieving level 4 plus in English and Maths KS2	69%	<u>Improvement</u> Increased by 2.3% points	82%
CP 5	% young people achieving 5 or more A*-C grades at GCSE or equivalent including English and Maths	44.4%	<u>Improvement</u> Increased by 4.5% points	65%

3.9. Planning for People not cars

Overview

- 3.9.1. A growing cultural quarter has a new theatre, digital media centre and creative and cultural industries. Government ministers have been impressed by these innovations in the city. Pedestrianisation and provision of open space in the city, particularly around Highcross and the Cultural Quarter are making it easier to move around the city on foot.
- 3.9.2. We have managed to keep congestion under control and have received £1.6m Congestion Fund Reward Grant since 2007/08.

Reducing car use

- 3.9.3. Car journeys to work are falling and we are on track to achieve the target in 2013. The number of bus journeys fell from the previous year although there was an increase in the numbers of people cycling and walking.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 6	Journeys to work by car	51%	<u>No change</u>	48%
CP7	Bus journeys	41,004,313	<u>Decline</u> Reduction in number of passengers from 2008/09	44 million
CP 8	% of workforce in central transport zone covered by travel plans	38%	N/A	55%

3.10. Reducing our carbon footprint

Overview

- 3.10.1. The overall level of carbon emissions is falling with a downward trend in industry and the domestic sector and an increase in transport. Despite progress in reducing carbon levels there is still a shortfall of 232,000 tonnes to meet the target in 2013 and larger scale interventions are needed to achieve the 2025 target.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
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CP 9	C02 emissions from residential properties	awaited		530,000 tonnes
CP 10	C02 emissions from businesses	awaited		837,000 tonnes
CP 11	C02 emissions from car use	awaited		232,000 tonnes

Carbon emissions from the council

3.10.2. The council publicly demonstrated its continuing commitment to reducing carbon emissions by joining the 1010 campaign in January. This commits the council to a more rapid and challenging reduction from 08/09 figures than previously planned (10% by March 2011). We have focused our attention on behavioural change as a key action to achieve this cut, and have trained all of our managers with each division now developing their own carbon action plans.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
Local	C02 emissions from the council	Figures awaited	2008/09 67,626 tonnes	

3.11. Creating thriving and safe communities

Overview

3.11.1. The council contributes to this priority in many ways, including:

- a focus on preventing crime and promoting safer neighbourhoods
- supporting vulnerable people to live independently
- providing community facilities for people to meet and be part of their community including a new library in New Parks, opened in March 2010.
- providing opportunities for people to get involved in local democracy through ward community meetings
- supporting community cohesion through a range of projects that promotes an understanding between the diverse populations of Leicester.

3.11.2. In August 2009 (latest data):

- 94.2% of people asked stated that they felt safe walking out in the area where they lived during the day compared to 91.8% in April 2009
- 67.5% of people asked said that they felt safe walking out in the area where they lived at night compared to 70.7% in April 09

New Parks Library opened on the 16 March 2009 funded by Leicester City Council and Big Lottery and has library, cafe, learning and IT facilities. In the first two weeks it opened it had 261 new joiners compared with 50 in previous months.

3.11.3. In 2010/11 we will:

- Agree our neighbourhood working strategy and implementation plan.
- Continue to support a growing number of older and vulnerable people by increasing adult care budgets.
- Continue the £15,000 funding for each ward committee to allocate to local projects.
- We will continue to invest in making the city clean and green including:
 - Extending the City Warden service to cover the whole city
 - A major initiative to reduce graffiti
 - Targeted free service for pest control in deprived areas
 - Additional street cleaning targeted at problem areas

Overall Crime

3.11.4. There was a reduction in overall crime between December 2009 and 31st March 2010. This was due to the refocusing of partnership working in tackling crime. The council facilitates and works closely with the Safer Leicester Partnership in preventing crime and protecting vulnerable people. The Adults Safeguarding Board was established this year.

3.11.5. The city council now employs community wardens to cover every ward, involves residents in environmental improvements that address crime and provides street lighting and road measures to improve safety. The city council contributes a range of services and activities to the Partnership's crime improvement plan. Success is measured by the overall numbers of recorded crime.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Revised Target (2010/11)
CP 12	Recorded crime per 1,000 population	133	N/A	25% reduction

Independent lives

3.11.6. The council's adult social care service was assessed as performing 'well' for 08/09 against the regulatory Care Quality Commissions (CQC) seven key outcomes. The number of people in receipt of a personal budget is above the regional average, which demonstrates

the organisation's commitment to giving people greater choice and control over the services they receive.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 13	Numbers of people in control of social care services through self directed support	1,269**	N/A	1,957

** This information is reported as an age standardised percentage, further detail on request.

Affordable Housing

3.11.7. The target for 111 new affordable homes to be built in 2009/10 was surpassed as 166 were eventually delivered. Work has started on site at all 5 of our Local Authority New Build sites which secured funding for 146 new council homes. In total we have a current programme of over 600 new affordable homes which are currently on site and/or have confirmed homes & Community agency funding. This will increase the amount of affordable housing in the City which in turn will help to reduce the number of people on the Council's Housing Register.

3.11.8. A large housing association scheme has started at the BUSM site in the Abbey Meadows regeneration area. This will provide affordable housing in a popular area and is part funded by New Growth infrastructure fund and the Homes and Community Agency. This will contribute 119 affordable homes as a first phase on a brownfield housing growth site.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 14	New affordable homes	298*	N/A	992

* cumulative from 08/09

People in Communities

3.11.9. Three quarters of residents think their area is a place where people from different backgrounds get on well. The research group, MORI analysed the factors that make it easy or difficult for local councils to achieve positive perceptions. The factors were summed up in their Area Challenge Index Score. According to this, Leicester's percentage of people who believe people from different backgrounds

get on well together is 12 percentage points higher than could be expected. (Mind the Gap, Mori 2010).

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 15	% people who believe people from different backgrounds get on well together in their local area	76.2%	Place survey abolished so not repeated in 2010	

Special Olympics Leicester was part of the East Midlands programme in the run up to London 2012 and had a significant impact on community cohesion with 1,500 local volunteers supporting 2,700 athletes, 1,000 coaches and 6,000 family members in a programme of 21 sports over 7 days. The sporting programme was complimented by a cultural extravaganza on the opening night and through activities in the Festival Village.

3.12. Improving health and well being

Overview

3.12.1. Mortality rates remain high we need to reduce health inequalities to increase life expectancy. Partnership arrangements have been strengthened, additional resources allocated and an improvement plan is being implemented. Partners are tackling the main contributory factors for healthy living, these supporting activities are reported in section 4.5.2 below.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 16	All-age all-cause mortality rate per 100k population - males	836.3	<u>Improvement</u> Reduction in death rate of 4.3 per 100k	663
CP 16	All-age all-cause mortality rate per 100k population - females	585.5	<u>Improvement</u> Reduction in death rate of 12.2 per 100k	482

Healthy living

3.12.2. Tackling the main causes of illnesses and disease that cause early deaths focuses on reducing smoking, increasing physical activity and reducing consumption of alcohol.

Smoking

3.12.3. As part of Leicester's Tobacco Control Alliance the council's trading standards service has taken action against traders selling tobacco to people aged under 18. We worked closely with HM Revenue and Customs sharing intelligence about contraband suppliers of tobacco. Residents can access information about quitting smoking in many of our facilities and council employees are supported to attend smoking cessation sessions.

Physical Activity

3.12.4. Usage of sports and leisure centres fell by 75,800 this year compared with last year. However, usage increased by 11.5% overall from 2005/06 to 2.3m in 2009/10. Free sessions for over 60s at Leicester City Council's leisure centres attracted more users as did junior swims which increased by 48% to 258,500. The user demographic profile increasingly reflects the population of the city.

3.12.5. The measure of 3x30 minutes exercise is now 17.9%, a rise of 2.9% points in 2009/10. This is still just below the 2007/08 figure and is below both the East Midlands and national averages.

Alcohol

3.12.6. The rate of increased hospital admissions from alcohol harm has slowed quicker than predicted.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 16a	Number people who quit smoking (proxy indicator for number of people smoking)	2418 smokers quit	N/A	
CP 16b	Percentage people participating in 3x30 mins exercise per week	17.9	<u>Improvement</u> Increased by 2.9 percentage points	
CP 16c	Alcohol harm related hospital admission rates (directly age-standardised rates per 100,000)	2,319 (forecast)	<u>Improvement</u> Increase of 77 (3.4%) compared with predicted increase of 728 (33%)	

	The aim is to reduce the rate of increase.			
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3.13. Talking up Leicester

Overview

3.13.1. The opening of Highcross Leicester has created a more vibrant city centre and has increased visitor numbers and our ranking in the retail index from 16th to 11th. Vacancy rates for shops at March 2010 are comparatively low in the city. The city centre regeneration and brand building has had a positive effect on the reputation of the city. Curve had 143,000 visitors in 2009/10.

Satisfaction with Place

3.13.2. The 2008 Place survey results showed 71.7% satisfied with the area, low in comparison with the England average of 79%. The Place survey is no longer a government requirement and will not be repeated in 2010 as expected.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 17	% people satisfied with their neighbourhood as a place to live	71.7%	Place survey abolished so no survey in 2010	

3.14. Investing in skills and enterprise

Overview

3.14.1. Our performance in getting people into employment and supporting businesses has been affected by the recession so we have not achieved all our LAA targets. However, we are building on the success of our Work Highcross employment initiative through 8 Multi Access Centres based in neighbourhoods with severe worklessness problems. We have been successful in developing employment opportunities for young people in particular via the Future Jobs Fund and continue to develop new business workspaces.

3.14.2. In 2010/11:

- Central government spending cuts will have an impact on the Working Neighbourhoods Fund programme to tackle worklessness

- Central government funding for the Future Jobs Fund ceased on 30th June 2010; this will mainly affect opportunities for young people later in the year.
- The Local Enterprise Partnership will be formed.

Skills

3.14.3. Workforce qualifications are amongst the lowest in the region. In recent years there has been good improvement but this year numbers fell back slightly. It is thought this is linked to changes in the make up of the work force and population churn.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 18	Proportion of population qualified to at least level 2 or higher	57%	<u>Decline</u> Reduced by 0.6 percentage points	72.2%

Businesses

3.14.4. The city is marginally below the East Midlands average for the LAA measure which records growth in VAT registered businesses. Up to date information for actual business starts in 2009/10 however continues to show above average levels of business formation.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 19	VAT registered businesses in the area showing employment growth	14.3%	<u>Decline</u> Reduced by 0.36 percentage points	16%

Employment

3.14.5. Targets for reducing the numbers of people on out of work benefits were not met by March 2010 due to the economic downturn and the job losses that have occurred. A proxy indicator, the Job Seekers Allowance claimant count increased from 6% in March 2009 to 6.7% in March 2010 though the count has been fairly stable from mid 2009 onwards and has showed slight improvement recently.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 20	Percentage of	17.46	<u>Decline</u>	14.3%

	working age people on out of work benefits		Increase of 1.26 percentage points	
--	--	--	--	--

3.15. Conclusion

3.15.1. Of the 24 population outcomes reported above:

- 2 were Place survey measures
- 5 have no appropriate comparator with the previous year

3.15.2. Of the remaining 17

- 12 (70.6%) are improving
- 5 (29.4%) are declining

3.15.3. Of the 5 declining, 3 are directly attributable to the recession (skills, employment and business); but also, bus use decreased and indications are that CO2 emissions from travel increased (although awaiting final data).

Notes:

Some of the national indicators selected by the partnership and the council to measure priorities and outcomes have been deleted from the national indicator set. This means, although the council can continue to collect them there, national comparator information will not be available. In some cases, they have been deleted because of the difficulty of collection. The remaining National Indicator set is under review.

The perception indicators in the national set were measured for the first time in 2008 through the national Place Survey and due to be repeated in 2010. The survey has been discontinued and consideration is being given to how the council can continue to collect that information.

4. One excellent council

Overview

- 4.1. The Organisation Development and Improvement Programme is based on 4 key areas of Leadership, Our People, Ways of Working and Performance Management. In the preparation for external inspection early in 2010, it was clear that many improvements have been made; the proof of this is our improving outcomes. Our key measures of success are reported below.

External judgement

- 4.2. In the first year of CAA the organisation was assessed as performing adequately at level 2. We aimed to achieve level 4 at the 2012 assessment. There were indications that the council may have progressed from level 2 to level 3 in the Use of Resources assessment. We will need to establish new mechanisms for assessing organisational excellence for the future.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 21	CAA organisation score	CAA was abolished and no scores allocated in 2010		

Fair treatment

- 4.3. In 2008 66% people felt they received fair treatment, performance was in the lowest third nationally. This is another area where we will be considering appropriate outcomes that we can measure locally in future.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 22	People receiving fair treatment by local services	This measure was withdrawn as a NI; Place survey abolished so not repeated in 2010		

Representative workforce

- 4.4. Overall, the number of Black and Minority Ethnic (BME) employees continues to increase. As the overall number of employees also increased, the proportion of BME employees has remained largely stable. Between 2006/07 and 2009/10 the total BME workforce has increased from 20% (2006/07) to 27% (2009/10). The non-schools BME workforce has increased from 21% (2006/07) to 30%. (2009/10)
- 4.5. BME employees in the top 5% earners increased from 15.4% in 2008/09 to 17% in 2009/10. The councils Reach Higher Programme,

which arose from suggestions by the Black workers group, aims to develop BME staff with management potential.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 23	Workforce representation in top 5% earners from BME communities	17%	N/A	20%

Attendance at Work

- 4.6. Sickness levels are generally improving though pockets of high levels remain. The sickness absence figure for 2009/10 is 9.93 days exceeding the target of 10 days. This is a 15% improvement on the 2008/09 figure of 11.65 days. Absence levels are still slightly above the average for our comparators (AXA/CBI survey) and there is a wide variation between divisions. Action is being taken at corporate and divisional level to reduce it further.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 24	Average no. sickness days per employee	9.93	<u>Improvement</u> Reduction of 15% from 11.65 days	8

Efficiency

- 4.7. The Council seeks to secure value for money in all its activities, not just at budget time. We have been very successful at securing efficiency savings over many years, enabling budgets to be set which enable more resources to be secured for front-line activities. To meet our national target we aim to make efficiency savings of £37,443,000 from 2008/09 to 2010/11.
- 4.8. Council savings in 2009/10 were £17.543m against a target of £21.812m.
- 4.9. Following a change of national government (May 2010), the council has to make even greater savings that is likely to impact on all services.

4.10. Conclusion

- 4.10.1. Of the 5 internal outcomes reported above

- 2 have data for only one year and will no longer be collected
- 1, sickness levels, shows significant improvement
- 1, the level of BME representation in management shows some improvement.
- This efficiency indicator is superseded by new government requirements for savings.

4.10.2. In 2009/10 we also conducted our first staff survey since 2003 which set a baseline in terms of staff views of the Council. One-third of our staff were surveyed and we had a 42% response rate. The most positive responses were around the Council as an organisation and how we give a lot back to society. The least positive responses were around sense of wellbeing and staff views about senior leadership. Actions have been agreed and are being implemented. We will repeat the survey in 2011 to follow up on progress.

5. Next steps

- 5.1.** The council is part of the sub-regional Public Service Board that is considering joining up services on a sub regional basis. The council is subject to central government cuts of over £9m in the current financial year (2010/11) and considering the impact of other external funding cuts to major projects. The council is making preparations for budget reductions over the following 3-4 years. Detailed figures for the city will not be available until the Local Government Finance Settlement in November 2010.
- 5.2.** A partnership workshop assessed the external environment in terms of the challenges facing the city in the medium term. There was wide agreement on the key challenges we face:
- 5.3.** The recession and its consequences are posing the biggest challenge in the public sector for decades. The recession has already impacted on skills, jobs and businesses. The consequent cut in finance in public services and funding of projects is/will impact on housing, transport and building. The economic recovery is fragile and the removal of funding for getting people into work programmes could increase the numbers of people without jobs, particularly young people. The reduction of numbers employed in the public sector in Leicester could further increase worklessness.
- 5.4.** An increase in worklessness would impact on all areas of life that the One Leicester Strategy prioritises and partners have been striving to improve such as crime, health, education and inequality.
- 5.5.** Commissioning Boards will consider these issues within the commissioning process.

APPENDIX 1

MANAGING THE COUNCIL'S FINANCES

This section of the report provides a summary of the council's financial performance for 2009/10 and also looks ahead to our spending plans for 2010/11 and beyond.

Summary of the Year

The council's spending in 2009/10 amounted to £1billion – nearly £3m for every day of the year. £0.9bn paid for day to day running costs of services like schools, museums, parks and care for older people, whilst £0.1bn was invested in capital projects.

Birds Eye View of Our Spending

	£bn		£bn
Children and education	0.4	Government grants	0.7
Adult social care	0.1	Council tax	0.1
Housing benefits	0.1	Fees, charges and other income	0.2
Other services	0.2		
Housing	0.1		
Capital projects	0.1		
Total Spending	1.0	Total Income	1.0

The council has a track record of effective budget management and early identification of budget pressures has once again enabled spending to be contained within budget. Despite financial constraints, services managed their spending to within a small underspend of £0.2m.

The context to 2009/10 was of national economic recession, but within this context the Council continued the delivery of key objectives. The budget redirected resources to support achievement of the City's Sustainable Communities Plan ("One Leicester"). The year saw the completion of all schools in phase one of the Council's "Building Schools for the Future" (BSF) programme, and Beaumont Leys School was awarded the national BSF School of the Year Award. Work completed on the digital media centre at Phoenix Square, which is now open, and the Council commenced a modest programme of new Council house building (the first for many years). 2009/10 also saw the city stage the Special Olympics, with Council support.

The council's uncommitted general reserves, which are held as a contingency against any unforeseen circumstances, stand at £6.1m. This is higher than the recommended minimum level (£5m) but below the £7m the financial strategy aims to achieve. At just 2.2% of the budget our reserves are low when compared to similar local authorities.

Summary of the Statutory Accounts

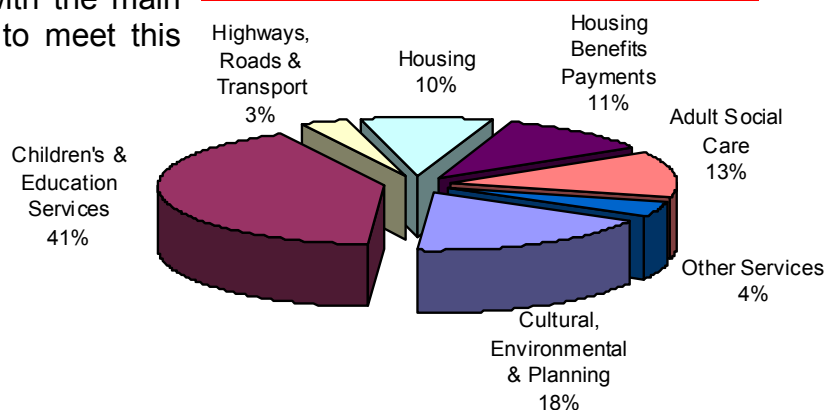
The following sections provide a more summarised version of the council's main financial statements for the year ended 31st March 2010. The full statutory statement of accounts, which are currently subject to audit, can be obtained from our customer services centre at New Walk Centre or at www.leicester.gov.uk. The full accounts incorporate other key statements setting out responsibilities for the accounts, a statement of accounting policies, and a statement setting out the annual governance framework.

Revenue Income and Expenditure

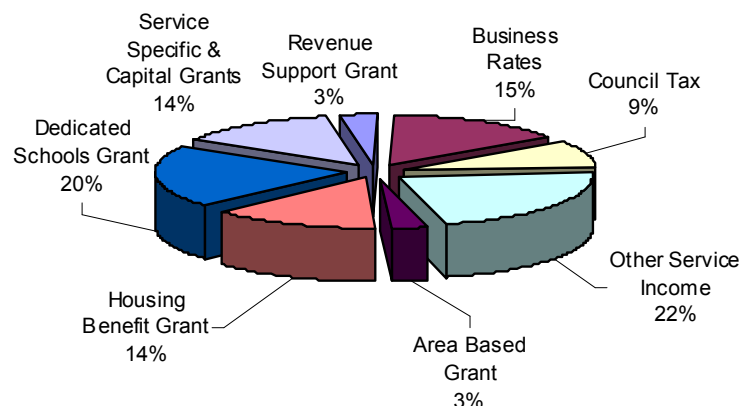
The income and expenditure account reports the net cost of all services and functions for which the council is responsible. The following charts provide an analysis of the total

revenue cost (£1.042b) of the various services provided by the authority together with the main sources of income to meet this spending.

portion of spending on each service



How the council's services are funded



This chart demonstrates that around 70% of the income we receive is controlled by the government through general and service specific grants, leaving real local discretion of just 30% of our total income.

For the purposes of the summary below the income and expenditure account has been combined with the statement of movement on the general fund balance.

	2008/09		2009/10	
	Gross £m	Net £m	Gross £m	Net £m
Cultural, environmental and planning services	103.6	62.0	184.4	125.8
Childrens and education services	370.6	79.3	431.6	113.3
Highways, roads and transport	31.4	20.8	34.5	21.4
Housing	290.6	66.8	213.9	13.8
Adult social care	105.2	80.1	131.5	87.4
Corporate, central and other services	26.8	22.7	46.6	19.3
Cost of all services	928.2	331.7	1042.5	381.0
Net operating expenditure and adjustments to reflect statutory and proper practices		(45.3)		(85.0)
Net Expenditure for the Year		286.4		296.0
General government grants		199.4		207.1
Council tax		87.5		92.0
(Increase)/decrease in general fund balance		-0.5		(3.1)
General Sources of Finance		286.4		296.0

Capital Expenditure and Financing

When the council constructs a building or purchases a piece of land this type of expenditure is known as capital expenditure. The very nature of this

spending is that it will provide value to the community for some years to come. The council's capital spending in 2009/10 totalled £96.7m.

<u>Capital Expenditure</u>	£m	<u>Capital Financing</u>	£m
Childrens Services - including rebuilding and reinvesting in secondary schools	33.5	Grants and Contributions	51.2
Housing - including kitchen and bathroom improvements	26.4	Borrowing	27.1
Regeneration and transport - including football development facilities and New Parks Library	30.8	Reserves and budget contribution	17.4
Adults and Corporate	6.0	Receipts from the sale of land and buildings	1.0
Total Expenditure	96.7	Total Financing	96.7

Balance Sheet

The balance sheet sets out what the council owns (assets) and what the council owes (liabilities) as at 31st March each year. The balance of these two items is represented by reserves and balances. The table below provides a more summarised version of the balance sheet as at 31st March 2010.

	2009 £m	2010 £m
Assets		
Fixed and long term assets	2,215	2,283
Money owed to the council	66	91
Investments and stock	73	59
Total assets	2,354	2,433
Liabilities		
Items owed by the Council	107	131
Borrowing	336	369
Pension scheme	243	562
Other	256	268
Total liabilities	942	1,330
Net assets	1,412	1,103
Non - spendable reserves	1,304	979
Spendable reserves	108	124
Net worth	1,412	1,103

Fixed and long-term assets include land and buildings, council dwellings, roads, vehicles, plant and equipment owned by the council.

This figure (**£91m**) includes £35m owed by the government and other local authorities, £16m in business rates and council tax and £6m relates to capital grants and contributions outstanding.

The non-spendable reserves (**£978m**) are amounts arising from the financing and revaluation of fixed assets. This sum is not available to spend on council services.

Spendable reserves and balances of £124m include: £71m earmarked for specific items in the future including grants we have received for later years, £16m in balances held by individual schools, £14m towards capital investment and £7m for insurance purposes.

Cash Flow Statement

The cash flow statement is one of the main financial statements contained within the accounts. Whilst for a commercial company this is an important statement it is of less significance within a local authority context. This statement has been reproduced below in a slightly more user friendly format

		£m	
Cash In	880	Rents, council tax, business rates, government grants and cash received for other goods and services	794
Cash out	(867)	Capital receipts and contributions	57
Movement of cash 2009/10	13	Interest received	1
		Liquid Resources	28
		Cash in	880
		Cash paid to and on behalf of employees	(391)
		Operating and other revenue costs	(374)
		Interest paid	(19)
		Capital spending	(77)
		Movement in loans and investments	(6)
		Cash out	(867)

Spending Plans for 2010/11

In February 2010, the council agreed a three year strategy for the years 2010/11 to 2012/13. The strategy sets out the council's spending plans for that period and expresses our financial commitment to the "One Leicester" sustainable community strategy and the City of Leicester's Local Area Agreement. Beyond 2010/11 a period of very substantial financial constraint will occur, and the Council's spending will be reviewed in detail. Notwithstanding the above our original spending plans for 2010/11 are set out in summary below – these figures are shown net of grant for specific purposes and other services related income (such as fees and charges for sports facilities).

<u>General fund service spending plans</u>	<u>£m</u>	<u>General sources of finance</u>	<u>£m</u>
Childrens services	73.4	Government grant	182.4
Adult services	85.0	Council tax	94.0
Housing	9.6	Use of reserves	1.7
Regeneration, culture & highways	73.3		
Central and support services	36.8		
Total Net Service Expenditure	278.1	Total Financing	278.1

What are the council's spending priorities?

Although many of the services we provide are required by law the council has a significant influence on how we prioritise our spending. "One Leicester" sets out priorities and plans to make Leicester a better place to live. The financial strategy supports this in a number of ways, including:-

Theme	Spending priorities
Confident People	- Continuing to fund the development of community meetings at ward level and giving residents a direct say in how money is spent.

Theme	Spending priorities
	<ul style="list-style-type: none"> - Substantial growth in adult care budgets to meet the growing needs of older and vulnerable people. This includes the continuing development of choice for the elderly in the way they receive their care, and the provision of new preventative services as well as meeting higher levels of need. - Retention of appropriate levels of funding for youth provision.
New Prosperity	<ul style="list-style-type: none"> - Continuing substantial provision through the Building Schools for the Future initiative. - Funding work to improve educational outcomes, particularly through investment in new laptops and initiatives to improve reading performance prior to secondary school. - Funding the development of multi-access centres for improving adult skills and in helping workless adults to become members of the workforce.
Beautiful Place	<ul style="list-style-type: none"> - Continued funding of city centre cleaning initiatives. - One-off funding to improve facilities at parks, city centre Christmas decorations and help to refurbish De Montfort Hall.

Achieving value for money

The council aims to get value for money in all its activities and has met the government efficiency savings target of £21m between 2005/06 and 2007/08.

The 2010/11 budget contains a very substantial programme of efficiencies, aiming to secure £8m per annum by 2011/12, principally through re-organising internal support services and by getting better value from services procured from the private sector.

The substantial budget reductions facing the Council next year and beyond will significantly increase the need for obtaining value for money, particularly to minimise the impact of cuts on priority front line services.

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APPENDIX TWO

Corporate Assurance Statement to be added here.

APPENDIX Three

Changes to corporate plan targets June 2010

Key Target 2

Improving health outcomes by:

- 2.a. Reducing the rate of teenage conceptions per 1,000 from 50.1 to 29 by 2011 (LAA target) and 28.9 by 2013.
- 2.b. Reducing childhood obesity from 20.3% of Year 6 primary school age children in 2007/08 to 19% on 2012/13.

Change – added 2b

Key Target 5

Increase the percentage of young people achieving 5+ A* GCSEs (including English and Maths) from 39.9% to 52% in 2011 and to 65% by 2013.

Change – the target for 2011 has been changed from 53% to 52%

Key Target 12

Reduce recorded crime target is wrong as it is now counted in a different way. 2009/10 actual figure is 133, target for 2010/11 is a reduction of 25%

Key Target 16

Reduce the all-age all-cause mortality rate per 100k population – males from 850 to 665 by 2011 (LAA target) and to 663 by 2013; females from 598 to 484 by 2011 (LAA target) and to 482 by 2013 by:

- 16.a. reducing smoking
- 16.b. increasing physical activity
- 16.c. reducing alcohol harm

Change – added a, b, c.

Key Target 20

Acknowledge the impact of the recession on the percentage of working age people on out of work benefit and amend LAA target to 17.6% by 2011 (previous performance – 08/09 – 16.2% 09/10 – 17.46%).

Change to wording and target

Key Target 25

Value for money: total net value of on-going cash releasing value for money gains of £37.4m by 2011.

Change – targets after 2011 deleted

This report provides the baseline position of the key priorities in the corporate plan
(2010/11 to 2012/3)

DRAFT I.4

4 November 2010

Annual report

2009/2010



Foreword	2
Introduction	3
1. One Leicester – Shaping Britain’s sustainable city	4
2. Managing performance	6
<i>Investing in our children</i>	7
<i>Planning for people not cars</i>	9
<i>Reducing our carbon footprint</i>	10
<i>Creating thriving and safe communities</i>	11
<i>Improving health and wellbeing</i>	14
<i>Talking up Leicester</i>	16
<i>Investing in skills and enterprise</i>	17
<i>Conclusion</i>	18
3. One excellent council	20
4. Next steps	23
Appendix 1 : Managing the council’s finances	24
Appendix 2 : Corporate Assurance Statement	30
Appendix 3: Changes to <i>One Council</i> , June 2010	38

Foreword

Welcome to Leicester City Council's annual report for 2009/10.

This document presents an overview of our performance during last year. It highlights our successes, as well as illustrating where we have still more to do if we are to become the excellent council we want to be.

The year marked a number of major milestones for the council.

After launching the One Leicester strategy in 2008, last year was the first full year of using that 25-year vision as the main focus for our services and activities. Part of that involved a complete restructuring of our senior directorate, with the creation of a new strategic management team based not around traditional departments, but around the strategic priorities we have adopted through One Leicester.

The year also saw our council improvement programme take huge steps forward, with the publication of 'One Excellent Council', our first organisational development plan, aimed at challenging and changing the way we work.

You will see throughout this document how all of this has helped us to develop a clear picture of what we believe we need to do to make Leicester City Council one of the best councils in the country.

We are under no illusions about how difficult that will be. The change of government that came earlier this year, and their emerging agenda of major cuts to the funding of public services, means we face the most challenging few years in a generation.

We believe that we have made significant progress over the last year and that progress, along with the support of our employees, partners, customers and residents will help us to face this next difficult period in good shape.

Councillor Veejay Patel
Leader

Sheila Lock
Chief Executive

September 2010

Introduction

The council approved *One Council*, its corporate plan in March 2010. This report is an assessment of past and current performance against the outcomes contained in this plan. Underpinning our corporate plan is a financial plan that ensures we are making the best use of our resources. This report therefore also includes a summary of how we spend our financial resources and provide value for money services.

Also sitting alongside *One Council* is our organisation development and improvement plan – *One Excellent Council* – that helps to ensure we have an efficient and effective organisation that can improve outcomes for the citizens of Leicester. This annual report therefore also includes a summary of the work undertaken to improve the council, making it more efficient and effective.

Finally the council's latest annual corporate governance statement is attached to this document at Appendix 2.

Further information can be found in the following documents:

- One Council: Leicester City Council's corporate plan, 2010/11–2012/13
- Self Assessment (CAA), May 2010
- General revenue budget strategy, 2010/11–2012/13
- One Excellent Council – Leicester City Council's organisation development and improvement plan
- Performance reports
- Employment profile, November 2009
- Financial statements, 2009/10
- Corporate governance annual report, 2009/10

I. One Leicester – Shaping Britain’s sustainable city

One Leicester sets out an ambitious and challenging 25-year vision for the city based on three key themes:

- We want the people of Leicester to become more confident – in themselves, their communities and their city.
- We want there to be greater prosperity in Leicester, so everyone can reach their potential, no-one is trapped by poverty and people are more active and healthy.
- We want Leicester to be a truly beautiful place, with less traffic, clean and tidy streets, excellent green spaces and attractive buildings.

The vision was developed, is owned and is being delivered by Leicester Partnership and its key member agencies. It has seven priorities, shown below along with the council’s contribution to those priorities:

- Investing in our children: *to narrow the wellbeing gap and remove barriers to improve educational achievement.*
- Planning for people not cars: *to reduce the number of cars on the roads and increase the opportunities for people to walk and cycle around the city.*
- Reducing our carbon footprint: *to help to tackle global warming and carbon emissions.*
- Creating thriving and safe communities: *to reduce inequalities by strengthening and supporting communities.*
- Improving wellbeing and health: *to reduce the health inequalities between deprived areas of the city and the whole city and between the city and the rest of the country.*
- Talking up Leicester: *to take our place as a city regionally and nationally as a centre for excellence, creating pride in our citizens and a national reputation.*
- Investing in skills and enterprise: *to improve the economy of the city by increasing skills and through growth in business.*

These key priorities provide the framework for our strategic planning and thus the basis of this annual report

Delivering One Leicester: Leicester City Council

Leicester City Council undertakes its community leadership role within the Leicester Partnership and works with partners to drive out inequality and improve the quality of life for people in the city.

One Council is Leicester City Council’s contribution to *One Leicester*. Our wider progress towards the vision in *One Leicester* is assessed in the Leicester Partnership’s State of the City report.

One Leicester priorities are mirrored in the management arrangements adopted by the council. The council’s management team is responsible for delivering the outcomes through the services it provides.

This is managed through a series of priority boards that decide what needs to be provided, along with an operations board that manages the effective and efficient delivery of services.

One Council sets out the key priorities that came from an analysis of the key issues that affect Leicester's citizens. It is supported by a range of supporting plans to ensure those priorities and quality services are delivered.

The council monitors performance, reporting regularly to its Cabinet and Performance and Value for Money Select Committee. This ensures we take timely action if our activity is not producing the expected results.

2. Managing Performance

This section presents the latest position (2009/10 unless otherwise stated) for the key outcomes in *One Council*. Many of the outcome measures are used in the Local Area Agreement and have previous data that is used to describe direction of travel.

A more detailed analysis is contained in the self-assessment of May 2010 (available on request).

Key to data tables:

No.	Key target number in the corporate plan
Description	Short description of the measure
Baseline 2009/10	The actual figure for the financial year 1 st April 2009 to 31 st March 2010 that sets the baseline figure for the corporate plan target
Performance	Performance is assessed as <u>improvement</u> , <u>no change</u> or <u>decline (underlined)</u> The direction of travel is quantified where possible.
Target 2012/13	This is the target in the corporate plan

Overview

Working in partnership, the council is making a major contribution to changing the face of the city. It is helping to deliver the city's cultural quarter that includes Curve – Leicester's iconic new theatre – and Phoenix Square, a state of the art digital media centre and independent cinema. Highcross Leicester, our new shopping centre, is doing well, whilst we continue to improve the city centre environment. We have also opened a new library and four new secondary schools. Many of our new buildings have won awards, including the recently-opened park and ride facility at Enderby.

In education, our school improvement notice was lifted on 1st March 2010. We have an increasing number of good schools as well as significant and sustained improvement in exam results.

Only a few months into a two-year improvement plan our housing benefits service is already delivering results.

Like other areas of the country, the recession has affected our building programmes and our ability to get people back into work. However, we have secured two grants to build new council housing and opened eight multi-access centres to address problems of worklessness.

We have allocated additional resources to meet the growing pressures in children's social care and for more adaptations that mean people can stay in their own homes. We are increasing our efforts to keep Leicester's streets clean and to meet our landfill and waste targets.

We are making good progress on improving the council's effectiveness through *One Excellent Council*, our organisation development and improvement plan. We are confident that this will lead to further improvement that will be evident throughout the current financial year. Progress on our corporate key priorities and outcomes is assessed on the following pages:

2.1. Managing performance – Investing in our children

Overview

Outcomes for children and young people in Leicester are improving and a range of action is underway to further accelerate this. We made considerable progress during 2009/10 in delivering priority services and improvements.

In lifting the statutory improvement notice imposed following the Joint Area Review, the Secretary of State acknowledged our improvements to the quality of local schools and settings, and the performance management, leadership and capacity building that has supported this.

Sustained improvement in schools and education attainment is the result of continuous investment in education over the last ten years. More city schools than ever before are now rated as good or outstanding. 14 city schools are now in the top achievement category, compared with ten only two years ago. In the same two years, the number of good schools has risen from 34 to 52.

Alongside the continuing good quality of children's social care services, these improvements have helped to further strengthen safeguarding in Leicester and are enabling universal and targeted services to adopt more personalised approaches to learning and development. Other improvements of note include the opening of a number of new school facilities and buildings and the timely progress of phase three children's centres.

In 2010/11 we will invest in:

- 'Whatever it Takes', an initiative to ensure every child is ready for secondary education at age 11.
- Continue with our Building Schools for the Future programme.
- Develop a child poverty strategy.

Closing the gap

We are narrowing the gap in opportunities and outcomes between most children and young people and those that are the most vulnerable or underachieving. Problems of youth unemployment, teenage conceptions and childhood obesity that are associated with poorer life chances are showing real improvement. Pupils living in the most deprived 10% areas have improved their performance by 4% in reading, 8% in writing and 3% in mathematics from 2008 to 2009.

However, the number of children in poverty remains too high.

No.	Description	(2009/10)	Performance compared to 08/09	Target (2012/13)
CP I	% 16-18 year olds not in education, employment or training	7.6%	<u>Improvement</u> Reduction of 0.8 percentage points	5%

No.	Description	(2009/10)	Performance compared to 08/09	Target (2012/13)
CP2a	Rate of teenage conceptions per 1,000	48.6%	<u>Improvement</u> 43% reduction on 1998 baseline	28.9%
CP2b	Obesity among primary school age children in Year 6	17.8%	<u>Improvement</u> Reduction of 2.5 percentage points	19%

No.	Description	(2009/10)	Target
CP3	% children living in 10% most deprived areas	35%	Halve the proportion of children in poverty by 2020

Educational attainment

Standards of attainment in Leicester are improving rapidly, a view shared by the Department for Children, Schools & Families (now Department for Education) and National Strategies. Improvements in attainment at ages 5, 11 and 16 are, in some cases, at a pace that puts Leicester on course to move above the national average in the near future. There is also evidence that indicates that vulnerable groups, including children in receipt of free school meals, achieve better in Leicester than in comparable authorities.

(NB: the attainment figures relate to summer 2009; figures for 2010 will be available in November 2010).

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 4	% young people achieving level 4 plus in English and Maths KS2	69%	<u>Improvement</u> Increased by 2.3% points	82%
CP 5	% young people achieving 5 or more A*-C grades at GCSE or equivalent including English and Maths	44.4%	<u>Improvement</u> Increased by 4.5% points	65%

2.2 Planning for people not cars

Overview

A growing cultural quarter has a new theatre, digital media centre and creative and cultural industries. Government ministers have been impressed by these innovations in the city. Pedestrianisation and provision of open space in the city, particularly around Highcross and the Cultural Quarter are making it easier to move around the city on foot.

We have managed to keep congestion under control and have received £1.6m congestion fund reward grant since 2007/08.

Reducing car use

Car journeys to work are falling and we are on track to achieve our target in 2013. The number of bus journeys fell from the previous year although there was an increase in the numbers of people cycling and walking.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 6	Journeys to work by car	51%	<u>No change</u>	48%
CP7	Bus journeys	34,105,456	<u>Decline</u> Reduction of 6m passengers from 2008/09	44 million
CP 8	% of workforce in central transport zone covered by travel plans	38%	N/A	55%

2.3 Reducing our carbon footprint

Overview

Latest figures show a reduction of 7.5% in carbon emissions from 2005 to 2008¹. Improvements have been made in each sector of transport, domestic and the industrial and commercial sector. Despite progress in reducing carbon levels there is still a shortfall of 232,000 tonnes if we are to meet our target in 2013 and larger scale interventions are needed to achieve the 2025 target.

No.	Description	Baseline (2008 – latest data)	Performance compared to 2007	Target (2012/13)
CP 9	CO ₂ emissions from residential properties	628,000 tonnes	No change	530,000 tonnes
CP 10	CO ₂ emissions from businesses	954,000 tonnes	<u>Improvement</u> 3.3% reduction	837,000 tonnes
CP 11	CO ₂ emissions from car use	341,000 tonnes	<u>Improvement</u> 4.2% reduction	232,000 tonnes

Carbon emissions from the council

The council publicly demonstrated its continuing commitment to reducing carbon emissions by joining the 1010 campaign in January. This commits the council to a more rapid and challenging reduction from 08/09 figures than previously planned (10% by March 2011). We have focused our attention on behavioural change as a key action to achieve this cut, and have trained all of our managers. Each division is now developing its own carbon action plans.

No.	Description	Baseline (2008 – latest data)	Performance compared to 2007	Target (2012/13)
Local	CO ₂ emissions from the council	67,014 tonnes	<u>Improvement</u> 1% reduction	25% reduction by 2015

¹ The figures on the city carbon footprint are supplied by central Government (on a two-year delay).

2.4 Creating thriving and safe communities

Overview

The council contributes to this priority in many ways, including:

- a focus on preventing crime and promoting safer neighbourhoods
- supporting vulnerable people to live independently
- providing community facilities for people to meet and be part of their community, including a new library in New Parks that was opened in March 2010.
- providing opportunities for people to get involved in local democracy through ward community meetings
- supporting community cohesion through a range of projects that promotes an understanding between the diverse populations of Leicester.

New Parks Library opened on the 16 March 2009 funded by Leicester City Council and Big Lottery and has library, cafe, learning and IT facilities. In the first two weeks it opened it had 261 new joiners compared with 50 in previous months.

In August 2009 (latest data):

- 94.2% of people asked stated that they felt safe walking out in the area where they lived during the day, compared to 91.8% in April 2009
- 67.5% of people asked said that they felt safe walking out in the area where they lived at night, compared to 70.7% in April 09

Overall crime

There was a reduction in overall crime between December 2009 and 31st March 2010. This was due to refocusing partnership working in tackling crime. The council facilitates and works closely with the Safer Leicester Partnership in preventing crime and protecting vulnerable people.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Revised target (2010/11)
CPI2	Recorded crime per 1,000 population	133	N/A	25% reduction

We now employ community wardens to cover every ward, involve residents in environmental improvements that address crime and provide street lighting and road measures to improve safety. We contribute a range of services and activities to the Partnership's crime improvement plan. Success is measured by the overall level of recorded crime.

Independent lives

The council's adult social care service was assessed as performing 'well' for 08/09 against the regulatory Care Quality Commission's seven key outcomes. The number of people in receipt of a personal budget is above the regional average, which demonstrates the organisation's commitment to giving people greater choice and control over the services they receive.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 13	Numbers of people in control of social care services through self directed support	1,269*	N/A	1,957

* This information is reported as an age standardised percentage; further detail on request.

The Adults Safeguarding Board was established this year.

Affordable housing

The target for 111 new affordable homes to be built in 2009/10 was surpassed, as 166 were eventually delivered. Work has started on site at all five of the sites that will contain 146 new council homes. In total we now have a programme of over 600 new affordable homes which are currently on site and/or have confirmed homes & community agency funding. This will increase the amount of affordable housing in the city, which in turn will help to reduce the number of people on the council's housing register.

A large housing association scheme has started at the BUSM site in the Abbey Meadows regeneration area. This will provide affordable housing in a popular area and is part funded by New Growth infrastructure fund and the homes & community agency. This will contribute 119 affordable homes as a first phase on a brownfield housing growth site.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 14	New affordable homes	298*	N/A	992

*cumulative from 08/09

People in communities

Three quarters of residents think their area is a place where people from different backgrounds get on well. The research group MORI analysed the factors that make it easy or difficult for local councils to achieve positive perceptions. The factors were summed up in their area challenge index score. According to this, Leicester's percentage of people who believe people from different backgrounds get on well together is 12 percentage points higher than could be expected. (*Mind the Gap, Mori 2010*).

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 15	% people who believe people from different backgrounds get on well together in their local area	76.2%	Place survey abolished, so not repeated in 2010	

In 2010/11 we will:

- Agree our neighbourhood working strategy and implementation plan.
- Continue to support a growing number of older and vulnerable people by increasing adult care budgets.
- Continue the £15,000 funding for each ward committee to allocate to local projects.
- We will continue to invest in making the city clean and green including:
 - Extending our city warden service to cover the whole city
 - A major initiative to reduce graffiti
 - Targeted free service for pest control in deprived areas
 - Additional street cleaning, targeted at problem areas

Special Olympics Leicester was part of the East Midlands programme in the run up to London 2012 and had a significant impact on community cohesion with 1,500 local volunteers supporting 2,700 athletes, 1,000 coaches and 6,000 family members in a programme of 21 sports over 7 days. The sporting programme was complimented by a cultural extravaganza on the opening night and through activities in the Festival Village.

2.5 Improving health and well being

Overview

Mortality rates remain high and we need to reduce health inequalities to increase life expectancy. Partnership arrangements have been strengthened, additional resources allocated and an improvement plan is being implemented. Partners are tackling the main contributory factors for healthy living, the council's supporting activities are reported below.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 16	All-age all-cause mortality rate per 100k population - males	836.3	Improvement Reduction in death rate of 4.3 per 100k	663
CP 16	All-age all-cause mortality rate per 100k population - females	585.5	Improvement Reduction in death rate of 12.2 per 100k	482

Healthy living

Tackling the main causes of illnesses and disease that cause early deaths focuses on reducing smoking, increasing physical activity and reducing consumption of alcohol.

Smoking

As part of Leicester's Tobacco Control Alliance, the council's trading standards service has taken action against traders selling tobacco to people aged under 18. We worked closely with HM Revenue and Customs, sharing intelligence about contraband suppliers of tobacco. Residents can access information about quitting smoking in many of our facilities and council employees are supported to attend smoking cessation sessions.

Physical activity

Usage of sports and leisure centres fell by 75,800 this year compared with last year. However, usage increased by 11.5% overall from 2005/06 to 2.3m in 2009/10. Free sessions for over 60s at Leicester City Council's leisure centres attracted more users, as did junior swims, which increased by 48% to 258,500. The user demographic profile increasingly reflects the population of the city.

The measure of 3x30 minutes exercise is now 17.9%, a rise of 2.9% points in 2009/10. This is still just below the 2007/08 figure and is below both the East Midlands and national averages.

Alcohol

The rate of increase in hospital admissions from alcohol harm was lower than expected.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 16a	Number people who quit smoking (proxy indicator for number of people smoking)	2418 smokers quit	N/A	
CP 16b	Percentage people participating in 3x30 mins exercise per week	17.9	<u>Improvement</u> Increased by 2.9 percentage points	
CP 16c	Alcohol harm related hospital admission rates (directly age-standardised rates per 100,000) The aim is to reduce the rate of increase.	2,319 (forecast)	<u>Improvement</u> Increase of 77 (3.4%) compared with predicted increase of 728 (33%)	

2.6 Talking up Leicester

Overview

The opening of Highcross Leicester has created a more vibrant city centre and has increased visitor numbers; our ranking in the retail index has improved from 16th to 11th. Vacancy rates for shops at March 2010 were comparatively low in the city. The city centre regeneration and brand building has had a positive effect on the reputation of the city. Curve had 143,000 visitors in 2009/10.

Satisfaction with place

The 2008 Place survey results showed 71.7% satisfied with the area – low in comparison with the England average of 79%. The place survey is no longer a government requirement and will not be repeated in 2010 as expected.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 17	% people satisfied with their neighbourhood as a place to live	71.7%	Place survey abolished, so no survey in 2010	

2.7 Investing in skills and enterprise

Overview

Our performance in getting people into employment and supporting businesses has been affected by the recession, so we have not achieved all of our LAA targets. However, we are building on the success of our Work Highcross employment initiative through eight multi access centres based in neighbourhoods with severe worklessness problems. We have been successful in developing employment opportunities for young people, in particular via the Future Jobs Fund, and continue to develop new business workspaces.

In 2010/11:

- Central government spending cuts will have an impact on the Working Neighbourhoods Fund programme to tackle worklessness
- Central government funding for the Future Jobs Fund ceased on 30th June 2010; this will mainly affect opportunities for young people later in the year.
- The Local Enterprise Partnership will be formed.

Skills

Workforce qualifications are amongst the lowest in the region. In recent years there has been good improvement, but this year numbers fell back slightly. It is thought this is linked to changes in the make up of the work force and population churn.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 18	Proportion of population qualified to at least level 2 or higher	57%	<u>Decline</u> Reduced by 0.6 percentage points	72.2%

Businesses

Leicester is marginally below the East Midlands average for the LAA measure, which records growth in VAT registered businesses. However up-to-date information for actual business starts in 2009/10 continues to show above average levels of business formation.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 19	VAT registered businesses in the area showing employment growth	14.3%	<u>Decline</u> Reduced by 0.36 percentage points	16%

Employment

Targets for reducing the numbers of people on out-of-work benefits were not met by March 2010, due to the economic downturn and the job losses that have occurred. A proxy indicator, the job seekers' allowance claimant count, increased from 6% in March 2009 to 6.7% in March 2010, though the count has been fairly stable from mid-2009 onwards and has showed slight improvement recently.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 20	Percentage of working age people on out of work benefits	17.46	<u>Decline</u> Increase of 1.26 percentage points	14.3%

2.8 Conclusion

Of the 24 population outcomes reported above:

- Two were Place survey measures
- Five have no appropriate comparator with the previous year

Of the remaining 17

- 12 (70.6%) are improving
- Five (29.4%) are declining

Of the five declining, three are directly attributable to the recession (skills, employment and business). However, bus use decreased and indications are that CO₂ emissions from travel increased (although we are awaiting final data).

Notes:

Some of the national indicators selected by the Leicester Partnership and the council to measure priorities and outcomes have been deleted from the national indicator set. This means, although the council can continue to collect them there, national comparator information will not be available. In some cases, they have been deleted because of the difficulty of collection. The remaining national indicator set is under review.

The perception indicators in the national set were measured for the first time in 2008 through the national Place survey. The survey was due to be repeated in 2010 but has been discontinued. We are now considering how we can continue to collect that information.

3. One excellent council

Overview

Our organisation development and improvement programme is based on four key areas: leadership, our people, ways of working and performance management. In preparation for external inspection early in 2010, it was clear that many improvements have been made; the proof of this is our improving outcomes.

Our key measures of success are reported below.

External judgement

In the first year of CAA, the organisation was assessed as performing adequately at level 2; we aimed to achieve level 4 at the 2012 assessment. There were indications that the council may have progressed from level 2 to level 3 in the 'use of resources' assessment.

With the removal of the CAA by the coalition government, we will need to establish new mechanisms for assessing organisational excellence in the future.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 21	CAA organisation score	CAA was abolished and no scores allocated in 2010		

Fair treatment

In 2008, 66% people felt they received fair treatment and performance was in the lowest third nationally. This is another area where we will be considering appropriate outcomes that we can measure locally in future.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 22	People receiving fair treatment by local services	This measure was withdrawn as a NI; Place survey has been abolished, so not repeated in 2010		

Representative workforce

Overall, the number of black and minority ethnic (BME) employees continues to increase. However, as the overall number of employees also increased, the proportion of BME employees has remained largely stable. Between 2006/07 and 2009/10 the total BME workforce increased from 20% (2006/07) to 27% (2009/10), whilst the non-schools BME workforce increased from 21% (2006/07) to 30%. (2009/10)

BME employees in the top 5% earners in the council increased from 15.4% in 2008/09 to 17% in 2009/10. The council's Reach Higher programme, which came out of suggestions by the black workers group, aims to develop BME staff with management potential.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 23	Workforce representation in top 5% earners from BME communities	17%	N/A	20%

Attendance at work

Sickness absence is generally improving across the council, although high levels remain in a few areas. The sickness absence figure for 2009/10 is 9.93 days, just within the target of ten days. This is a 15% improvement on the 2008/09 figure of 11.65 days. However, absence levels are still slightly above the average for our comparators (AXA/CBI survey) and there is a wide variation between divisions. Action is being taken at corporate and divisional level to reduce it further.

No.	Description	Baseline (2009/10)	Performance compared to 08/09	Target (2012/13)
CP 24	Average no. sickness days per employee	9.93	<u>Improvement</u> Reduction of 15% from 11.65 days	8

Efficiency

We are seeking to achieve value for money in all of our activities, not just at budget time. We have been very successful at securing efficiency savings over many years, allowing us to provide more resources for our front-line activities. To meet our national target we are aiming to make efficiency savings of £37,443,000 between 2008/09 to 2010/11.

Council savings in 2009/10 were £17.543m, against a target of £21.812m.

Following a change of national government (May 2010), the council has to make even greater savings, which will inevitably impact on all services.

Conclusion

Of the five internal outcomes reported above

- Two have data for only one year and will no longer be collected
- One (sickness levels) shows significant improvement
- One (the level of BME representation in management) shows some improvement.
- Our efficiency indicator is being superseded by new government savings requirements.

In 2009/10 we also conducted our first staff survey since 2003, setting a new baseline for how our staff view the council. A third of our staff were surveyed and we achieved a 42% response rate.

The most positive responses were around the council as an organisation and how we give a lot back to society.

The least positive responses were around sense of wellbeing and views about senior leadership.

Actions have been agreed and are being implemented. We will repeat the survey in 2011/12 to follow up on progress.

4. Next steps

We are now part of a sub-regional public service board that is looking at how services might be better joined up.

We have already faced central government cuts of over £9m in the current financial year (2010/11) and we are now assessing the impact of other external funding cuts to major projects. Although details of further cuts will not be known until the public spending review in October and the local government finance settlement in November, we have already started to look at the implications of the substantial funding reductions we know will be imposed over the next three or four years.

A partnership workshop has assessed the challenges facing the city in the medium term. There was wide agreement that the current economic environment is posing the biggest challenge to the public sector for decades. The recession has already impacted on skills, jobs and businesses and the impending cuts to public sector finances and funding of projects will inevitably impact on housing, transport and building.

The economic recovery is fragile and the removal of funding for getting people into work programmes could increase the numbers of people without jobs, particularly young people. The reduction of numbers employed in the public sector in Leicester could further increase overall worklessness in the city.

An increase in unemployment would impact on many aspects of our One Leicester vision that the council and its partners have been striving to improve, such as crime, health, education and inequality.

Commissioning boards will consider these issues in their needs analyses as part of the strategic commissioning process.

This section of the report provides a summary of the council's financial performance for 2009/10 and also looks ahead to our spending plans for 2010/11 and beyond.

Summary of the year

The council's spending in 2009/10 amounted to £1 billion – nearly £3m for every day of the year. £0.9bn paid for day to day running costs of services like schools, museums, parks and care for older people, whilst £0.1bn was invested in capital projects.

Bird's eye view of our spending			
	&bn		£bn
Children and education	0.4	Government grants	0.7
Adult social care	0.1	Council tax	0.1
Housing benefits	0.1	Fees, charges and other income	0.2
Other services	0.2		
Housing	0.1		
Capital projects	0.1		
Total spending	1.0	Total income	1.0

We have a track record of effective budget management and by identifying budget pressures early we have once again kept our spending within budget. Despite financial constraints, services managed their spending to within a small underspend of £0.2m.

2009/10 was a year of national economic recession, but within this context we continued to deliver our key objectives as our budget redirected resources to support the One Leicester vision.

The year saw the completion of all schools in phase one of our Building Schools for the Future (BSF) programme, and Beaumont Leys School was awarded the national BSF School of the Year Award. Work was completed on the digital media centre at Phoenix Square, which is now open, and we began a modest programme of new council house building (the first for many years). 2009/10 also saw the city stage the Special Olympics, with council support.

Our uncommitted general reserves, which are held as a contingency against any unforeseen circumstances, stand at £6.1m. This is higher than the recommended minimum level (£5m) but below the £7m that our financial strategy aims to achieve. At just 2.2% of the budget, our reserves are low when compared to similar local authorities.

Summary of the statutory accounts

The following sections provide a more summarised version of the council's main financial statements for the year ended 31st March 2010. The full statutory statement of accounts, which is currently subject to audit, can be obtained from our customer services centre at New Walk Centre or at www.leicester.gov.uk.

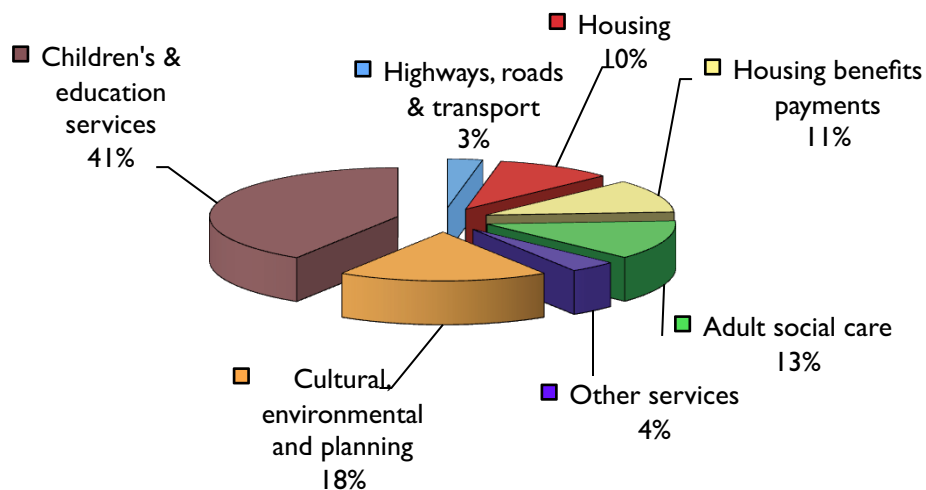
The full accounts incorporate other key statements that set out responsibilities for the accounts, a statement of accounting policies, and a statement setting out the annual governance framework.

Revenue income and expenditure

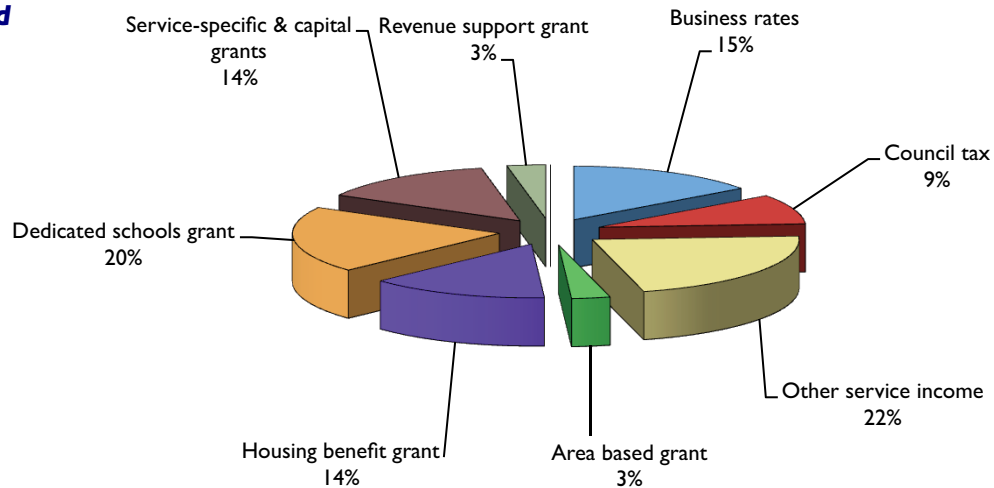
The income and expenditure account reports the net cost of all services and functions for which the council is responsible.

The following charts provide an analysis of the total revenue cost (£1.042b) of the various services provided by the authority, together with the main sources of income to meet this spending.

Proportion of spending on each service



How the council's services are funded



This chart demonstrates that around 70% of the income we receive is controlled by the government through general and specific grants, leaving real local discretion of just 30% of our total income.

For the purposes of the summary below, the income and expenditure account has been combined with the statement of movement on the general fund balance.

	2008/09		2009/10	
	Gross £m	Net £m	Gross £m	Net £m
Cultural, environmental and planning service	103.6	62.0	184.4	125.8
Children's and education services	370.6	79.3	431.6	113.3
Highways, roads and transport	31.4	20.8	34.5	21.4
Housing	290.6	66.8	213.9	13.8
Adult social care	105.2	80.1	131.5	87.4
Corporate, central and other services	26.8	22.7	46.6	19.3
Cost of all services	928.2	331.7	1042.5	381.0
Net operation expenditure and adjustments to reflect statutory and proper practices		(45.3)		(85.0)
Net expenditure for the year		286.4		296.0
General government grants		199.4		207.1
Council tax		87.5		92.0
(increase)/decrease in general fund balance		-0.5		(3.1)
General sources of finance		286.4		296.0

Capital expenditure and financing

When the council constructs a building or purchases a piece of land this type of expenditure is known as capital expenditure. The very nature of this spending is that it will provide value to the community for some years to come. The council's capital spending in 2009/10 totalled £96.7m.

Capital expenditure	£m	Capital financing	£m
Children's services - including rebuilding and reinvesting in secondary schools	33.5	Grants and contributions	51.2
Housing – including kitchen and bathroom improvements	25.4	Borrowing	27.1
Regeneration and transport – including football development facilities and New parks library	30.8	Reserves and budget contribution	17.4
Adults and corporate	6.0	Receipts from the sale of land and buildings	1.0
Total expenditure	96.7	Total financing	96.7

Balance sheet

The balance sheet sets out what the council owns (assets) and what we owe (liabilities) as at 31st March each year. The balance of these two items is represented by reserves and balances. The table below provides a more summarised version of the balance sheet as at 31st March 2010.

	2009 £m	2010 £m	
Assets			
Fixed and long term assets	2,215	2,283	These include land and buildings, council dwellings, roads, vehicles, plant and equipment owned by the council.
Money owed to the council	66	91	This figure includes £35m owed by the government and other local authorities, £16m in business rates and council tax and £6m relates to capital grants and contributions outstanding.
Investments and stock	73	59	
Total assets	2,354	2,433	
Liabilities			
Items owed by the council	107	131	
Borrowing	336	369	
Pension scheme	243	562	These are amounts arising from the financing and revaluation of fixed assets. This sum is not available to spend on council services.
Other	256	268	
Total liabilities	942	1,330	
Net assets	1,412	1,103	
Non-spendable reserves	1,304	979	Spendable reserves and balances of £124m include: £71m earmarked for specific items in the future including grants we have received for later years, £16m in balances held by individual schools, £14m towards capital investment and £7m for insurance purposes.
Spendable reserves	108	124	
Net worth	1,412	1,103	

Cash flow statement

The cash flow statement is one of the main financial statements contained within the accounts. Whilst for a commercial company this is important, it is less significant in a local authority context.

This statement has been reproduced below in a slightly more user-friendly format.

	£m		£m
Rents, council tax, business rates, government grants and cash received for other goods and services	794		
Capital receipts and contributions	57		
Interest received	1		
Liquid resources	28		
Cash in	880		
		Movement of cash 2009/10	13
Cash paid to and on behalf of employees	(391)		
Operating and other revenue costs	(374)		
Interest paid	(19)		
Capital spending	(77)		
Movement in loans and investments	(6)		
Cash out	(867)		

Spending plans for 2010/11 and beyond

In February 2010, the council agreed a three-year financial strategy to cover 2010/11 to 2012/13. The strategy sets out the council's spending plans for that period and expresses our financial commitment to the One Leicester vision and to Leicester's local area agreement.

Beyond 2010/11 a period of very substantial financial constraint will occur, and our spending will be reviewed in detail.

Notwithstanding the above our original spending plans for 2010/11 are set out in summary here – these figures are shown net of grant for specific purposes and other service-related income (such as fees and charges for sports facilities).

General fund service spending plans		General sources of finance	
	£m		£m
Children's services	73.4	Government grant	182.4
Adult services	85.0	Council tax	94.0
Housing	9.6	Use of reserves	1.7
Regeneration, culture & highways	73.3		
Central & support services	36.8		
Total net service expenditure	278.1	Total financing	278.1

The council's spending priorities

Although many of our services are required by law, we have a significant influence on how we prioritise our spending. One Leicester sets out priorities and plans to make Leicester a better place to live and our financial strategy supports this in a number of ways, including:

Theme	Spending priorities
Confident People	Continuing to fund the development of community meetings at ward level and giving residents a direct say in how money is spent. Substantial growth in adult care budgets to meet the growing needs of older and vulnerable people. This includes the continuing development of choice for the elderly in the way they receive their care, and the provision of new preventative services, as well as meeting higher levels of need. Retention of appropriate levels of funding for youth provision.
New Prosperity	Continuing substantial provision through the Building Schools for the Future initiative. Funding work to improve educational outcomes, particularly through investment in new laptops and initiatives to improve reading performance prior to secondary school. Funding the development of multi-access centres for improving adult skills and in helping workless adults to become members of the workforce.
Beautiful Place	Continued funding of city centre cleaning initiatives. One-off funding to improve facilities at parks, city centre Christmas decorations and help to refurbish De Montfort Hall.

Achieving value for money

We aim to get value for money in all our activities and we met the government efficiency savings target of £21m between 2005/06 and 2007/08.

Our 2010/11 budget contains a very substantial programme of efficiencies, aiming to secure £8m per annum by 2011/12, principally by re-organising internal support services and by getting better value from services procured from the private sector.

The substantial budget reductions facing the Council next year and beyond will significantly increase the need to get value-for-money, particularly if we are to minimise the impact of cuts on priority front line services.

Scope of Responsibility

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

In discharging this overall responsibility, Leicester City Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

Leicester City Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government.

A copy of the code is on our website at <http://www.leicester.gov.uk/your-council-services/council-and-democracy/key-documents> or can be obtained from Customer Services.

This statement explains how Leicester City Council meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003 as amended by the Accounts and Audit (Amendment) (England) Regulations 2006 in relation to the publication of a statement on internal control.

The Purpose of the Governance Framework

The governance framework comprises the systems and processes, and culture and values, by which the City Council is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the City Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate and cost-effective services.

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

The Governance Framework has been in place at Leicester City Council for the year ended 31 March 2010, and up to the date of approval of the accounts.

The Governance Framework

The Council has adopted a framework that includes arrangements for

- Identifying and communicating the Authority's vision of its purpose and intended outcomes for citizens and service users

- The Council's and its partners' vision has been defined through the development of its Sustainable Community Strategy (One Leicester). This identifies the vision for the next twenty-five years and has been produced in collaboration with the Leicester Partnership.
- The corporate plan defines the Council's contribution to this strategy.
- Significant organisational and management changes have been introduced and are now well established. They directly align strategic management responsibilities with identified corporate objectives and priorities.
- Reviewing the Council's vision and its implications for the Council's governance arrangements
 - The Sustainable Community Strategy includes arrangements for continuing review of the vision and its associated governance arrangements.
- Measuring the quality of services for users, for ensuring they are delivered in accordance with the Council's objectives and for ensuring that they represent the best use of resources
 - The Council has a performance management framework which links key corporate objectives with clear outcome measures that are subject to regular review by the Cabinet.
 - A review of Support Services is in progress and will address the need to align delivery of these functions to the new organisational structure thereby better supporting the achievement of the Council's objectives.
 - A new Resource Management System has been introduced and this is providing the opportunity to re-engineer support processes such as procurement and budget monitoring and thereby ensure the best use of resources.
 - Regular public satisfaction surveys are employed to test and measure user satisfaction.
- Defining and documenting the roles and responsibilities of the executive, non-executive, scrutiny and officer functions, with clear delegation arrangements and protocols for effective communication
 - Respective roles and responsibilities are defined within the Council's Constitution, together with delegation arrangements and protocols for effective communication.
- Developing, communicating and embedding codes of conduct, defining the standards of behaviour for members and staff
 - The Council's Standards Committee has a remit to oversee adherence to relevant codes of conduct for members and officers, and its Audit and Risk Committee has overall responsibility for reviewing the effectiveness of governance arrangements including those related to adherence to standards of conduct.
- Reviewing and updating standing orders, standing financial instructions, a scheme of delegation and supporting procedure notes and manuals, which clearly define how decisions are taken and the processes and controls required to manage risks

- The Constitution is subject to regular review to ensure that it continues to meet the needs of the Council in relation to schemes of delegation, procedures and decision-making.
- A review as a result of the organisational changes referred to above has been completed.
- Finance and Contract Procedure Rules have been reviewed and updated.
- Ensuring the authority's financial management arrangements conform to the governance requirements of the CIPFA Statement on *The Role of the Chief Financial Officer in Local Government*.
 - The Council's Chief Finance Officer (CFO) is a member of the Strategic Management Board and plays a key role in helping it to develop and implement strategy to resource and deliver the authority's strategic objectives sustainably and in the public interest.
 - The CFO is actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer-term implications, opportunities and risks are fully considered, and there is alignment with the Council's overall financial strategy.
 - The CFO leads the promotion and delivery by the Council of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently, and effectively.
 - The CFO leads and directs the finance function, which is resourced to be fit for purpose.
 - The CFO is professionally qualified and suitably experienced.
- Undertaking the core functions of an audit committee, as identified in CIPFA's *Audit Committees – Practical Guidance for Local Authorities*.
 - The Council's Audit Committee has terms of reference that comply with CIPFA's guide. The latest review of the Effectiveness of the System of Internal Audit (approved by the Audit Committee on 31st March 2010), required under the Accounts and Audit Regulations, shows that this committee is effective and is contributing toward improving the internal control environment of the Council.
 - The Audit Committee, at its meeting on 31st March 2010, agreed to ask the Council to rename it as the Audit & Risk Committee in order to emphasise the growing importance of good risk management to the effective delivery of the Council's objectives.
- Ensuring compliance with relevant laws and regulations, internal policies and procedures, and ensuring that expenditure is lawful
 - The system of internal control is based on a coherent accounting and budgeting framework including contract, finance and procurement procedure rules.
 - All key decisions are supported by financial and legal comments.
 - Internal Audit supports the Audit Committee by reviewing elements of the Council's system of internal control and reporting regularly thereon, thus helping the Council to satisfy itself that compliance with regulation and best practice is happening.

- Whistle-blowing and receiving and investigating complaints from the public
 - The Council has a Whistle-blowing Policy and during 2009-10 reconfirmed its support for an Anti-Fraud and Corruption Policy that makes a clear commitment to maintaining a zero tolerance of fraud and financial irregularity. The Anti-Fraud and Corruption Policy is reviewed annually to ensure that it continues to conform to best practice.
 - The Council's One Council, One Contact programme seeks to ensure that the interface between the Council and its clients is as effective as it should be. This is backed up by an established complaints procedure.
- Identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training
 - The Council has completed a radical review of its structure and service delivery infrastructure. The programme of change included attention to the associated needs both of members and officers.
- Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation
 - This is being done through the Council's commitment to the Sustainable Community Strategy, which itself was developed with the benefit of open consultation with stakeholders and our strategic partners.
 - People's Panels have been established to facilitate engagement with stakeholders and the community in support of policy development and delivery.
- Incorporating good governance arrangements in respect of partnerships and other group working as identified by the Audit Commission's report *Governing Partnerships* and reflecting these in overall governance arrangements
 - The Council's major partnership is the Leicester Partnership. This body is charged with overseeing the arrangements for spending the Area-Based Grant and for delivering the outcomes set out in the Local Area Agreements. In turn this is set out within a comprehensive financial framework, to which the Partnership is committed.
 - The constitution of the Leicester Partnership has been reviewed as part of the Council's Organisational Development and Improvement Programme and the changes agreed by each partner.
 - Protocols for the financial management of the Leicester Partnership have been agreed.

Review of Effectiveness

The Council is committed to the maintenance of a system of Internal Control which:

- Demonstrates openness, accountability and integrity
- Monitors and reviews compliance with established policies, procedures, laws and regulations and effectiveness against agreed standards and targets
- Monitors and reviews the effectiveness of the operation of controls that have been put in place

- Identifies, profiles, controls and monitors all significant strategic and operational risks
- Ensures that the risk management and control process is monitored for compliance.

The framework through which the Council satisfies itself as to the effectiveness of its system of internal control takes, as its starting point, the Council's principal statutory and organisational objectives as set out in its Corporate Plan. From this are identified the key risks to the achievement of its (the Council's) objectives set out therein which in turn are recorded within risk registers.

The Audit Committee approved this Assurance Framework on 3rd February 2010.

The risks identified are subject to regular review and monitoring and appropriate controls identified to manage them.

The results of that review together with:

1. An independent review of the effectiveness of internal control carried out by the Council's Internal Audit section
2. A review of the Effectiveness of the System of Internal Audit
3. The External Auditor's Annual Audit Letter and Annual Governance Report which includes findings from the work of other inspection regimes, provide the core information for the preparation of the Annual Governance Statement.

Leicester City Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the Council who have responsibility for the development and maintenance of the governance environment, the Head of Audit & Governance's annual report, and by comments made by the external auditors and other review agencies and inspectorates.

An annual corporate governance review has been completed for 2009-10 and a report setting out the findings was considered by the Audit Committee on 20th May 2010 and the Cabinet on (21st June 2010). A copy of the report can be obtained from <http://cabinet.council.leicester.gov.uk/mgConvert2PDF.aspx?ID=20344>. Our well-established corporate governance code complies with CIPFA/SOLACE's guidance entitled Delivering Good Governance in Local Government and includes a self-assessment of compliance with the six core principles of good governance.

Significant Governance Issues

The control framework described above facilitates the identification of any areas of the Council's activities where there are significant weaknesses in the financial controls, governance arrangements or the management of risk. Overall, it can be concluded that controls are operationally sound.

The areas where weaknesses have been identified are listed below, together with a brief summary of the action being taken or planned to make the necessary improvements.

Area of concern	Comment	Action planned
<p>Documentation and promulgation of and adherence to Corporate policies, procedures and requirements is variable.</p>	<p>This was identified as a weakness in the Statement on Internal Control for 2006-7, 2007-8 and 2008-9</p> <p>There is evidence of some improvements (especially in relation to Neighbourhood Housing Offices) but examples of variable compliance are still being uncovered, despite action taken to improve awareness through training.</p>	<p>The need to address this will be a major drive in 2010-11 and has the support of the Strategic Management Board. This will involve regular and focused reporting to Strategic Directors using the new organisational structure to its full effect.</p> <p>The Council-wide review of finance and development of new financial systems will seek to standardise processes and a role has been created in the new finance structure to lead Council wide compliance.</p> <p>The focus of Internal Audit planned work relating to regularity audits, is to change for 2010-11 with greater focus being placed on assessing management arrangements rather than Internal Audit acting in a quasi-management role. The extent to which this is possible will be influenced by the ability and willingness of management generally to take on the responsibilities involved.</p> <p>Recommendations made by Internal Audit are regularly followed up and their implementation monitored by the Audit Committee.</p>

Area of concern	Comment	Action planned
Management and letting of Contracts	<p>Audit work completed during 2009-10 indicates significant progress in addressing issues related to procurement of contracts whilst there is some evidence that the management of existing contracts still requires attention.</p> <p>Automation of the Procurement Process has commenced and will enforce a certain level of consistency. An accreditation programme for Procuring Officers should also pave the way to ensuring that the letting of contracts is improved.</p> <p>Some concerns remain, however, in relation to the management of contracts and the Internal Audit Contract Audit Plan for 2010-11 includes a number of contracts and procurement related audits to help provide assurance in relation to this area.</p>	Internal Audit work in 2010-11 will include specific focus on contracts including verifying that previous improvements in the letting of contracts are being maintained.
<p>A recent audit of payroll arrangements found</p> <ul style="list-style-type: none"> <input type="checkbox"/> A lack of evidence of formal management authorisation of starters and leavers on the payroll <input type="checkbox"/> No periodic confirmation of the payroll master-file by managers or budget holders. <input type="checkbox"/> Officers were unable to identify the relevant line-managers for a sample of starters and leavers selected for testing. 	The External Auditor identified these issues in his Annual Audit and Inspection Letter for 2009-10.	<p>Improved controls over the management of payroll master files coupled with the introduction of RMS and MyView now ensure that procedures are in place for managers to authorise and continuously monitor payroll information relating to their cost centres.</p> <p>In light of the above it is considered that this matter has been adequately addressed.</p>

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed: (Chief Executive) (Date)

Signed: (Leader) (Date)

Signed: (Chief Finance Officer) (Date)

Key target 2

Improving health outcomes by:

- 2.a. Reducing the rate of teenage conceptions per 1,000 from 50.1 to 29 by 2011 (LAA target) and 28.9 by 2013.
- 2.b. Reducing childhood obesity from 20.3% of Year 6 primary school age children in 2007/08 to 19% on 2012/13.

Change – added 2b.

Key target 5

Increase the percentage of young people achieving 5+ A* GCSEs (including English and Maths) from 39.9% to 52% in 2011 and to 65% by 2013.

Change – the target for 2011 has been changed from 53% to 52%.

Key target 12

Reduce recorded crime target is wrong as it is now counted in a different way. 2009/10 actual figure is 133, target for 2010/11 is a reduction of 25%.

Key target 16

Reduce the all-age all-cause mortality rate per 100k population – males from 850 to 665 by 2011 (LAA target) and to 663 by 2013; females from 598 to 484 by 2011 (LAA target) and to 482 by 2013 by:

- 16.a. reducing smoking
- 16.b. increasing physical activity
- 16.c. reducing alcohol harm

Change – added a, b, c.

Key target 20

Acknowledge the impact of the recession on the percentage of working age people on out of work benefit and amend LAA target to 17.6% by 2011 (previous performance – 08/09 – 16.2% 09/10 – 17.46%).

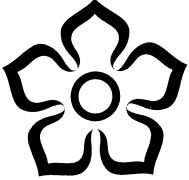
Change to wording and target.

Key target 25

Value for money: total net value of on-going cash releasing value for money gains of £37.4m by 2011.

Change – targets after 2011 deleted.

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Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Cabinet

22nd November 2010

Comprehensive Spending Review 2010 and Spending Moratorium

Report of the Chief Finance Officer

1. Introduction and Recommendations

1.1 Cabinet is asked to:

(a) note that the Government's Comprehensive Spending Review has announced significant cuts to local authority funding from April 2011;

(b) approve a moratorium on entering new commitments prior to setting the 2011/12 budget, as described in this report;

(c) authorise the Chief Finance Officer, in consultation with the Leader, to grant exceptions to the moratorium on grounds of the need for a quick decision (in practice, a group of three Cabinet members has been created for consultation purposes).

2. Background

2.1 On 20th October, the Government announced its Spending Review plans for the next four years. This announced – at the national level – spending plans for each area of government expenditure, including grant support to local government.

2.2 The most significant grant received from central government is the general Formula Grant (£182 million in 2010/11). National totals for this grant will reduce by 29% in real terms over the next four years. This is one of the greatest reductions (in percentage terms) of any spending area across government. The cuts are significantly front-loaded, meaning that a greater level of savings will be required in 2011/12.

2.3 Full details of the reduction to the City's funding will not be available until the local government finance settlement in early December. However, it is clear that the cuts in 2011/12 are greater than previously estimated; best estimates suggest that the City's formula grant will be reduced by £24 million in 2011/12. This is around £8 million higher than would have been the case had the cuts been evenly profiled, and will make the 2011/12 budget process particularly challenging.

- 2.4 In addition to the cuts in Formula Grant, several grant-funded programmes will end in March 2011, of which the most significant is the Working Neighbourhoods Fund (£8 million in 2010/11). Other grants, totalling over £25 million, will be transferred into general Formula Grant and will no longer be separately identifiable.
- 2.5 Schools' funding has been given a measure of protection. However, the overall totals must accommodate a national increase in pupil numbers, meaning that per-pupil funding will fall in real terms. The total also includes £2.5 billion for a national Pupil Premium targeted at disadvantaged children.
- 2.6 There have been significant cuts to capital funding streams from 2011/12 onwards. This includes significant cuts to the Building Schools for the Future programme; discussions with Government are ongoing to confirm the impact on Leicester's planned BSF works.
- 2.7 A particular issue is the continued uncertainty over a number of grant streams, where we do not yet know the scale of expected reductions (or, in the case of some grants, whether they will continue to exist).

3. Moratorium on spending

- 3.1 To maximise flexibility for the 2011/12 budget process, a moratorium is proposed on entering into significant new spending commitments. Officers have been asked not to take action involving:

- (a) new contractual or grant aid commitments, subject to a de minimis level of £50,000;

- (b) implementing any growth approved in the 2010/11 budget, or otherwise expanding services, except where contractual commitment already exists;

- (c) spending any money funded from earmarked reserves.

- 3.2 The following areas of spending are exempt from the moratorium:

- (a) spending which is 100% funded from external, confirmed sources specific to that expenditure;

- (b) ongoing cyclical maintenance programmes (roads, housing and property) and reactive maintenance;

- (c) contract renewal or retender for services already provided. The role of the procurement panel, however, is unaffected and will continue to examine significant proposed procurement activity;

- (d) works to deal with an emergency;

- (e) the housing improvement programme, and other areas where cutbacks would be required to a programme of works in train (eg disabled facilities grants);

(f) care packages/placements for individual adults/children.

- 3.3 A means is required to ensure there are no perverse or unintended consequences of a moratorium (eg losing grant money due to delay). A mechanism has been put in place for the Chief Finance Officer, after consulting Cabinet members, to allow exceptions where appropriate.

4. Equality Implications

- 4.1 An equality impact assessment of the Comprehensive Spending Review, insofar as it affects the city, is currently being carried out by the Council's equality officers. The EIA will look at how the CSR proposed actions will impact the range of households, by type and income, across the city. Based on this analysis, the anticipated impacts on different equality groups will be assessed. This impact analysis will provide a basis for, in turn, assessing the potential impacts of the Council's own spending plans arising from the local government finance settlement.
- 4.2 At a national level, various research groups have commented on the potential impacts of the CSR in conjunction with the Government's June 2010 Budget. The Fawcett Society, for instance, has commented on the impact of benefits cuts on women and the Institute for Fiscal Studies has highlighted the impact of proposals on non-earning and low earning households. This work will be used to help inform the local impact assessment.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Financial Implications

This report is exclusively concerned with financial issues.

5.2 Legal Implications

None.

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph Within the Report	References
Equal Opportunities	Yes	4.1-4.2	
Policy	No		
Sustainable and Environmental	No		
Crime and Disorder	No		
Human Rights Act	No		
Elderly/People on Low Income	No		

7. REPORT AUTHOR

**Mark Noble
Chief Finance Officer**

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)