

Leicester
City Council

Governance Services
City Hall
115 Charles Street
Leicester
LE1 1FZ

9 September 2026

Sir or Madam

I hereby summon you to a meeting of the LEICESTER CITY COUNCIL to be held at the Town Hall, on THURSDAY, 17 SEPTEMBER 2026 at FIVE O'CLOCK in the afternoon, for the business hereunder mentioned.

Kamal Adhin

AGENDA

AUDIO STREAM OF MEETING

A live audio stream of the meeting can be heard on the following link:
<https://www.youtube.com/live/uw3DQWpgD2A?si=IB92ixQGaNcJYsI>

1. LORD MAYOR'S ANNOUNCEMENTS

2. DECLARATIONS OF INTEREST

3. STATEMENTS BY THE CITY MAYOR/EXECUTIVE

4. PETITIONS

- Presented by Members of the Public
- Katie Justin, Shanklin Drive / Meadvale Road / Carisbrooke Road Junction
- Hamish Whitelay, Create a Zebra Crossing for Shanklin Drive
- Presented by Councillors
- Petitions to be debated

5. QUESTIONS

- From Members of the Public
- From Councillors

6. MATTERS RESERVED TO COUNCIL

- a) **INCREASING THE SUPPLY OF AFFORDABLE HOUSING: LOCAL AUTHORITY HOUSING FUND** Pages 1-5

7. REPORTS OF SCRUTINY

- a) **SCRUTINY ANNUAL REPORT 2025-26** Pages 7-38

8. REPORTS OF THE MONITORING OFFICER

- | | | |
|----|---|-------------|
| a) | ELECTED MEMBER ABSENCE FROM MEETINGS | Pages 39-42 |
| b) | PLANNING AND DEVELOPMENT CONTROL COMMITTEE - IMPLEMENTATION OF NEW NATIONAL SCHEME OF DELEGATION | Pages 43-79 |
| c) | APPOINTMENT OF COUNCIL COMMITTEES 2026-27 MUNICIPAL YEAR | Pages 81-83 |

9. ANY OTHER URGENT BUSINESS

Information for members of the public

Fire & Emergency Evacuation Procedure

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- In the event of an emergency alarm sounding make your way to Town Hall Square and assemble on the far side of the fountain.
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- From the public gallery, exit via the way you came in, or via the Chamber as directed by Town Hall staff.

Meeting Arrangements

- Please ensure that all mobile phones are either switched off or put on silent mode for the duration of the Council Meeting.
- Please do not take food into the Council Chamber.
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If you have any queries about any of the above or the business to be discussed, please contact:

Sharif Chowdhury, Senior Governance Support Officer. email committees@leicester.gov.uk or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**



Increasing the Supply of Affordable Housing: Local Authority Housing Fund

Report to Full Council

Housing Scrutiny Commission: 7th September 2026

Decision to be taken by: Council

Decision to be taken on: 17th September 2026

Lead director: Chris Burgin

Useful information

- Ward(s) affected: City Wide.
- Report author: Simon Nicholls
- Author contact detail: simon.nicholls@leicester.gov.uk
- Report version number: V2.1

1. Summary

The council has previously been allocated £6,638k in Local Authority Housing Funding (LAHF) to deliver 59 new homes. In December 2025 the government confirmed a fourth round of LAHF funding and Leicester City Council has been offered a four-year settlement consisting of £6,675k grant funding to part-fund an additional 56 units between 26/27 to 29/30. The funding is designed to reduce local housing pressures, reduce temporary accommodation costs, and provide sustainable housing for Afghan citizens settling in the UK.

This report seeks approval to add £15,434k to the HRA Capital Programme to secure 56 affordable housing units in years 26/27 to 29/30 across the city, funded from £6,675k of LAHF capital grant and £8,759k of HRA borrowing.

2. Recommended actions/decision

The Council is recommended to approve:

- i) the acceptance of £6,675k of LAHF grant to secure 56 affordable housing units across the city to meet the objectives outlined in this report;
- ii) the addition of £15,434k to the HRA capital programme financed from £6,675k of LAHF grant and £8,759k of prudential borrowing, profiled across the following years:
 - 2026/27 - £3,062k
 - 2027/28 - £2,908k
 - 2028/29 - £6,960k
 - 2029/30 - £2,504k

3. Scrutiny / stakeholder engagement

Discussions on this scheme have been held with DLUHC.

4. Background and options with supporting evidence

The Department of Levelling Up Housing and Communities (DLUHC) launched the LAHF Round 1 in December 2022, round 2 in June 2023 and Round 3 in July 2024. The reason for LAHF funding is to reduce local housing pressures, reduce temporary accommodation costs and provide suitable accommodation for Afghan citizens entering the UK. Leicester has been offered a settlement in all three previous rounds and have successfully delivered 59 units of accommodation that meet the criteria set out by DLUHC.

DLUHC contacted the council in December 2025 with details of a potential round four settlement, this time being a multi-year settlement running up to 2029/30 with 15 units in year one, 10 in year two, 23 in year three and 8 in the fourth and final year.

The grant being awarded is £94k per property for 46 standard-sized properties, rising to £117.5k per property for 10 larger properties. There is an additional £21k per property for fees incurred and works required, and a fixed revenue grant of £67k to cover officer cost.

Proposed grant funding, numbers and types of units to be delivered are shown below:

	Grant Funding	T/A units	Resettlement Units	Large Resettlement Units
2026/27	£1,796k	9	3	3
2027/28	£1,197k	6	2	2
2028/29	£2,739k	15	4	4
2029/30	£943k	6	1	1
Totals	£6,675k	36	10	10

The following is a breakdown of LAHF grants previously awarded.

LAHF Grant	LAHF Grant amount	Total units provided
LAHF R1 (main) eligible Ukrainian rehousing	£1,159k	13
LAHF R1 (bridging) eligible Afghan rehousing	£770k	4
LAHF R2 (resettlement) eligible Afghan resettlement schemes	£867k	8
LAHF R2 (TA) eligible homeless households	£217k	2
LAHF R2 (additional monies) TA eligible households	£867k	8
LAHF R3 (TA) eligible homeless households	£1,921k	17
LAHF R3 (resettlement) eligible Afghan resettlement scheme	£565k	5
LAHF R3 (resettlement) eligible Afghan resettlement scheme, large properties	£272k	2
TOTAL	£6,638k	59

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

This report seeks to add £15,434k to the HRA capital programme for the acquisition of 56 units of accommodation, financed by £6,675k of LAHF grant and £8,759k of prudential borrowing. The grant funding represents 43% of the total cost of acquisition, which compares favourably with other funding sources for affordable housing. Because public subsidy is being used to part-fund the purchase, Stamp Duty Land Tax (SDLT) will not apply.

The residual purchase cost will be financed from prudential borrowing, and reflects assumed property inflation over the 4-year period. The acquisitions will provide the HRA

with a long-term income stream to repay the cost of this borrowing, along with associated interest costs, and make a positive contribution to long-term HRA finances.

Stuart McAvoy – Head of Finance

3rd June 2026

6.2 Legal implications

Commercial

Commercial Legal

The report seeks executive approval of the Authority's involvement in the Local Authority Housing Fund (LAHF) for the use of grant funding from DLUHC to provide temporary accommodation. The Authority will need to consider any funding obligations attached to the use of the funds including any funding agreement is reviewed so the Authority can comply with its obligations, further whether relevant obligations are cascaded down to ensure delivery of the Project meets the funding objectives. Legal Services can assist with this.

Subsidy control advice should be sought from Legal Services to ensure that the grant from DLUHC will not constitute a subsidy for the purposes of the Subsidy Control Act 2022 including any forward funding.

In delivering the project any commissioning will need to be in accordance with the Authority's Contract Procedure Rules and the Procurement Act 2023 – early Procurement and Legal engagement to be sought.

In relation to any suggested prudential borrowing for the capital spending plans these should be affordable, prudent and sustained in adherence to the Local Government Act 2003 and CIPFA Prudential Code.

Mannah Begum - Principal Solicitor, Commercial Legal

Date: 9 September 2026

6.3 Equalities implications

When making decisions, the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, to advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not. In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

This report seeks approval to add £15,434k to the HRA Capital Programme to secure 56 affordable housing units in years 26/27 to 29/30 across the city, funded from £6,675k of LAHF capital grant and £8,759k of HRA borrowing.

Provision of good quality homes that help to address housing need are likely to have positive impacts in terms of the aim of the PSED to advance equality of opportunity for people from across all protected characteristics.

It is important that any new housing is well designed and can contribute to a good quality of life and meet the diverse needs of residents. Accessible and inclusive design will support the general aims of the PSED. The Council must ensure that all LAHF funded activity is delivered in accordance with its obligations under the public sector equality duty (PSED).

Equalities Officer, Surinder Singh, Ext 37 4148

Dated 9 June 2026

6.4 Climate Emergency implications

Housing is one of the largest sources of carbon emissions in Leicester, responsible for 33% of emissions. Following the city council's declaration of a Climate Emergency and its aim to achieve net zero carbon emissions, addressing the emissions from housing is vital to the council's efforts to reduce carbon emissions. This is particularly important within the council's own housing stock, including new purchases, where it has the greatest level of control.

Opportunities to ensure that these acquisitions will provide energy efficient low carbon housing should be investigated as relevant, which is likely to depend on the status of the buildings at the time of purchase. This could include consideration of the levels of insulation, use of low energy lighting and appliances and the installation of low carbon heating and renewables and potential improvements that could be made. Achieving a high level of energy efficiency would reduce the energy bills and carbon emissions of the property and could also increase its value and the level of comfort for occupants.

Phil Ball, Sustainability Officer, Ext 372246

9th. June 2026

7. Background information and other papers:

None

8. Summary of appendices:

None

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a "key decision"? If so, why?

n/a

Scrutiny Annual Report 2025-26

Date of meeting:

Council: 17th September 2026

Lead Director:

Kamal Adatia

City Barrister and Head of Standards

Useful information

■ Ward(s) affected: All

■ Report authors: Ed Brown, Katie Jordan - Senior Governance Officers, Julie Bryant – Governance Officer

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katie.jordan@leicester.gov.uk, Julie.bryant@leicester.gov.uk

1. Summary

- 1.1. This report provides a summary of the Scrutiny Annual Report 2025-26.
- 1.2. The Chair of the Overview Select Committee has developed a report that details the activity performed by the City Council's scrutiny bodies during 2025/26. The report also references ongoing and proposed scrutiny activity.

2. Recommended actions/decision

- 2.1 Full Council is asked to note the report and endorse the work of scrutiny during 2025-26.

3. Scrutiny / stakeholder engagement

- 3.1 The report details a summary of work and outcomes from scrutiny across OSC and the six scrutiny commissions during 2025-26.
- 3.2 Although it is a decision of Full Council to approve the Scrutiny Annual Report, given that it covers the work and operation of scrutiny, it is appropriate for it to be subject to consideration by the Overview Select Commission ahead of its submission to Full Council.

4. Background and options with supporting evidence

- 4.1 The main report begins with an introduction by Councillor Ashiedu Joel, Chair of the Overview and Select Committee for 2025/26.
- 4.2 It then provides general detail of the scrutiny structure, format and operation during the previous year.
- 4.3 The report includes a separate section for each of the seven scrutiny bodies during 2025-26, setting out the key achievements and highlights for each committee/commission and also refers to some of the ongoing and proposed work.
- 4.4 The report is designed to serve as a summary of activity. Full detail of the activity of each scrutiny body can be found via <https://bit.ly/3P7AOEh>

5. Detailed report

The full 'Scrutiny Annual Report 2025-2026' is included on the subsequent pages.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no direct financial implications arising from this report.

Stuart McAvoy - Head of Finance
24th June 2026

6.2 Legal implications

There are no direct legal implications arising.

Kevin Carter, Head of Law – Commercial, Property & Planning
22 June 2026

6.3 Equalities implications

This report is a summary of scrutiny activity and does not in itself introduce any new equalities impacts. However, the scrutiny work described during 2025-26 covered a range of council services that affect people with protected characteristics, including children and young people, older people, disabled people, carers, tenants and people experiencing homelessness.

Scrutiny provides an important opportunity to consider whether services are fair, accessible and responsive to the needs of different communities. The work outlined in the report included consideration of issues such as SEND transport, adult social care, housing, transport affordability and service accessibility, with the aim of improving outcomes and reducing inequality.

As the report is retrospective, there are no direct equalities implications arising from the recommendation to note and endorse it.

Equalities Officer, Surinder Singh, Ext 37 4148

Dated 15 June 2026

6.4 Climate Emergency implications

Scrutiny contributes positively to the council's response to the climate emergency by monitoring decisions that also have the potential to influence emissions, air quality, and resilience. Consideration of sustainable growth, low-carbon travel, and green job creation, while helping to ensure that climate impacts are consistently recognised and reflected in

decision-making, and performance monitoring is an important component in efforts to reduce the council's own and city-wide emissions.

Phil Ball, Sustainability Officer, Ext 372246
16th June 2026

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

N/A

7. Background information and other papers:

None

8. Summary of appendices:

Scrutiny Annual Report 2025/26

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”? If so, why?

No



Leicester City Council

Scrutiny

Annual Report

2025-2026

Foreword

It has been my privilege to serve as Chair of the Overview Select Committee for the municipal year 2025/26. This report provides an overview of the extensive work undertaken by the Overview Select Committee and the Scrutiny Commissions.



Throughout the year, scrutiny has examined a wide range of issues affecting the city and its residents. This has included the consideration of proposed decisions, the development of policy, performance monitoring, and the review of emerging challenges and opportunities. This year particularly, alongside the formal meetings, scrutiny undertook a number of task groups, briefings, site visits and other informal scrutiny activities to enable members to explore issues in greater detail and gather evidence from a variety of sources. Having this deeper understanding was important to us to efficiently scrutinise the information we were receiving.

The Overview Select Committee and Scrutiny Commissions have undertaken a substantial programme of work during the year, resulting in a range of recommendations designed to improve outcomes for residents and strengthen the delivery of public services. I am grateful to the City Mayor and members of the Executive for their constructive engagement with the scrutiny process and for the positive manner in which recommendations have been considered. I would also like to thank officers across the Council whose expertise, commitment and support have enabled members to examine issues thoroughly and make informed contributions.

Scrutiny has continued to benefit from strong engagement with a range of partners, particularly across the health sector, where collaboration and openness have supported meaningful examination of issues affecting local communities. The continued participation of young people within several scrutiny bodies has also been particularly valuable, helping to ensure that the perspectives and experiences of younger residents are reflected in discussions and decision-making.

One of the strengths of scrutiny is its ability to undertake detailed investigations into complex issues. During 2025/26, this included focused work on Community Asset Transfer, Adventure Playgrounds, Council Tax Support and the Tenant Scrutiny Panel, among other areas. This work has enabled members to consider evidence in greater depth and provide constructive challenge where appropriate.

As local government continues to face increasing financial pressures, changing demands and a rapidly evolving policy landscape, the role of scrutiny remains as important as ever. Looking ahead to 2026/27, I am confident that scrutiny will continue to develop and adapt, providing robust challenge, supporting improvement, and helping to ensure that the voices of Leicester's residents remain at the centre of decision-making. I look forward to continuing a strong a scrutiny year ahead.

Councillor Ashiedu Joel – Chair of the Overview Select Committee

Introduction

What is Scrutiny?

The Centre for Public Scrutiny defines scrutiny as “the activity by one elected or appointed organisation or office examining and monitoring all or part of the activity of a public sector body with the aim of improving the quality of public services. A public sector body is one that carries out public functions or spends public money. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve public policy.” As such, it is important that scrutiny is an essential part of ensuring that the Council and its partners remain effective and accountable.

Leicester City Council’s Scrutiny Structure

For the 2025/26 municipal year, the Council continued with the model of an Overview Select Committee and was supported by six scrutiny commissions covering all facets of the council’s business.

Overview Select Committee

Adult Social Care	Culture & Neighbourhoods	Children, Young People & Education
Economic Development, Transport & Climate Emergency	Housing	Public Health & Health Integration

Report Structure

This annual report covers the period between May 2025 to May 2026 and summarises some of the key activity and areas of influence by scrutiny throughout the year.

The report provides detail of the work of the Overview Select Commission, and each of the six City Council scrutiny commissions. The annual report does not intend to draw out a large quantity of detail or highlight each recommendation and instead sets out some of the key achievements by the scrutiny bodies, examining areas of influence and work undertaken as part of focussed reviews or task and finish work. Full detail of each scrutiny meeting can be found by accessing relevant agendas, and minutes via leicester.gov.uk.

The report also does not intend to provide full detail of what is covered by each of the scrutiny bodies. Detail of the configuration of scrutiny at Leicester City Council can be accessed via our [scrutiny webpages](#).

By its very nature, scrutiny examines some work over a more considerable period of time, and this report also points to those strands of work that will continue or may emerge throughout 2025/26. This is reflected as part of the commission summary pages throughout the report.

Overview of Scrutiny 2025/26

In total, there were 50 public meetings across the eight scrutiny bodies (including JHSC). This was supplemented by further work performed by members in the form of separate scrutiny task group meetings or additional briefing sessions on topics of significance.

All meetings took place in person at the City Council's committee rooms at City Hall, though a hybrid set-up was initiated to allow some non-voting participants to join remotely. Meetings were comprised of eight elected members that were politically balanced, with some commissions being supplemented by co-opted members or standing invitees. The Chairs of the scrutiny bodies throughout 2025/26 were as follows:

Overview Select Committee – Cllr Ashiedu Joel

Adult Social Care – Cllr Melissa March

Children, Young People and Education – Cllr Misbah Batool

Culture and Neighbourhood Services – Cllr Syed Zaman

Economic Development, Transport & Climate Emergency – Cllr Sue Waddington

Housing – Cllr Molly O'Neill

Public Health & Health Integration & LLR Joint Health – Cllr Karen Pickering



The commissions and committees continued to examine key strategic priorities and emerging issues. As in previous years, a significant proportion of scrutiny related to the consideration of executive decisions prior to them being taken, including scrutiny of the annual budget-setting process. This enables scrutiny to challenge, support and influence the City Council's decision-making processes and remains a primary function of the scrutiny process. Scrutiny also seeks to examine issues that emerge throughout the year which have significant implications for the people of Leicester.

Many of the scrutiny bodies also undertook an extensive programme of work in addition to that carried out through formal scrutiny meetings. Several focused task group reviews were initiated throughout 2025/26, alongside informal scrutiny activities such as site visits and briefings. It is commonplace for proposals for this work to originate at formal meetings, often where it is apparent that the level of scrutiny required is extensive and necessitates a more detailed process of evidence gathering.

Examples of this work include the Overview Select Committee's examination of Council Tax Support and Adventure Playgrounds, the Culture and Neighbourhood Services Scrutiny Commission's work on Community Asset Transfer, and the Housing Scrutiny Commission's work on the Tenant Scrutiny Panel. Upon completion of informal reviews and task group work, the relevant decision-maker submits a report to the appropriate commission detailing their response to the scrutiny recommendations.

Scrutiny continues to gather the majority of its evidence from City Council service departments, although this has always been supplemented by input from external organisations and stakeholders. During 2025/26, scrutiny sought evidence from a wide range of partners, particularly across the health sector and through engagement with housing tenant representatives. In addition, the process of strengthening the voice of young people within scrutiny continued to develop during 2025/26, with youth representatives regularly participating in the work of the Overview Select Committee, Children, Young People and Education Scrutiny Commission, and Public Health and Health Integration Scrutiny Commission.

During the next municipal year, there are ambitions to expand public and stakeholder engagement as part of the scrutiny process, particularly when undertaking more in-depth investigations and inquiries. Scrutiny Chairs will also consider a broader range of methodologies when carrying out informal scrutiny activities.

The following pages document some of the key achievements and highlights of each of Leicester's seven scrutiny bodies, drawing upon areas of significance during the past year and highlighting some of the priorities for taking scrutiny forward during 2026/27.

Overview Select Committee

The Overview Select Committee is the City Council's overarching scrutiny body. The committee primarily scrutinises the work overseen by the City Mayor, the council's strategic priorities and cross-cutting issues including equalities, property and the Council's finances. The Committee also engages with leaders and decision makers from key partner organisations across the city.



The key Overview Select Committee scrutiny developments during 2025/26 included:

Directly Questioning the City Mayor – Members of the committee and Young People's Council (YPC) Representatives continued to raise questions directly to the City Mayor via a dedicated agenda item. Examples of questions raised included issues raised by the YPC representatives on transport access and affordability and engagement with the YPC, and questions raised by members surrounding proposals for Local Government Reorganisation (LGR), issues surrounding the local plan and the future of adventure playgrounds.

Budget Monitoring Scrutiny – OSC examined the revenue and capital finances on a quarterly basis, seeking clarity on numerous issues and requesting further information on a series of matters of significance.

Budget Setting Process– The Committee examined the full set of budget proposals relating to the Draft Revenue Budget, Capital Programme and HRA Budget for 2026/27 before it was formally approved by Full Council. The Committee also considered comments via minute extracts which were discussed across all scrutiny commissions.

Treasury Management/Investment Activity – The Committee scrutinised the Treasury Management and Investment strategies, including the monitoring throughout the year.

Corporate Estate Annual Report – The Committee considered the Corporate Estate Annual Report for the 2024/25 Financial Year. Further information was requested, including more detail on Minimum Energy Efficiency Standards, Business Support Case Studies and a Customer Satisfaction.

Local Government Reorganisation – A special meeting was held for the Committee to consider the progress of the Council's Local Government Reorganisation (LGR) submission, for consideration of the OSC Commission. Noting this was an evolving process, a presentation was given by the City Mayor.

Domestic Abuse and Sexual Violence in Leicester – A report came to the Committee updating them on local domestic abuse need, the types of service currently available locally, the approach in Leicester and plans to continue to better meet local need.

Adventure Playgrounds – A Task Group was undertaken during which Play Associations met with Councillors and considered potential support that could be available to them. The recommendations from the task group on adventure playgrounds were brought to the Commission and an Executive Response was subsequently presented.

Council Tax Support Scheme – A Task Group was undertaken to better allow Councillors to understand the effects of the new scheme and to consider alternatives and potential changes to the proposed scheme. The recommendations from the task group on the Council Tax Support Scheme were brought to the Commission and an Executive Response was subsequently presented.

Workforce and Resourcing – The Committee were presented with broad outline of the workforce challenges that Local Authorities, including Leicester Face. The item had come to OSC following previous discussion at scrutiny. The report provided context, offered a deeper dive into the challenges of recruiting to social care, and explained changes to People Services.

Asset Sales – The Committee were updated on Asset Sales as an important element to the Councils financial strategy.

Possible Overview Select Committee plans for 2026/27 include:

Findings of Healthy Workplace Survey – Following the consideration of the item on Workforce and Resourcing, it was requested that the findings of Healthy Workplace Survey be considered by the Committee once the timeframe was known.

Budget and in year budget updates – OSC will continue to receive budget updates during the year.

Crisis and Resilience Fund – following the announcement of the Crisis and Resilience Fund, OSC asked for a report setting out the Councils plans to use this funding to support households in Leicester.



Adult Social Care Scrutiny Commission

This Commission focuses on matters relating to the delivery of statutory adult social care functions, such as care services to allow independence in own homes, care services for those that require care away from home and policies that underpin a broad range of social care issues.

The key Adult Social Care scrutiny developments during 2025/26 included:

Care Quality Commission (CQC) Inspection – At the November Scrutiny meeting, members were updated on the CQC inspection and received the action plan that had been developed. It was noted that the Local Authority rating had been ‘Requires improvement’, but Leicester’s scoring was approaching the ‘Good’ rating and in line with most regional outcomes.

The ASC Scrutiny Commission members made a number of recommendations at the meeting which included extending Scrutiny work with Partners in Care and Health and for an additional metric to be added under governance.

Reablement Provider Service Inspection – The Commission received a verbal update on the five domains inspected. It was noted that four of these had received a rating of ‘Outstanding’ and one had been rated ‘Good’.

The Commission recognised this as being a good report and requested that the item return to Scrutiny once the report was published.

Care Arrangement Fee – The Commission reviewed the rationale for the proposed Care Arrangement Fee and the feedback gathered during the public consultation. Members highlighted the impact of daily living expenses and the need to understand the real impact on people’s lives and financial stability. A recommendation emerged to broaden considerations to include Self-Funders.

Annual Report 24/25 ASC Complaints and Commendations – The Commission considered a report of the Annual Report for 2024/25 produced in relation to Adult Social Care’s (ASC) statutory, corporate, Local Government & Social Care Ombudsman complaints and commendations.

It was noted that around half of the complaints related to care received whilst experiences with staff and communication made up the remainder.

Following member discussion, it was agreed that further scrutiny would come to look into AI analysis of complaints data

Integrated Crisis Response Service – The Commission scrutinised a report on the Care Quality Commission’s inspection outcome for the Leicester City Council Integrated Crisis Response Service (ICRS). Each of the five domains assessed had received a rating of ‘Outstanding’.

The commission commended the team for their work and recognised the service for flexibility in responding to care needs, and for the culture of promoting staff welfare.

Support for Carers – The Commission reviewed a report providing an update on Carer’s work in the city and to setting out key priorities over the next 9 months.

In discussion, members had noted problematical definitions of being a ‘Carer’. It was agreed that the Carer’s Strategy would come back to Scrutiny, including a reflection on the diversity of carers.

Care home rating – During the November Scrutiny meeting, a brief update was provided to members featuring a ‘Good News Story.’ The Five Rivers Living Care Home had a previous Care Quality Commission (CQC) rating of ‘Inadequate’ but had now received the second highest rating from inspectors with all service areas being rated ‘Good’.

Autism and Neurodiversity Delivery Plan Update April 2026 – The Commission scrutinised the progress of the delivery plan for Neurodiversity and Autism. During discussion it was recognised that partnership work between officers and councillors could potentially broaden the scope of support. The benefits of engaging with wider community groups was recognised.

Employment Rights Bill – The Commission considered a report providing an update on new legislation which represented one of the most significant changes to employment protections in recent years. Major employment law changes would include eligibility for statutory sick pay, amendments to bereavement entitlement and increased liability for redundancy consultation.

It was noted that changes could have a noticeable impact on the Adult Social Care Sector with a likely increase in workforce pressures.

The Commission were advised that the new Fair Works agency would strengthen enforcement activity and they requested that a follow-up return to Scrutiny on the Fair Pay Agreement.

Possible Adult Social Care Scrutiny plans for 2026/27 include:

Diverse by Design – This was added to the Forward Plan as part Scrutiny recommendations and will include caseloads for Social Workers.

Dementia - To come back with lived experience Case Studies as per Scrutiny meeting actions.

Young Carers/Carers – to include the Carer’s Strategy.

Modern day Slavery - Following up from April Scrutiny meeting on Employment Rights.

Leading better lives - Information to be provided on early intervention for working age adults requiring care packages in order to reduce demand and ensure that ASC remained financially sustainable.

Culture and Neighbourhood Services Scrutiny Commission



The Culture and Neighbourhood Services Scrutiny Commission is responsible for examining many of the everyday services that people access within their own communities, including the provision of libraries, community centres, environmental and enforcement services. This Commission also holds responsibility for looking at museums, festivals & events, sports services as well as the voluntary and community sector support and issues relating to community safety and community cohesion.

The key scrutiny developments during 2025/26 included:

Public Space Protection Orders – At various points in the year, the Commission were updated on Public Space Protection Orders (PSPO). Both the first PSPO, in the city centre, and the development PSPO2 encompassing outer-city areas. The aim of these PSPOs was to curtail Anti-Social Behaviour within those areas. The Commission scrutinised those plans and requested further information surrounding funding, and powers to tackle pavement-cycling.

Waste Engagement Findings – The Commission considered the Household Waste Collections Engagement Survey including the approach to the engagement survey, the key lines of enquiry in the form of its objectives and scope. Following the consideration at the meeting of the Commission, a further informal session was held looking at the options available to the Council.

Community Asset Transfer – In considering the amended Community Asset Transfer (CAT) Policy, the Commission requested that a task group be set up to look at the matter in more detail. The task group has commenced and has met with a group who have undergone CAT to gain a better idea of how the process works.

Fly Tipping – The Commission were updated on fly-tipping in Leicester. The Commission made suggestions, including putting stickers/posters up where fly tips have taken place, indicating what the consequence was to the fly tipper, and sharing details of Love Clean Streets with members so they can disseminate to constituents.

Assessment and Recommendations for Libraries and Community Centres – A special meeting considered a report providing an update on the findings of the recent public consultation (April 2025 – June 2025) and to provide commission members with an update on the future recommended delivery model for Libraries and Community Centres. A number of questions were taken from members of the public on the issue and responses were given by the Assistant City Mayor - Health, Culture, Libraries and Community Centres and the Head of Neighbourhood Services. The Chair proposed an amendment to the Assessment & Recommendations Report for Libraries and Community Centres which can be found in the meeting minutes.

Leisure Centre Needs Assessment – The Commission looked at primary and secondary research in relation to active Leicester Leisure Centre Offer. The scope included public

opinion, membership and usage numbers and engagement in activity. This research would inform the next five-year plan and outlined how Active Leicester would continue to respond effectively to both commercial pressures and wider social challenges.

De Montfort Hall and Haymarket Theatre – The Commission were updated on operational and financial progress at De Montfort Hall and the Haymarket Theatre, which were being managed as an integrated service.

Arts, Museums and Heritage – The Commission were updated on issues relating to Arts, Museums and Heritage, including the Business case for the new café at the King Richard III Visitor Centre and Heritage Places Funding and the National Lottery Heritage Fund.

Bereavement Services Update – The Commission considered an update on matters related to the council's Bereavement Services. It was noted that there was a duty to maintain municipal cemetery and buildings for perpetuity. Even when they were full.

Place Expansion Scheme – An update was brought on Leicester's involvement in Sport England's Place Expansion programme and set out details of a Full Award bid that had been submitted to Sport England on 27 March 2026. It was noted that in 2017 Sport England had selected 10 areas across the country for a pilot scheme, looking at how to address physical inactivity. A second phase was introduced in 80 areas, including Leicester. It was requested that information on disadvantaged neighbourhoods to be circulated with officer guidance, and for a letter to be sent to the Secretary of State for Housing, Communities and Local Government regarding allocation of MSOA funding.

Possible Culture & Neighbourhood Services Scrutiny plans for 2026/27 include:

Community safety – This will include outcomes of PSPO 2 and an overview of CCTV

Pride in Place – The Commission will be updated on both the Pride in Place Programme and Pride in Place Impact Fund

Waste Services Update – The Commission will be informed about developments surrounding waste services for the City.

Community and Libraries Needs Assessment – The Commission will look at the implementation of the Community and Libraries Needs Assessment following the consideration of the public consultation recommendations in November 2026.

LMAG Capital Project – The Commission will be informed on works to Leicester museum and Art gallery, as well as museum engagement.

Engagement of Community Organisations - Report was requested on how community organisations could be engaged to help the Council run services.

Festivals and Events – including BUSK Leicester pilot – Report and F&E Grants Programme –
Awards – The Commission will be updated on progress of funding awards for Festivals and events and on Festivals and Events that have taken place.

Children, Young People and Education Scrutiny Commission

The Children, Young People and Education Scrutiny Commission is responsible for examining children's social care, education & attainment and support provision for children and young people and families. Diocesan, trade union and school governor representatives work with elected Members on this Commission.



Key scrutiny developments during 2025/26 included:

High Needs Block Task Group - The final report of the High Needs Block Task Group was presented to the Commission. Feedback was provided and amendments were made accordingly. Following this, the Chair presented the report to the City Mayor and his Executive, with the Executive response scheduled for consideration at the first meeting of the municipal year.

Post 16 SEND Home-to-School Transport – The Commission undertook extensive scrutiny of proposed changes to the Post-16 SEND Transport policy following a five-member call-in. Members raised concerns regarding financial hardship, access to education, travel training, appeals processes and the potential impact on vulnerable young people and families. Following constructive discussions and assurances from officers regarding a holistic and person centred approach, the call-in was withdrawn with recommendations made to strengthen guidance and monitoring arrangements. Further scrutiny continued throughout the year as Members monitored the implementation of the policy, individual transport decisions, appeals and support for families. Subsequent updates highlighted improved engagement with families, continued individualised assessments and no increase in NEET figures.

Schools White Paper and SEND Reform – The Commission reviewed the implications of the Government's Schools White Paper and proposed SEND reforms for Leicester. Members examined plans to strengthen inclusion within mainstream schools, expand local SEND provision and improve early intervention and partnership working across education, health and social care. Discussion focused on workforce development, consistency of inclusive practice across schools, sufficiency of SEND places and the co-production of Leicester's local SEND reform plan. The Commission requested further updates on the implementation of the reforms, local delivery plans and the impact on children and young people across the city.

Families First Partnership Programme – The Commission reviewed progress on the Families First Partnership Programme and the South Leicester pilot aimed at strengthening early help, prevention and multi-agency working for families. Members examined plans to integrate services, improve partnership working and develop a more joined up approach across social care, schools, health and community services. Discussion focused on accessibility of Family Hubs, workforce development, co-production with young people and families, and the importance of reducing bureaucracy to enable more direct support for families. The Commission requested further updates on the outcomes of the pilot and the Young People's Survey as the programme expanded across the city.

Equality and Diversity Development– The Commission reviewed the department's Equality, Diversity and Inclusion improvement ambitions for 2026/27, including plans to strengthen inclusive decision making, workforce development and representation across the service. Members discussed the importance of cultural change, psychological safety, open dialogue and challenging unconscious bias within the workforce. The Commission welcomed the development of an action plan and maturity matrix to measure progress and requested quarterly updates to monitor the department's progress and outcomes.

Fostering Service Annual Report– The Commission reviewed the annual performance and activity of the Fostering Service, including recruitment, placement stability, support for foster carers and safeguarding arrangements. Members examined the impact of the national shortage of foster carers, increasing complexity of need amongst looked after children and the importance of maintaining placements close to Leicester to support family and school continuity. The Commission welcomed positive feedback from Ofsted, strong placement stability figures and the development of enhanced support for carers and children with complex needs. Members also highlighted the importance of recognising and supporting foster carers through initiatives such as the Celebrating Success events.

Early Years Extended Entitlement– The Commission reviewed the expansion of early years provision, and the implementation of the Government’s extended childcare entitlement offer across Leicester. Members examined the challenges facing the sector, including workforce shortages, funding pressures, sufficiency of places and support for children with SEND. Discussion focused on ensuring families were aware of the support available, maintaining high quality provision across the city and supporting disadvantaged children to access early education. The Commission also highlighted the importance of effective communication and local promotion to improve awareness and uptake of the offer.

Edge of Care Strategy - The Commission reviewed the Edge of Care Strategy and examined the support available for children and families at risk of children entering care. Members welcomed the strong outcomes achieved through preventative and therapeutic interventions, including support helping children remain safely within their family networks and reducing reliance on high-cost placements. Discussion focused on long term sustainability, safeguarding, workforce capacity, cultural inclusion and how outcomes were monitored over time. The Commission also examined the importance of early intervention, family engagement and maintaining support networks to improve long term outcomes for children and young people.

Youth Justice Plan– The Commission reviewed the five-year Youth Justice Plan for 2025-2030, including strategic priorities, governance arrangements and performance measures for the Youth Justice Service. Members examined work to reduce first time entrants, reoffending and custody rates, alongside support for vulnerable children and young people at risk of exploitation. The Commission discussed the findings of the recent HMIP inspection, progress against the resulting improvement plan and the importance of partnership working, disproportionality monitoring and youth participation in shaping services. Members also highlighted the need for continued scrutiny of youth crime trends and preventative support across the city.

The Commission did a great amount of work this year and other key items were LSCP Annual Report, Social Care and Education Performance Dashboard, Children and Young People from Abroad Seeking Safety and SCE Priorities and Performance Reports.

Possible Children, Young People & Education Scrutiny plans for 2025/26 include:

White Paper and local SEND reform plan update– The commission will continue to monitor the updates as they are received.

Care Leavers Focussed Visit

Leicester Children’s Services – Self Evaluation

Children from Abroad Seeking Safety – Annual report

Youth Strategy - Including the Youth Survey.

Fostering Annual Report – To include Community Champions and Marketing Strategy

Economic Development, Transport and Climate Emergency Scrutiny Commission



This commission reviews a range of matters which include regeneration, public transport and cycling provision, adult learning and job provision and climate emergency policy.

The key scrutiny developments during 2025/26 included:

Workspaces – The Commission were given updates on progress surrounding workspaces, particularly Dock and Canopy and the organisations that made use of them.

Bus Services and Transport Affordability – The Commission looked at bus services in the City, both through the Bus Service Improvement Plan, and through a report on Transport Affordability, which had a particular focus on affordability for young people. Young People's Council representatives were invited to the meeting where Transport Affordability was considered, and asked questions around fares for 16–18-year-olds and how to make the Hop! Service better meet the needs of young people.

Connecting Leicester – Local Transport Grant – The Commission scrutinised details of the government grants made available for transport improvements in the 25/26 financial year and to advise members of the commission of the projects and programmes these grants will allow us to deliver or support. The Commission made recommendations including requesting more information on Rally Park costings and the proposals for resurfacing Aylestone Road.

Cycling and Walking Improvement Plan and Cycle Lane Demarcation – An informal session considered the Cycling and Walking Improvement Plan. Members were informed that the approach would also involve direct sessions with ward councillors, direct sessions with key stakeholders and a wider public consultation using a map-based platform. Issues surrounding Cycle Lane Demarcation were also considered by the Commission.

Get LLR Working Plan – The Commission were updated on the Get Leicester, Leicestershire and Rutland (LLR) Working plan. The Commission requested that a future report be brought to the Committee summarising the relationship between initiatives aimed at reducing economic inactivity and trends in unemployment data, to enable the Committee to assess impact.

Leicester and Leicestershire Business Skills Partnership – Members considered a report to update the Commission on the development and delivery of the Business and Skills Partnership for Leicester and Leicestershire. Suggestions would be fed in to inform future recruitment of additional board members.

Market Place – The Commission were updated on progress on the Market Place development. They would be kept informed of further progress as it developed.

Worker Exploitation – The Executive Response to the recommendations of the Task Group on worker exploitation came to the Commission. The Commission was informed of ongoing national developments including the proposed Employment Rights Bill and the establishment of the Fair Work Agency expected to launch in 2026. The Task Force's emphasis on partnership working was acknowledged and identified the 'Get LLR Working' programme as a key partnership framework through which labour market exploitation issues could be addressed to raise awareness and support individuals into work. It was requested that the Commission be kept updated on progress on devolved funding and on Local Government Association initiatives on exploitation/modern slavery as they emerge.

ZEV Strategy – Members were updated through a report and a presentation on the council's Zero Emission Vehicle Strategy. It was suggested that research be conducted into the most efficient ways to generate electricity. This would be included in the strategy as an appendix.

Car Park Usage – The Commission considered parking fees and usage, including looking at the impact of increase to on street and off-street parking charges, and a verbal addendum on the closure of NCP car parks. Members requested to be kept informed regarding the NCP car parks.

Possible Economic Development, Transport & Climate Emergency plans for 2026/27 include:

Labour Market – Worker Exploitation – Information to be provided on devolved funding and on Local Government Association initiatives on exploitation/modern slavery as they emerge.

Get LLR Working – Further information to be brought summarising the relationship between initiatives aimed at reducing economic inactivity and trends in unemployment data, to enable the Commission to assess impact.

Local Transport Funding Progress – The Commission will be updated on progress on local transport funding.

Market place update – The Commission will be updated on progress surrounding the development of the market place.

Road Safety and Pedestrian Crossings – The Commission will consider issues surrounding road safety and pedestrian crossings.

Economic Strategy Overview – Update on work to develop an economic strategy



Housing Scrutiny Commission

The Housing Scrutiny Commission examines a wide range of issues relating to Housing and Homelessness. This covers council services as well as issues affecting private sector housing and housing associations.

Key housing scrutiny developments during 2025/26 included:

Housing Revenue Account (HRA) Budget 2026/27 Proposals (including Capital Programme)

– The Commission looked at pressures facing the HRA budget, particularly around new responsibilities around damp and mould, and also the continued loss of housing stock. Issues were raised by members of the Commission, including the affordability of increased rents, and issues around service charges.

Tenants' Scrutiny Panel – The Commission heard updates from members of the Tenants' Scrutiny Panel. This allowed a useful exchange in feedback between residents and the Council, which in turn allowed the Council to gain an insight into issues faced by tenants, and tenants to gain an insight into issues faced by the Council.

Fire Safety - The fire safety conditions within the Council's residential buildings were considered by the Commission. The Commission requested more information on the average wait time for the 452 low-level fire risk blocks.

PRS Strategy / Renters Reform Bill - Recent and upcoming developments aimed at the improvement of private rented sector stock within the city. The presentation covered the Renters' Rights Bill (RRB), the Supported Housing Act 2023 (regulations) (SHA) and the introduction of a refreshed Private Rented Sector (PRS) strategy.

District Service Performance 2025 – The Commission were given an overview of the Tenancy Management Service, the support it provides and its performance as a social housing landlord to Leicester City Council tenants. The Commission asked for details of the Community Safety ASB team and information on feedback regarding engagement with Community Engagement Officers and use of QR codes to be brought in a future report.

Homelessness Strategy – The Commission looked into homeless in the City for 2024/25 and progress in relation to Leicester's Homelessness & Rough Sleeping Strategy. This also included looking at temporary accommodation and considering the £45 Million put aside by the Council to help resolve the issue of Bed and Breakfast accommodation by helping to provide more suitable self-contained accommodation.

Who Gets Social Housing – The Commission scrutinised Housing Register and Lettings data, relating to Leicester City Council's Housing Register. The Commission looked particularly at the reasons people joined the register, and how the Banding system works. The Commission gave particular attention to the Easymove House Exchange Scheme and requested more information on the scheme.

House Building and Acquisition – The delivery of new council house building was scrutinised, along with the acquisition programme, and the Commission received updates on all sites in our current pipeline. Site visits were carried out on the schemes on Hospital Close and Saffron Velodrome.

Pop-up Housing Office – The Housing Pop-up office pilot across multiple sites was considered by the Commission. It was noted that positive feedback had been received from the Tenants' Scrutiny Panel. The Commission asked questions about costs and resources and about the location of the hubs.

Repairs and Maintenance, including Damp and Mould – The Commission were provided with an update on the current position of the Repairs and Maintenance performance, including responsive repairs, voids, and damp and mould, the team's performance throughout 2024-25 and projections for 2025-26. Issues surrounding Damp and Mould were looked at further with regards to the implementation of Awaab's law. Information would be shared with Members to support wider communication on damp and mould issues.

Possible Housing plans for 2026/27 include:

District Heating – An item will be brought on district heating, including information about investment.

Temporary Accommodation – The Commission will be updated on issues surrounding temporary accommodation.

Maintenance Charges – Information will be brought on maintenance charges, focussing on charges other than Cleaning Charges.

District Performance Report – Information brought on District Performance will include feedback regarding engagement with Community Engagement Officers and use of QR codes.

Mutual Exchange Swap Scheme – A report will be brought on the Mutual Exchange Swap Scheme, including the incentives and barriers.

Public Health and Health Integration Scrutiny Commission



This commission is responsible for examining the health services received by all Leicester residents, which includes the services provided by the local authority's public health team along with those delivered by the NHS and health sector partners. Co-Producers are standing invitees and have contributed to discussions throughout the year.

The key Public Health and Health Integration scrutiny developments during 2025/26 included:

Special Meeting on Winter Pressures – The Commission held a special meeting to scrutinise winter pressures across Leicester. Members questioned health partners on ambulance delays, escalation spaces, urgent treatment centre access, GP access and patient experiences across the system. Issues were also raised regarding the lack of up to date winter performance data provided to the Commission. Additional information and further updates were requested on emergency department performance, escalation processes and the wider impact of winter pressures on community services.

Deep Dive into Rheumatology – The Commission undertook a detailed review of Rheumatology Services at University Hospitals Leicester, focusing on rising demand, workforce pressures and patient access to treatment. Members challenged the Trust on referral to treatment performance, workforce capacity, delays in diagnosis and the long-term sustainability of the service in light of continued increases in referrals. While improvements in early inflammatory arthritis treatment and national recognition for service performance were welcomed, concerns remained around unmet demand, recruitment challenges and the wider impact on patient care. Members requested a further update in the new municipal year to continue monitoring progress and workforce planning.

LOROS – Members welcomed the reopening of additional inpatient beds at LOROS Hospice following additional NHS funding and recognised the positive impact this would have on end of life and palliative care across Leicester, Leicestershire and Rutland. The Commission raised concerns regarding hospice funding inequalities between Leicester, Leicestershire and Rutland and Northamptonshire, alongside the wider long-term sustainability of hospice provision. Members also continued to advocate for further investment and increased bed capacity at LOROS to meet growing demand across the system.

Health Protection – The Commission monitored rates of illnesses and vaccinations in the city. This included measles, whooping cough, covid, meningitis and TB. Further updates were requested to continue monitoring rates and emerging concerns within the city

Leicester Neighbourhood Approach - The Commission reviewed the development of Leicester's Neighbourhood Approach and examined how partners across Health, Social Care and the Voluntary Sector planned to deliver more preventative and community-based services. Members raised points regarding the configuration of neighbourhoods, the potential for health inequalities to be masked within larger and more diverse areas, and how equity and population need had informed the model. The Commission sought assurance that community level data, targeted engagement and neighbourhood steering groups would be used to identify local priorities and ensure resources reflected the needs of individual communities. Ongoing scrutiny of the

neighbourhood model, localised planning and community engagement arrangements was requested as part of the future work programme.

Cost of Living, Food Poverty and Fuel Poverty – The Commission reviewed the impact of poverty on health inequalities across Leicester, including fuel poverty, food insecurity and period poverty. Members welcomed work undertaken through the fuel poverty programme, the rollout of free menstrual products across community settings and progress towards auto enrolment for free school meals. The Commission also highlighted the importance of dignified and accessible support for residents experiencing hardship and encouraged further partnership working with local organisations and businesses to strengthen support available across the city.

For 2025-26 Leicester City Council were responsible for servicing the Leicester, Leicestershire and Rutland Joint Health scrutiny Committee, which included:

Joint LLR Health Scrutiny Committee – Members discussed items including NHS Transformation, Pilot Digital Project, Shared Care Record, Winter Pressures Across the LLR, System Health Equity, LLR Send and Inclusion Alliance and Speech and Language Therapy Services.

St Marys Birth Centre - The LLR Joint Health Committee undertook detailed scrutiny of the future of St Mary's Birth Centre, including workforce pressures, patient safety, accessibility, birth choice and the long-term sustainability of maternity provision across Leicester, Leicestershire and Rutland. Members raised significant concerns regarding travel times, equality of access, communication with families and the impact of the closure on local communities. The Committee also challenged the timeline for decision making the role of the 2021 consultation and the availability of alternative maternity provision at Leicester General Hospital. Following extensive discussion, the Committee formally recommended that the Integrated Care Board defer its decision to allow further consideration of maternity options, future provision and women's choice of care across the system. Following the subsequent decision by the ICB Board, the Committee requested ongoing scrutiny of maternity services, postnatal provision and birth choices to monitor the impact on women and families across Leicester, Leicestershire and Rutland.

Possible PHHI plans for 2026/27 include:

Prevention and Health Inequalities Programme – An update on the progress made in the programme and a focus on work being done to combat Bowel Cancer.

Vaccination uptake across Leicester – A report was requested to come to the commission in the new municipal year.

Leicester Neighbourhood Approach – The commission will continue to monitor the progress of localised plans.

Maternity Provision – The Commission requested further updates on the maternity provision across the LLR.

Mental Health – Further updates on improving the process for mental health referrals by GPs for Children and Young People and progression of the Suicide Strategy.

Speech and Language Therapy Service – It was requested the item returns to scrutiny with relevant stakeholders invited.

Contacting Scrutiny

For more information, please contact the Governance Services Team via **governance@leicester.gov.uk**.

Leicester City Council
City Hall

Elected Member Absence From Meetings

Decision to be taken by: Full Council on 17th September
2026

Lead director/officer: Kamal Adatia, Monitoring Officer

Useful information

- Ward(s) affected: Abbey
- Report author: Kamal Adatia / Kalvaran Sandhu
- Author contact details: kamal.adatia@leicester.gov.uk / Kalvaran.sandhu@leicester.gov.uk
- Report version number: 1

1. Summary

To consult with the Council to determine whether or not an approval is to be granted for the continued absence of Councillor Annette Byrne prior to the expiry of a period of six months since she last attended at Council, a Committee, Sub-Committee or as a representative of the Authority. If not granted, then on 22nd October 2026 the office of councillor will become vacant in accordance with section 85 of the Local Government Act 1972.

2. Recommended actions/decision

- 2.1 Approve the waiver of the six-month attendance rule provided for within Section 85(1) of the Local Government Act 1972 for Councillor Annette Byrne, due to illness.
- 2.2 Having regard to the extenuating circumstances arising from Councillor Byrne's illness, Members are asked to grant an extension of time for the further six months, to 21st April 2026 before section 85 is re-triggered.

3. Scrutiny / stakeholder engagement

None

4. Background and options with supporting evidence

- 4.1 The Local Government Act 1972 (Section 85) provides that, if a Member of a local authority, through a period of six consecutive months from the date of his/her last attendance, does not attend any meeting of the authority, he/she ceases to be a Member of the Authority. A 'meeting of the authority' in this case refers to a formal meeting, which would typically be open to the public, such as a Scrutiny or regulatory meeting.
- 4.2 If, however, the Member's non-attendance is due to some reason approved by the Authority before the expiry of the period, then such cessation does not take place.
- 4.3 Councillor Byrne's last attendance was at the Economic Development, Transport and Climate Emergency Scrutiny Commission on 22 April 2026. Having regard to the above legal provisions, Councillor Byrne will be disqualified unless she is able to attend a relevant meeting before 22nd October 2026.

- 4.4 Councillor Byrne's absence has been caused by medical conditions which have heavily restricted her strength and mobility.
- 4.5 When such circumstances have arisen in recent years for Councillors, Council approved an extension of non-attendance past the six months period stipulated in the Local Government Act 1972 (Section 85) with the position being reviewed prior to the expiry of the extension.
- 4.6 Given the uncertainty surrounding Councillor Byrne's recovery it is considered reasonable to approve an extension for one further six month cycle.

5. Financial, legal, equalities, climate emergency and other implications

5.1 Financial implications

There are no direct financial implications associated with the recommendations in this report.

Signed: Stuart McAvoy - Head of Finance

Dated: 7th September 2026

5.2 Legal implications

Section 85(1) of the Local Government Act 1972 provides that where a Member fails throughout a period of six consecutive months to attend any meeting of the Authority, they cease to be a Member unless the failure was due to a reason approved by the Authority before the expiry of that period.

Councillor Byrne's last recorded attendance at a qualifying meeting was on 22 April 2026. In the absence of attendance at a qualifying meeting before 22 October 2026, and unless Council approves the reason for non-attendance before that date, her office would become vacant.

Council has discretion to determine whether the reasons for absence are sufficient and, if so, the period for which absence should be approved.

Signed: K Adatia

Dated: 26.08.2026

5.3 Equalities implications

There are no direct equalities implications arising from this report, as it concerns a procedural decision under Section 85 of the Local Government Act 1972; however, approving the waiver positively supports an elected member currently experiencing health and mobility challenges.

Signed: Equalities Officer, Surinder Singh, Ext 37 414
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Dated: 7 th September 2026

5.4 Climate Emergency implications

There are no climate emergency implications related to this decision
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Signed: Phil Ball, Sustainability Officer

Dated: 07.09.2026

5.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

6. Background information and other papers:

None

7. Summary of appendices:

None

8. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

N/A

9. Is this a “key decision”? If so, why?

No

Implementation of New National Scheme of Delegation

Decisions to be taken by:

Planning and Development Control Committee

2nd September 2026

Council

17th September 2026

Lead director/officer:

PDCC: Andrew L Smith, Director of Planning,
Development and Transportation

Council: Kamal Adatia, Monitoring Officer

Useful information

Ward(s) affected: All

Report author: Grant Butterworth

Contact details: grant.butterworth@leicester.gov.uk

Version: 1

1. Summary

- 1.1 From 31 October 2026 all Councils shall be bound by a new National Scheme of Delegation that will replace local arrangements. Applications are to be categorised either as Schedule 1 applications (have to be delegated to officer level) or Schedule 2 applications (applications that are presumed to be delegated unless specific criteria are met). Additional provisions are required for 'Own Interest' applications (Council/Council Officers/Member applications).
- 1.2 This report sets out the proposed response to these requirements and our proposed arrangements for handling Schedule 2 and Own Interest applications. The overall approach seeks to align as closely as possible to the current local Scheme of Delegation (attached at Appendix 1) currently in operation.
- 1.3 In order to comply with the new legislative requirements, the Constitution will need to:-
 - include a legally compliant Scheme of Delegation including confirmation of nominated officers and members
 - include updated Good Practice Guidance on how the new arrangements should be implemented
 - include provision to align with the new national limit on the size of Planning Committees to a maximum of thirteen Members.
- 1.4 For the avoidance of doubt, the Council's Scheme of Delegation for planning decisions should adhere to the new National Scheme of Delegation. Within Leicester City Council's Constitution, those delegation arrangements are contained within the Terms of Reference of the Planning and Development Control Committee. The proposed constitutional amendments therefore revise the Committee's Terms of Reference so as to incorporate the amended Scheme of Delegation set out in Appendix 2.

2. Recommended actions/decision

For Planning and Development Control Committee:

- I. To consider the proposals set out in this report and make comment for Council's consideration

For Council:

- I. To comply with the National Scheme of Delegation and Planning Committee requirements, approve the following amendments to the Constitution:
 - a) Insert the new provisions, explanatory text and Scheme of Delegation as set out in Appendix 2 of this report into Part 3 of the Terms of Reference within the Constitution.
 - b) Replace the existing Good Practice Guidance with the new Good Practice Guidance set out in Appendix 3 of this report into the Constitution.
 - c) Other minor and consequential amendments to the Constitution.

3. Scrutiny / stakeholder engagement

- Member received Training on Planning- May/June 2026
- The Council's Planning & Development Control Committee considered this report and Appendices at its meeting on 2nd September, the relevant minute extract of which is enclosed as **Appendix 4**

4. Background and options with supporting evidence

4.1 Planning Committees play a critical role in maintaining public trust and ensuring local democratic oversight within the English planning system. Planning Committees remain central to transparent, consistent, and high-quality decision-making.

4.2 In the King's Speech in 2026, the Government announced that it would modernise the way Planning Committees operate to best deliver for communities and support development. To achieve this, the Government introduced measures through the Planning and Infrastructure Act 2025 (the Act) to:

- a) give a new power to the Secretary of State to set out which planning functions should be delegated to Planning officers for a decision and which should instead go to a Planning Committee or sub-committee
- b) give a new power to the Secretary of State to control the size and composition of Planning Committees
- c) impose a new requirement for Members of Planning Committees to be trained, and certified, in key elements of planning

4.3 The measures in the Act are enabling powers, with the detailed provisions to be set out in subsequent Regulations. In May 2025 the Government launched consultation to seek views on what detailed provisions should be included in the Regulations.

4.4 On the 26th March 2026 guidance was published to support Local Planning Authorities (LPAs) implement the changes in (a) and (b) above by the Autumn, anticipated to be no later than the 30th September 2026.

4.5 On the 1st June 2026 additional guidance was issued to confirm the required **implementation date of 31st October 2026**.

4.6 For clarity, this will mean any planning application decisions made by a Local Planning Authority on and beyond 31st October 2026 must be determined under the new legislative requirements and this report aligns the Council's Constitution in this respect.

Paragraphs 4.7- 4.30 detail the changes proposed:

4.7 In summary, the National Scheme of Delegation aims to improve clarity and consistency in planning decisions by ensuring Planning Committees focus on significant proposals, while routine or technical decisions are handled by Planning officers.

4.8 Under powers in the Town and Country Planning Act 1990 (TCPA 1990), the Secretary of State has introduced the 2026 Regulations, which:

- Require certain applications to always be decided by officers (Schedule 1).
- Presume most other applications (Schedule 2) will be decided by officers unless they meet specific criteria (as part of the "Gateway Test")
- Allow referral to a Planning Committee only if both a nominated officer and Committee Member agree.

4.9 For completeness and reference, the current Scheme of Delegation adopted in June 2021 is set out at **Appendix 1** to this report.

4.10 **Appendix 2** sets out the proposed changes to the Terms of Reference by adopting a new national Scheme of Delegation.

4.11 **Appendix 3** sets out the associated Good Practice Guidance with track changes which also includes minor inconsequential textual amendments and clarifications with regards to voting procedures and recording mandatory training.

4.12 The main changes to the provisions relate to two new Schedules of application types set out by the Government as below:

Paragraphs 4.13 to 4.15 provides further details on Schedule 1.

4.13 **Schedule 1** of the Regulations sets out all the functions which must be delegated to officers in all cases (noting the Own Interest application provisions). These include a number of categories of applications for planning permission for:

- An application made under [section 17\(1\)](#) of the [Land Compensation Act 1961](#) (certificates of appropriate alternative development)
- An application made under section 26H(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (certificate of lawfulness of proposed works)
- A householder application
- A minor commercial application
- A minor residential application
- An application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 1 planning permission

- An application made under section 96A(4) of TCPA 1990 (non-material changes to planning permission or permission in principle)
- In respect of a planning obligation that the authority concerned considers is connected with a Schedule 1 approval—
 - (a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations);
 - (b) an application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations)
- An application made under section 191(1) of TCPA 1990 (certificate of lawfulness of existing use or development) non-material changes to planning permission or permission in principle (applications under section 96A(4) of the Town and Country Planning Act 1990)
- An application made under section 192(1) of TCPA 1990 (certificate of lawfulness of proposed use or development) certificates of lawfulness of proposed use or development (under section 192(2) of the Town and Country Planning Act 1990)
- The submission of a biodiversity gain plan under paragraph 13(2)(a) of Schedule 7A to TCPA 1990
- A reserved matters approval application in respect of an outline planning permission other than a large outline permission
- An application made under [article 27 \(1\)](#) of [DMPO](#) (applications made under a planning condition)

4.14 However, the application will fall within Schedule 2 where:

- a local authority considers that a Schedule 1 application for planning permission is connected to a Schedule 2 application, or
- an application would otherwise fall under Schedule 1 but is made (whether or not jointly with any other person) by or on behalf of a Local Authority, a Member or an officer (as defined) of that Local Authority or an entity owned or controlled (whether wholly or partly) by that Authority or any of its Members or officers, or
- in the view of the Nominated Member and the Nominated Officer, the Authority or any of its Members or officers have a Disclosable Pecuniary Interest, or prejudicial Other Disclosable Interest.

4.15 The majority of the above applications are currently determined by officers under delegated powers. The key change proposed is that there is no ability for Members to call in Schedule 1 applications or for officers to refer such applications to Planning Committee even where they have generated significant local interest (previously six objections or via Councillor call-in).

Paragraphs 4.16 - 4.18 provide further details on Schedule 2

4.16 The functions that fall within **Schedule 2** of the Regulations are:

- applications for planning permission not listed in Schedule 1

- An application for listed building consent made under section 10(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (making of applications for listed building consent)
- An application made under section 19(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (variation or discharge of conditions of listed building consent)
- applications for development which has already been carried out (under section 73A(1) of the Town and Country Planning Act 1990)
- An application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission
- An application made under section 73A(1) of TCPA 1990 (planning permission for development already carried out)
- (1) In respect of a planning obligation that the authority concerned considers is connected with a Schedule 2 approval—
 - (a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations);
 - (b) an application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations).
- applications for listed building consent (under section 10 of the Planning (Listed Buildings and Conservation Areas) Act 1990)
- A reserved matters approval application in respect of a large outline permission
- An application made under Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (application for express consent to display advertisement)
- An application made under of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order).

4.17 The Government's new overriding presumption is that the functions listed in Schedule 2 will be delegated to officers. A function can be referred to a committee only where:

a) at least one of the criteria in Regulation 5(2) (set out in para 4.19 below) is met **or** it is an application made by or on behalf of a Local Authority, a Member or officer (as defined) of that local authority or an entity owned or controlled (whether wholly or partly) by that Authority or any of its Members or officers ('own interest applications') or is an application in which a Member or officer has a relevant "interest" (as defined); and

b) the Nominated Officer and Nominated Member of the Planning Committee both agree to the referral.

4.18 Nominated officers and nominated Members should make every effort to reach agreement on which cases should be referred to Planning Committee. However, where agreement is not possible, the case must be delegated to officers by default.

4.19 Criteria which must be met before a case can be considered for referral:

In determining whether a referral is made, the Government presumption is that decisions are delegated to officers and should only exceptionally be referred to Planning Committee. At a minimum, at least one of the following statutory criteria must be met for a referral to committee to be considered to meet that threshold:

A. where the application raises an economic, social or environmental issue of significance to the local area

B. where the application raises a significant planning matter having regard to the development plan and any other material considerations

4.20 The Government advises that applications for development which do not raise a significant planning matter (criterion B) can only be referred to the Committee under criterion A if they raise a significant economic, social or environmental issue for the local area. It is for the nominated officer and Member to assess whether the development proposal raises any such issue, thus providing an opportunity for local democratic oversight where necessary.

4.21 For the purpose of criterion B, the Government indicate that the following circumstances are unlikely to raise a significant planning matter:

- The proposal broadly complies with local plans and national policy
- where a specific planning matter was initially raised by a statutory consultee as a concern, but the development proposal has been modified to make it acceptable in the view of the statutory consultee (unless the nominated officer has compelling reasons to consider otherwise)

4.22 Own Interest Applications:

Where applications (whether they fall under Schedule 1 or 2) are made by the Authority itself or an officer (as defined) or Member of the Authority or an entity owned or controlled (whether wholly or partly) by that Authority or any of its Members or officers, or is an application in which a Member or officer has a relevant “interest” (as defined) it may be appropriate for some applications to be referred to a Planning Committee even if they do not raise any significant planning, economic, social or environmental issues. These cases can be referred to the Committee with the agreement of both the Nominated Officer and Nominated Member.

4.23 Treatment of reserved matters applications

The guidance states that the government recognises that in some cases outline planning applications may relate to large scale phased development taking place over many years. As such each reserved matters application can represent substantial development in its own right, and may, in some cases, merit Committee scrutiny. For this reason, as set out above, the Regulations distinguish between those reserved matters applications which relate to phased outline planning permissions and those which do not, with the former being placed in Schedule 2 and the latter in Schedule 1.

4.24 The default position with decision making with Schedule 2 applications remains delegated; however, if Schedule 2 applications meet at least one of the thresholds set out in 4.19 (A) and (B), or if it is an Own Interest application, then the application would be subject to the ‘Gateway Test’. This is explained further below.

Sections 4.25 to 4.30 details the process and governance:

4.25 In order to implement an appropriate process, detailed guidance is set out in the revised Good Practice Guide at Appendix 3 of this report. The process will be implemented by the following Nominated Officers/Members:

Nominated Officer

The Head of Planning or the Director of Planning, Development and Transportation. In their absence, substituted by a Group Manager of the Planning Service.

Nominated Member

The Chair of the Planning and Development Control Committee or, the Vice Chair. In their absence a substitute Member drawn from the Planning Committee nominated by the Chair.

4.26 Schedule 2 introduces a structured filter for potential Committee involvement, but **delegation to officers remains the default unless clearly justified**. A record of the cases the Nominated Officer and Nominated Member have considered for referral and outcome of their decisions will be retained and published by Governance Services. These outcomes will also be reported to PDCC and made available on the Council's website.

4.27 Proposed Approach for Triaging Schedule 2 Submissions

The volume of Schedule 2 applications is significant and therefore arrangements need to be made to practically manage the volume of submissions considered by the Nominated Member and Nominated Officer. Noting the overall presumption to delegate decisions to officers, and the criteria set out in the legislation, it is proposed that officers apply the criteria (as set out in the new Good Practice Guidance) after the close of the publicity period of relevant schedule 1 (those identified in paragraph 4.14 above) and all Schedule 2 applications. This criteria is aligned with the current Scheme of Delegation in that Schedule 2 applications which attract six or more objections, or referral requests from Councillors giving a clear planning reason for determination by Planning Committee. Those applications which trigger potential for Planning Committee will fall to be considered as part of the Gateway Test by the Nominated Officer and Nominated Member.

4.28 Proposed Approach for Gateway Test

Currently Planning and Development Control Committee meets every three weeks. It is intended to hold the Gateway Test meeting between the Nominated Officer and Nominated Member on a similar three week cycle. As noted above, the outcome of the Gateway Test meetings will be recorded and reported accordingly.

Section 10 of the revised Good Practice Guidance sets out the detailed procedures to be applied in the Gateway Test.

4.29 Size of Planning Committee

An additional legislative change required is that the make-up of Planning Committee should not exceed 13 Councillors. At present, the Council's Constitution does not specify the number of constituent Members, however the legislation now places a restriction on maximum numbers and therefore this must be included in the Constitution. Note that for many years the Council's PDCC has comprised 11 Members as a maximum.

4.30 Enforcement Matters

The current scheme of Delegation includes provision for Member referral of Enforcement matters in certain circumstances. This provision has not been used for many years. As the determination of pursuing Enforcement cases is not solely based upon material planning considerations but has also to be founded upon legal and evidential requirements the provision is not considered to be appropriate for Member determination and is proposed to be removed.

5. Financial, legal, equalities, climate emergency and other implications

5.1 Financial implications

There are no direct financial implications arising from this report.

Signed: Stuart MacEvoy

Dated: 11 August 2026

5.2 Legal implications

The new National Scheme of Delegation comes into effect on 31 October 2026. The Council is required to comply with the new national scheme and the constitutional changes set out in this report are required to ensure the Council's compliance. Failure to comply with the new scheme may give rise to potentially invalid decisions or decisions that could be judicially reviewed or challenged on appeal.

Signed: Zoe Iliffe, Principal Lawyer (Property Highways & Planning)

Dated: 19 July 2026

5.3 Equalities implications

Under the Equality Act 2010, public authorities have statutory duties, including the Public Sector Equality Duty (PSED) which means that, in carrying out their functions they have to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The report sets out amendments to the Council's Scheme of Delegation and associated guidance to reflect new national planning requirements. The changes are procedural and are not expected to have a disproportionate impact on any protected characteristic group. Planning decisions will continue to be made in accordance with statutory requirements, with decisions based on material planning considerations. Any future procedural changes arising from the implementation of the new arrangements should be monitored to ensure they do not create unintended barriers to participation or disadvantage for any protected group.

Signed: Surinder Singh

Dated: 13 August 2026

5.4 Climate Emergency implications

The report concerns amendments to the Council's Constitution and planning decision-making procedures to comply with new national legislation. It does not introduce changes to planning policy or directly affect carbon emissions, energy use, climate resilience or the Council's Climate Emergency commitments. Climate change considerations will continue to be assessed as part of the determination of planning applications through the application of national and local planning policy. Applications raising significant environmental issues may still be referred to Planning Committee under the proposed Gateway Test arrangements. Therefore, no significant direct climate change implications are considered to arise from this report.

Signed: Phil Ball

Dated: 14 August 2026

5.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

6. Background information and other papers:

N/A

7. Summary of appendices:

Appendix 1 – Current Scheme of Delegation

Appendix 2 – Changes to the Constitution Terms of Reference

Appendix 3 – Good Practice Guidance with track changes

Appendix 4 – PDCC Minute Extract

8. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

9. Is this a “key decision”? If so, why?

No as the proposals are procedural and follow government legislation requirements.

Appendix 1: Current Scheme of Delegation

[TO BE SUPERSEDED BY PROPOSALS IN THIS REPORT]

Scheme of Delegation June 2021

The Constitution sets out matters reserved to Planning and Development Control Committee

Subject to these matters as set out in the Constitution, all matters within the terms of reference of the Planning and Development Control Committee which are not reserved to full Council or this Committee are delegated to officers except:

A. Decisions on applications for planning permission, works to, or removal of TPO trees or listed building consent where:

- There have been written objections from six or more different addresses within the city and the officer recommendation is for approval. For the avoidance of doubt, a petition will count as one such submission regardless of the number of signatories
- There has been a request from a Member before the end of the publicity period giving a clear planning reason why an application needs considering by the Committee
- It is a Member's or City Council officer's own planning application or any application in which a Member has a disclosable pecuniary interest or other disclosable interest
- The Head of Planning considers that the application should be considered by the Committee

B. Decisions to serve or not serve a formal enforcement notice where:

- There has been a written request from a Member before a formal decision has been made giving a clear planning reason why the matter needs considering by the Committee and taking the matter to a Committee would in the Opinion of the Head of Planning not cause a delay which would hinder a notice being served or increase the risk of the breach becoming immune from Planning Enforcement action.
- The Head of Planning considers that the matter should be considered by the Committee
- The officer recommendation is not to take enforcement action where there have been recorded complaints/allegations about a breach from six or more addresses within the city

C. Decisions to confirm Provisional Tree Preservation Orders where there has been an objection to the order, or where the proposed decision is not to confirm the Provisional Tree Preservation Order and there has been a representation in support of confirming the Order.

Appendix 2: Proposed Amendments to Terms of Reference (Part 3 of the Constitution) setting out the new Scheme of Delegation

To delete:

~~PLANNING AND DEVELOPMENT CONTROL COMMITTEE~~

~~All matters within the Terms of Reference of the Planning and Development Control Committee are delegated to the Director of Planning, Development and Transportation under the Scheme of Delegation approved by the Committee.~~

~~Functions of the Committee~~

~~To exercise the powers and duties of the Council with regard to development control and to exercise all Non-Executive powers and duties as the Local Planning Authority and those Non-Executive Highways functions of the Council which are not within the remit of the Licensing and Public Safety Committee.~~

~~MATTERS RESERVED TO THE PLANNING AND DEVELOPMENT CONTROL COMMITTEE:-~~

- ~~1. Matters of strategic significance relating to the Committee's Terms of Reference.~~
- ~~2. To keep under review, comment and advise on policies proposed or made through executive powers~~
- ~~3. To recommend to Council the making of byelaws within the Committee's Terms of Reference.~~
- ~~4. Making opposed regulations, orders, plans and schemes within the Committee's terms of reference.~~
- ~~5. Such other matters as the Committee may from time to time reserve to itself for decision.~~

And replace with:

The Constitution sets out matters reserved to Planning and Development Control Committee.

Subject to these matters as set out in the Constitution, all matters within the terms of reference of the Planning and Development Control Committee which are not reserved to Full Council or this Committee are delegated to officers except:

- A. Decisions on Schedule 1 applications for planning permission (defined as "own interest applications") where:
 - It is a Council own, Member or Council officer's (as defined below) own planning application

- **or any application in which the Council, Member or Officer has a Disclosable Pecuniary Interest or prejudicial Other Disclosable Interest**

AND The Nominated Officer AND Nominated Member both agree that the application should be considered by the Committee.

B. Decisions on Schedule 2 applications for planning permission, works to, or removal of TPO trees, advertisement or listed building consent where:

- It is a Council own, Member or Council officer's planning application **or**
- any application in which the Council, Member or Council officer has a Disclosable Pecuniary Interest or prejudicial Other Disclosable Interest **or**,
- There have been written objections based on material planning considerations from six or more different addresses within the City and the Officer recommendation is for approval. For the avoidance of doubt, a petition will count as one such submission regardless of the number of signatories **or**,
- There has been a referral request from a Member before the end of the publicity period giving a clear planning reason why an application needs considering by the Committee, however supporting information on other impacts may be submitted for consideration.

AND the Nominated Officer AND Nominated Member agree that the application should be considered by the Committee following the Gateway Test.

C. Decisions to confirm Provisional Tree Preservation Orders where there has been an objection to the order, or where the proposed decision is not to confirm the Provisional Tree Preservation Order and there has been a representation in support of confirming the Order.

MATTERS RESERVED TO THE PLANNING AND DEVELOPMENT CONTROL COMMITTEE: -

1. Matters of strategic significance relating to the Committee's Terms of Reference.
2. To keep under review, comment and advise on policies proposed or made through executive powers

Membership

Planning Committee membership should comprise no more than 13 Councillors, in accordance with the National Scheme of Delegation.

Decision taking and Recording

The process of assessment and determination of route for decision will be undertaken in line with the provisions set out in the Good Practice Guidance for Member involvement in Planning and Development Management Decisions as Appended to the Constitution (Constitution Appendix 4).

The decision taken will be captured in the associated delegated or committee report with respective sections titled:

- Reason for determining under delegated powers
- Reason for referral to Committee

Interpretation:

Schedule 1 Applications

As defined Regulation 4 in The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026, or any other amendment to the legislation.

Schedule 2 Applications

As defined Regulation 5 in The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026, or any other amendment to the legislation.

Nominated Officer

The Head of Planning or the Director of Planning, Development and Transportation. In their absence, substitute by a Group Manager of the Planning Service.

Nominated Member

The Chair of the Planning and Development Control Committee or, the Vice Chair or equivalent Member. In their absence a substitute Member drawn from Planning & Development Control Committee will be nominated by the Chair of that Committee.

Gateway test

The mechanism used to determine whether a Schedule 2 application, which is presumed to be determined by delegated powers, may instead be referred to Planning Committee. The test requires the Nominated Officer and Nominated Member to agree that the application meets at least one of the statutory referral criteria as below:

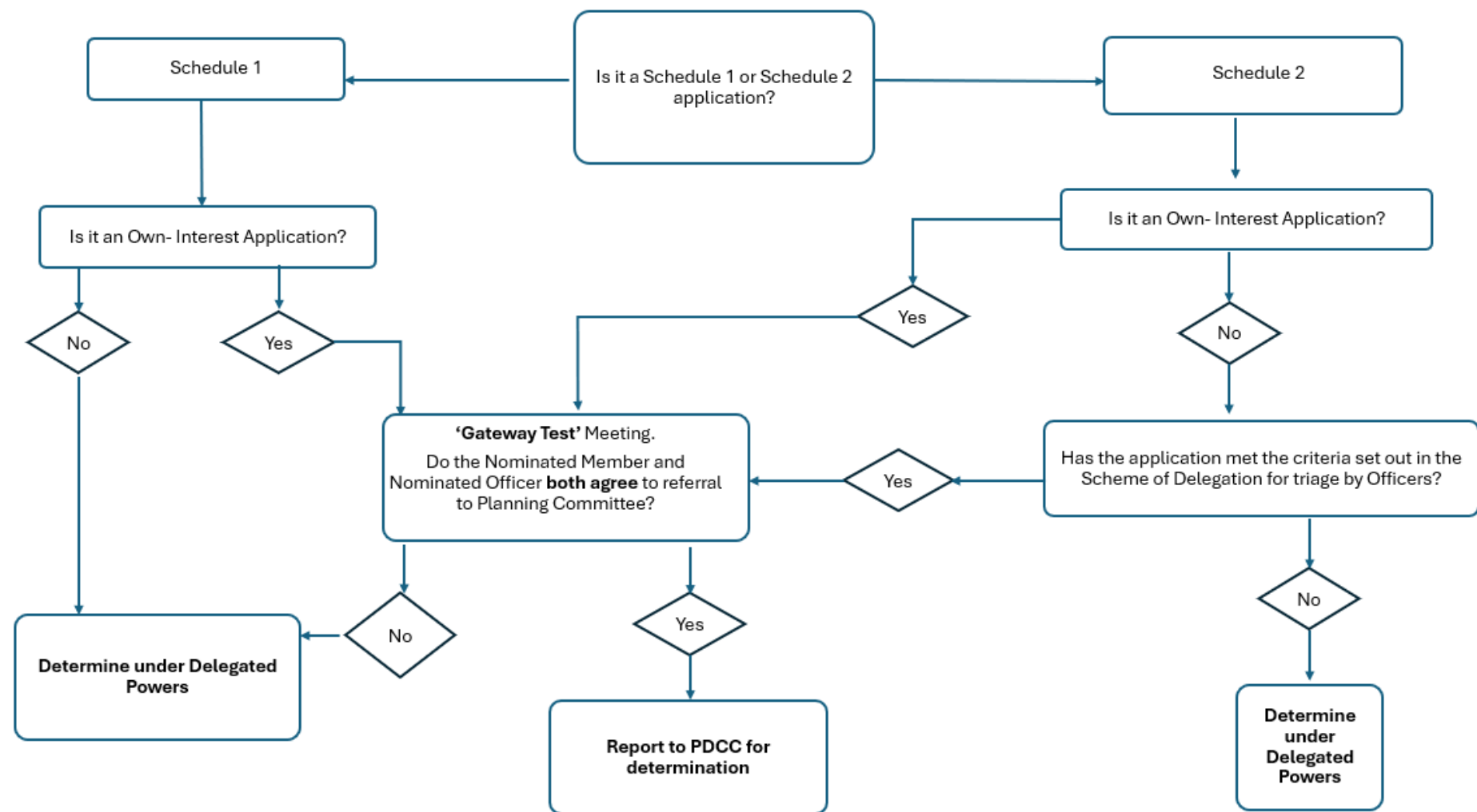
- One or more issues of economic, social or environmental significance to the local area, or
- One or more significant planning matters having regard to the development plan and any other material considerations.

Referral to Committee only occurs where both the Nominated Officer and Nominated Member agree the criteria are met; if they do not agree the application will be delegated to Officers.

“Council Officer” (for own interest purposes)

- a Senior Officer of the Council (Head of Service and above); or
- an ‘Officer of the Local Planning Authority’ (an officer within the Council who, in the opinion of the Head of Planning, is closely involved in the day-to-day work of the Council’s planning function).

PROCESS FLOWCHART



Appendix 3 - Proposed Changes to Good Practice Guidance to Replace Appendix 4 in the Current Constitution (changes shown in red underlined text)

LEICESTER CITY COUNCIL

GOOD PRACTICE GUIDANCE FOR MEMBER INVOLVEMENT IN PLANNING AND DEVELOPMENT MANAGEMENT DECISIONS

1. WHY GOOD PRACTICE GUIDANCE IS REQUIRED

1.1 As an Elected Member one of your key tasks may be to get involved in planning matters through representing your Constituents; or as a Member of the Council's Planning & Development Control Committee deciding planning matters (e.g. applications and enforcement); as an Executive Member considering development of the Council's planning policies; or when considering these at Full Council.

1.2 The key purpose of Planning Committee decision making is the consideration of private proposals and balancing these against the wider public interest. Committee Members should consider themselves strategic decision makers. Planning decisions can be controversial and sometimes questions are raised about planning decision making. The aim of this Guidance is to demonstrate that in the planning process in Leicester there has been objective transparency and any decision is justified based on material and relevant planning considerations.

2. WHEN THE GOOD PRACTICE GUIDANCE APPLIES

2.1 This Guidance applies at all times to Committee Members involved in the planning decision making process. This includes meetings of the Committee, meetings in connection with any pre-application process, meetings with Officers or the public e.g. consultative meetings.

2.2 It also applies to non-Committee Members when they have any involvement in a planning matter be it either their own Planning Application, or that of somebody else's (whether it affects their own property or not), or through being lobbied.

2.3 If you have any doubts about the application of the Guidance, you should take advice from the Head of Planning and/or the Monitoring Officer.

3. RELATIONSHIP WITH THE MEMBER CODE OF CONDUCT

3.1 The City Council's Member Code of Conduct (this is the document which, by law, must set out expected standards of behaviour of all Elected Members, breaches of which are reported to the Monitoring Officer and are dealt with under the Standards arrangements) must be complied with throughout the Committee decision making process therefore:

- Do apply the rules in the Member Code of Conduct first at all times. Members should pay particular regard to the rules concerning declaration of interests.
- Do then apply the advice contained in this Guidance which seeks to supplement the Members Code of Conduct for the purposes of planning decision making or involvement in planning matters as a non-Committee member.

3.2 If you do not follow this Guidance the following risks arise:

- The City Council is at risk of legal proceedings (Judicial Review) on the legality of any decision taken; and/or a complaint to the Ombudsman for maladministration and
- As a Member a complaint could be made against you regarding your conduct.

3.3 In the event of a conflict between this Good Practice Guidance and the Members' Code of Conduct the latter will prevail.

4. MEMBERS' OWN PLANNING APPLICATIONS

4.1 For obvious reasons any person who has a significant interest in the outcome of a planning decision should not take part in the decision making process. There is no objection to a Member (as a citizen) making their own planning application, but they should be open and transparent about it and declare the existence and nature of their interest.

4.2 Where a Member intends to submit a planning application the following applies:

- Consider employing an agent to act on your behalf in dealing with Officers and in relation to any public speaking at the Committee (but see below).
- Do not allow the application to be submitted on your behalf in a third parties name (including that of any agent engaged by you). Use your own name as the applicant.

- Ensure that you complete the Authority Employee/Member section of the planning application form
- Notify the Council's Monitoring Officer in writing of the application no later than submission of the proposal.

4.3 Once the application has been submitted, or where Pre-application advice is sought from the local authority:

- Do not participate or give the appearance of trying to participate in the making of any decision on the application by the City Council. This is a Disclosable Pecuniary Interest (DPI) and under the Localism Act 2011 participation is a criminal offence.
- Do not get involved in the processing of the application.
- Do not seek or accept any preferential treatment or place yourself in a position that could lead the public to think you are receiving preferential treatment because of your position as a Member.
- Always be open and transparent about the application particularly in your dealings with Planning Officers and do not assume the Officer knows that you are a Member.
- Note that the application/other relevant planning matter will always be reported to the Committee for decision. It is permissible for you to make written representations to Officers about your proposal.
- Think very carefully about whether you attend the Planning Committee that considers the matter. In circumstances where an Applicant has a right to speak, you will need to arrange for someone to speak on your behalf, save in circumstances where the Monitoring Officer has granted you a dispensation in accordance with the Member Code.

4.4 For obvious reasons any person who has a significant interest in the outcome of a planning decision should not take part in the decision making process. As such members should also follow the above guidance where they have a significant interest in a planning application which has been submitted but which is not their own application.

4.5 If you are unsure whether you have a significant interest in the outcome of a planning application you should seek advice from the Council's Monitoring Officer prior to taking any steps in relation to such an application.

5. COMMITTEE MEMBERS' OTHER INTERESTS

5.1 For Committee Members, and depending on the factual circumstances, an interest arising may require declaration or mention in accordance with the Member Code of Conduct, either as a DPI, an Other Disclosable Interest (ODI) or a concern about apparent bias or predetermination.

5.2 In accordance with the Code of Conduct and the Council's Constitution where a Member has a DPI or a 'prejudicial' ODI you may not vote or participate in a decision on the matter in respect of which the interest arises and must leave the room unless they have been given a dispensation by the Monitoring Officer in accordance with the Member Code of Conduct.

5.3 Declarations of bias and predetermination should also require the Member to refrain of taking part in decision-making, or the influencing of decisions (see section 8 below).

5.4 A declaration of a non-prejudicial ODI will merely require the Member to declare the interest but they may lawfully remain in the meeting and proceed to contribute to the decision-making.

5.5 Where a planning matter directly affects a Committee Member or their family/friends (e.g. a Planning Application next door to where the Member lives; or an application lodged by a family member), then advice should be taken from the Council's Monitoring Officer about involvement.

5.6 There are obvious dangers in the Member taking part in the planning decision-making process (see 5.1). Where a Committee Member has a DPI (note that a DPI can arise not only from a Member's own application but also one that directly affects them e.g. next door neighbour's application) or prejudicial ODI, as well as leaving the room they will also be unable to address the Committee on the application.

5.7 The Member can arrange for a representative to address the Committee on their behalf and such representations should be expressed as being made on behalf of Councillor X as a person directly affected by the application.

5.8 Similarly if the Committee Member wishes to submit a written representation, it should be expressed to be submitted from or on behalf of Councillor X as a person

directly affected by the application. This practice should also apply to Committee Members who make declarations in respect of predetermination and apparent bias (see section 8).

6. ATTENDANCE OF NON-COMMITTEE MEMBERS

6.1 Elected Members who are not Members of the Planning Committee do, in certain circumstances, have the right to speak at a Committee meeting.

6.2 Where a non-Committee Member wishes to make representations to the Committee s/he needs to notify the Committee Chair and Democratic Services no later than 12 noon of the day of any Committee Meeting. It is a matter for the Chair's discretion to allow non-Committee Members to speak if they have not given the required notification.

6.3 Non-Committee Members will be required to make an appropriate declaration. Members who have a DPI or prejudicial ODI may only attend and speak if they have received a dispensation granted at the discretion of Monitoring Officer in accordance with the Member Code.

6.4 Non-Committee Members will sit in the public gallery and the Chair will call them to the Committee table to sit in the designated place.

6.5 A Member who wishes to speak must follow the **P**ublic **S**peaking **P**rotocol where applicable. A non-Committee Member is expected to keep his/her representations within 5 minutes, as are all public speakers. After the non-Committee Member has spoken, the Chair will invite Officers as appropriate to respond but the non-Committee Member will not have a right of reply.

6.6 Subject to the DPI/ODI provisions of paragraph 6.3 above, exceptionally a Committee Member may wish to stand down to make representations to Committee as a Non-Committee Member. The same provisions as above will apply to Committee Members in these circumstances. The Committee Member will need to take extra care to ensure that they make the appropriate declarations.

6.7 Where a planning matter directly affects a non-Committee Member as an individual, such that they have a DPI or prejudicial ODI, it is not permissible for the Member to address Committee. As with clause 5.4 above (in respect of Committee Members) the Member can arrange for a representative to address Committee on their behalf.

7. MEMBER INVOLVEMENT IN WARD ISSUES

7.1 All Members will respect the expectation that in relation to planning issues in any Ward the primary responsibility for dealing with them is on the relevant Ward Members.

7.2 In the case of a Member who is also a Committee Member, and who intends to take part in the decision on the application if it comes before Committee, it is suggested that they should not deal with planning issues in their Ward. In such circumstances a fellow Ward Member should be asked to assist. Should the issue result in a Member attending at a Committee to make representations, the Chair will enquire of the Member whether or not they have had contact with the relevant Committee Member

7.3 There are circumstances where an applicant or objector may want to contact a Member outside of their Ward (e.g. in a situation where an objector does not have the support of Ward Members). Where any Member is approached to make representations to or attend a Planning Committee meeting on behalf of any one individual in relation to any planning issue not in their Ward, they are expected as a matter of courtesy to notify the Ward Members concerned. In the absence of such notification, the Chair has discretion whether or not to allow the Member concerned to attend and speak for that purpose at any Committee Meetings.

7.4 Any non-ward Members speaking at Committee in this capacity shall be speaking as a Member. According to law Members cannot choose to shed their elected Member status when addressing a Committee of their Council.

8. DECISION MAKING - BIAS AND PREDETERMINATION

8.1 Planning Committee decisions must only be made on the basis of material and relevant planning considerations/merits.

8.2 Predetermination arises when someone has a closed mind so that they cannot consider any subsequent information presented and they have made their mind up. This can lead to legal challenges.

8.3 To participate in decision making on planning matters, Committee Members must not have a closed mind. Decisions can only be taken once all Committee Members present have read, seen and heard all the information presented including the Officers Report, any Addendum Report and information provided under the public speaking provisions.

8.4 The Localism Act 2011 makes it clear that a Member does not have a closed mind on a particular issue just because they have indicated what view they may or may not take before the issue is decided. This means that a Committee Member is not

prevented from participating in decision making in relation to a matter which they have campaigned on a particular issue or have made public statements about any approach provided at the time of decision making the Committee Member has not closed their mind.

8.5 For Committee Members to refrain from having a closed mind they must be amenable to changing their views in the light of all the information presented to them. In order to avoid perceptions of and challenges of pre-determination it is advisable for Committee Members to avoid making categorical public statements in relation to applications for Planning Permission, Listed Building and conservation area matters if they subsequently intend to participate in the decision making process at Committee.

8.6 Great care is needed where any application before the Committee involves the Council as developer/landowner. Council applications should not be given any preferential treatment.

8.7 Although a Committee Member can make representations (either on their own behalf or on behalf of a constituent) on an application that is anticipated to be decided by officers under delegated powers, should this application in the event be referred to Committee then the Councillor should not take part in the decision making.

8.8 Where an Elected Member makes representations or contact on a planning application (whether orally or in writing) which is to be decided either by Committee or by Officers, that Elected Member shall always make it known that they are a Member of the Council. If the purpose of the representation/contact is to articulate a view in a personal capacity they shall identify themselves as a Member, but go on to make it clear that they are writing in a personal (i.e. non-Council) capacity.

9. PRE-APPLICATION PRESENTATION/MEETINGS WITH APPLICANTS, DEVELOPERS AND OBJECTORS

9.1 It is recognised that pre-application discussions assist with the planning process provided they take place within clear parameters and governance arrangements.

9.2 Member engagement in pre-application discussions on major developments (10 or more dwellings or 1,000 square metres commercial or other floor space) is legitimate. The following safeguards have been developed to prevent any allegation of bias or predetermination being made against Committee Members:

- Do not agree to any formal meeting with applicants, developers or groups of objectors without consulting the Head of Planning (for ad hoc/informal meetings refer to Section 11 “Lobbying” below).

- A Planning Officer must always be present at any planned meetings (note that pre- application meetings with developers/ applicants are likely to be subject to a charge) It will be for the Officer to explain the constraints on Members. The Officer will prepare a written note of the meeting which will be publicly available (in circumstances where any applicant/developer asked for proposals to be treated as confidential any public note will cover non-confidential issues only and general advice given).
- Remember to follow the advice on lobbying (see below).
- Committee Members can ask questions and make preliminary comments on any proposals but should not give the impression/appearance from any such questions etc. that they have a predetermined view.
- Do report any prior significant contact with any applicant or other parties to the planning case Officer or Head of Planning and explain the nature and purpose of the contacts and your involvement. This will be recorded on the relevant file.
- Do make it clear that at any meeting/presentation it is not part of the formal decision making process and any view expressed by you as a Member is both personal and provisional since not all relevant information will be to hand and the views of other interested parties may not have been obtained.

9.3 The Head of Planning may arrange for appropriate presentations to be made in respect of significant Planning Applications which will be open to all Members. Such presentations will be of a fact finding nature to enable all Committee Cabinet Members to become familiar with what the application proposes and to ask questions. As mentioned above Committee Members can ask questions and make preliminary comment on any proposals but should not give the impression/appearance from any such questions etc. that they have a closed mind. In this way there is no objection or bar to them subsequently sitting on the Committee and making a decision on the application as presented.

10. REFERRAL OF APPLICATIONS FOR DECISIONS TO THE PLANNING AND DEVELOPMENT CONTROL COMMITTEE

10.1 The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 introduced a new National Scheme of Delegation which seeks to significantly extend delegated decision taking. Planning applications are grouped into 2 schedules by the Regulations:

- Schedule 1 which must be determined under delegated powers and cannot go to Planning Committee.

• Schedule 2 which should also be determined under delegated powers unless the Nominated Member and Officer consider that it needs to go to Planning and Development Control Committee.

This section of the Good Practice Guidance sets out how the Scheme of Delegation confirmed by the Constitution will be applied.

10.2 Schedule 1 Applications

Schedule 1 applications are defined as: minor and other applications which are defined in Schedule 4 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026

As provided for by the Regulations and the Constitution, Schedule 1 applications must be determined by Officers, pursuant to Regulation 4 except where:

- it is a Council own, Member or Council Officer's (as defined in 10.5.1) own planning application; or
- any application in which the Council, Member or Officer has a disclosable pecuniary interest or prejudicial other disclosable interest, **AND**
- The Nominated Officer AND Nominated Member both agree that the application should be considered by the Committee, based on the Own Interest Guidance in paragraph 9.5 below.

In which case they become treated as Schedule 2 applications in law as per regulation 5.

10.3 Schedule 2 Applications: Triage and Gateway Test Assessment

Schedule 2 applications are defined as: major applications, as defined in Schedule 5 of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026

This Guidance confirms those application types that should be determined by Officers, pursuant to Regulation 5, unless the Nominated Member and Officer agree to refer it to Committee.

As recommended in the Government Guidance accompanying the Regulations, where local planning authorities anticipate that there may be a significant number of cases which meet the criteria in Regulation 5(3) or which may fall under Regulation 6 (Own-Interest Application) and which could therefore be considered for referral to Committee, they may wish to put in place a triage system to ensure that the Nominated Officer and Nominated Member of the Committee are not overwhelmed and to avoid any unnecessary delays in planning decision making.

The **Triage assessment** to be applied confirms that the following categories of application should be determined by Officers and would be triaged for delegated decision:

- Applications with **fewer than** six objections from different addresses within the City boundary. (For the avoidance of doubt, a petition will count as one such submission regardless of the number of signatories);
- Applications where there has **not been** a referral request from a Member before the end of the publicity period giving a clear planning reason why an application needs consideration by the Committee,

Following the triage assessment, Schedule 2 applications:

- with **six or more** objections based on material planning considerations from different addresses within the City boundary (For the avoidance of doubt, a petition will count as one such submission regardless of the number of signatories); or
- where there has been a referral request from a Member before the end of the publicity period giving a clear planning reason why an application needs consideration by the Committee (noting that referral of applications by Members should be solely based on material planning considerations however supporting information on other impacts may be submitted for consideration).

Will be subject to a **Gateway Test** to decide whether they need to be reported to the Planning and Development Control Committee for decision.

The Gateway Test will be applied by the Nominated Officer and Nominated Member at a regular meeting, the minutes of which shall be recorded and published on the Council's website.

Committee referral by the Gateway Test will be confirmed when the Nominated Officer AND Nominated Member both agree that the application should be considered by the Committee. In making this assessment the nominated persons shall have regard to whether:

- A. the application raises an economic, social or environmental issue of significance to the local area
- B. the application raises a significant planning matter having regard to the development plan and any other material considerations

10.4 Decision taking and Recording

When using delegated powers or referring a matter to Committee for a determination, the Nominated Officer and the Nominated Member, when involved, and an Officer of the LPA must make sure that they take such decisions in the appropriate way and that they are recorded. This should be captured in the associated delegated or committee report with respective sections titled:

- Reason for determining under delegated powers
- Reasoning/outcome for referral to Committee

These reasons should be succinct but clear.

10.5 Own Interest Applications

These are applications made by or on behalf of:

- a) the Council;
- b) a Member of the Council;
- c) an Officer of the Council; or
- d) the Council or any of its Members or Officers otherwise has an interest (defined as a DPI or a prejudicial ODI) in the application.

The decision-making process for these applications should be one of ensuring openness and transparency. In deciding whether to refer to Committee, the Nominated Member and Officer should ensure that, because of the nature of the applicant, there is not a real (or reasonably perceived) risk of bias by determining the application under delegated powers, secondly that, because of the nature of the development, there is a good reason to refer it to Committee. Referral of Council applications should also focus on relevant material planning matters.

10.5.1 Own-Interest Applications: Applicant Considerations

In this context, category (c) will apply to:

- a Senior Officer of the Council; or
- an 'Officer of the Local Planning Authority'.

The first would be defined as Service Head level and above.

The second, would be defined as an officer within the Council who, in the opinion of the Head of Planning, is closely involved in the day-to-day work of the Council's planning function.

It is reasonable to conclude that other Officers of the Council would probably not be known to the planning service and therefore the risk of bias is not engaged.

For applications under categories b) c) and or d), other interests will include Disclosable Pecuniary Interests, or prejudicial Other Disclosable Interests.

10.5.2 Own-Interest Applications: Development Considerations

For any Own Interest application, with respect to whether there is a good reason to refer that application to Committee because of the nature of the development, the following criteria should be used:

Such an Own-Interest Application should only be agreed by the Nominated Member and Nominated Officer for referral to and determination by Committee if one of the following criteria applies:

- the proposal has been advertised under Article 15 of the DMPO because it does not accord with the provisions of the development plan; or
- one or more material planning considerations are raised that have the potential to have a significant impact.

This allows the circumstances of each application to be assessed and if it is for a development that complies with policy and there is not considered to be a material planning objection, it can be dealt with under delegated powers and ensure applications will be put to Committee where that serves a legitimate purpose but can be dealt with under delegated powers where Committee involvement is not necessary.

10.6 Lobbying

It is acknowledged that Elected Members can exercise their right, set out in paragraph 10.3 above, to request that an application falling within Schedule 2 should be considered by Committee. Such requests will be identified at the **triage assessment**, and subsequently taken through the **Gateway Test**.

The Nominated Member or the Nominated Officer or any other Officer of the authority, when exercising their powers under Regulations 4, 5 or 6 and this Scheme of Delegation, shall **not be further** lobbied or otherwise contacted by any person or organisation, including by Members or Officers of the relevant authority, to use their power in a particular way once the matter is subject to the Gateway Test,;

The published Member Code of Conduct contains multiple provisions that mandate expected standards of behaviour from Members, including specific provisions regarding “Respecting the impartiality of Officers” as well as “Not use your position as a Member to improperly confer (or attempt to confer) upon yourself or any other person an advantage or disadvantage” and Members should familiarise themselves

with these expectations.

The Officer Code of Conduct (as well as implied terms of trust and confidence within Employment contracts) similarly contains provisions that would clearly make it inappropriate to lobby at work for personal gain, or indeed to succumb to lobbying from others and thereby compromise the duty to act impartially.

Lobbying of (or by) Members or officers which transgresses these Codes will be reported and acted upon accordingly.

10.7 Process for Member Referral Requests

Members should contact the Head of Planning about any Schedule 2 applications included on the weekly list of applications circulated to them that they consider should be the subject of a Committee decision. ~~Under the current Scheme of Delegation~~ This needs to be before the publicity period has expired (normally 21 days). This should be because they consider that there is a planning reason why the matter needs to be considered by the Committee rather than under delegated powers in line with paragraph 10.2 of this Guidance. The referral process should not be used simply to produce a different outcome from that anticipated from an officer delegated decision. It is unlikely that there would be a good planning reason for relatively minor and straightforward proposals to be a matter for the Committee eg house extensions unless they raised wider issues relating to principle and/or policy.

10.8 This request is separate from the making of representations – for or against - that a Member may also make on their own or another's behalf. A committee referral request does not in itself indicate the Member's own view on the application. A member may or may not choose to express their own view on the proposals (see also 8.7 and 8.8 above). Contact should be written and by e-mail. The planning reasons for the request must be given. Where appropriate a Planning Officer is able to assist Members with the formulation of reasons which can include design, highway issues and impact on amenity of local residents.

10.39 Members need to be aware that to meet Government targets decisions on applications are taken quite quickly after the circulation of a weekly list and they are advised therefore to check with case officers of timescales to ensure any requests they make can be considered.

10.410 If any Member wishes their particular view to be considered and included in the Planning Officer's Report such representations must be made in writing to the planning officer as soon as practicable normally within the publicity period to ensure it can be considered before determination of the application.

11. LOBBYING OF COMMITTEE MEMBERS

11.1 Lobbying by the public or other Members is a legitimate political activity. Lobbying is the process by which the public or other Members may seek to persuade Committee Members to come to a particular decision, but this should not extend to seeking to influence the Nominated Officer and Nominated Member as provided for in 10.6 above. When Committee Members are lobbied, care needs to be taken to avoid any challenge of predetermination or bias or an allegation of breaching the Member Code of Conduct.

11.2 So:

- While you can listen to what people want to say to you about planning proposals and you can always give procedural advice as to how applications should be taken forward and agree to pass any comments on, it would be better when contacted directly to pass the matter on to a fellow Ward Member not on the Committee or indicate that contact be made with the Head of Planning or appropriate Planning Officer (see section 7).
- Do not favour any person, company, group or locality or make any commitment to a particular point of view on a planning application prior to its consideration by the Committee.
- Do not make up your mind or give the impression of making up your mind (particularly in relation to an external interest or lobby group) prior to the Committee Meeting and to hearing the Officer presentation and all information presented to the Committee. You should carefully consider whether accepting membership of, or attending external interest, advisory or lobby groups might lead to a position of conflict, or appearance of conflict, with your neutral decision making responsibility as a Committee Member (see 12.1 below).
- When you have received any direct representations in connection with any Planning Application before the Committee you should forward to Planning Officers copies of any representations or lobbying material you receive (either for or against a proposal) where Planning Officers have not been copied into the material. You also need to declare the nature of all the representations and lobbying materials (e.g. e-mails) received, photographs or drawings received, attendance at meeting, any presentations, any meetings with the applicant or third party etc. You should also disclose to the Committee the general tenor of your response (i.e. supported/opposed/remained neutral and gave procedural advice/referred to another Councillor etc). If time is short you need not pass on the lobbying material to Planning Officers but can just declare this at Committee. Where the lobbying results in your having a closed mind you should, in addition, withdraw from sitting on the Committee for that item, preferably by prior arrangement.

11.3 Political group meetings prior to the Committee Meeting should not be used to determine how you or other Members should vote. The Ombudsman has ruled that the application of a group whip to a planning matter could constitute maladministration.

12. MEMBERSHIP OF OUTSIDE BODIES

12.1 If you are a Committee Member do not become a member of any organisation whose primary purpose is to promote, oppose or advise on development proposals, in Leicester, whether generally or specifically. The reason for this is the obvious risk of bias or predetermination.

12.2 As a Member there is no prohibition on joining general interest groups which might reflect your areas of interest and which concentrate on issues beyond particular planning proposals such as CPRE or local groups such as the Civic Society. Where you are a Committee Member it is suggested that you do not get involved in any representations made by an external interest groups you are involved in and make the appropriate declaration at any subsequent Committee Meeting. Such a declaration should explain the precise nature of your involvement or engagement with the item/application and should include a description of the views that you expressed on the matter.

13. COMMITTEE ADDENDUM REPORT

13.1 To enable any last minute issues to be considered, the Director prepares an Addendum Report. Committee Members will be provided with the report by e-mail and it will be available in Group Rooms in City Hall from 16.00 hours on the date of the Committee. Where the last minute issues lead to a fundamental change of recommendation (e.g. from refusal to approval or vice versa), the Addendum Report will recommend deferral unless the possibility has already been identified in the original report.

13.2 As necessary the Head of Planning or Planning Officer presenting the Report will refer to the Addendum Report when relevant as part of the oral presentation in connection with reports before the Committee.

13.3 Representations received after the Addendum Report has been finalised, may be summarised orally.

14. RUNNING ORDER OF COMMITTEE AGENDA

14.1 The Chair has discretion to determine the order in which Committee Reports are considered and s/he will consider this in relation to the number of members of the public/Members who are present who wish to speak on any particular report.

14.2 The Council has introduced **P**ublic **S**peaking **P**rotocol for public speaking the Planning Committee. This sets out the process and procedure to be followed including the Order of speakers. Prior to any summing up by the Committee Chair, the Head of Planning will be entitled to provide final Officer comment.

14.3 Members of the Committee may seek points of factual clarification on the application under consideration from applicants (or their agents), Statutory Consultees or people making representations to the Committee meeting. It is not appropriate for Committee members to seek to negotiate to secure amendments to the application as the application is presented for determination at the meeting. In the event that the Chair feels a point of clarification is not appropriate then they will have the discretion to intervene.

14.4 Other than in accordance with the protocol for public speaking and in the circumstances described at 14.3 above an applicant shall have no general free-standing right to speak at Committee.

15. VOTING

15.1 Voting at the Planning Committee will be by a show of hands or by other appropriate method at the discretion of the Chair. The other provisions in the Council's Constitution with regard to voting (request for recorded vote, chair's casting vote etc.) will apply.

15.2 Committee Members are only permitted to vote on applications if they have been present for the whole of the deliberation made by the Planning Officer. If Committee Member(s) attends after consideration of an application has begun, they will not be permitted to vote on that particular application.

16. DEPARTURES FROM OFFICER RECOMMENDATIONS

16.1 Decisions on planning applications must be taken in accordance with the Development Plan unless material considerations indicate otherwise. From time to time The Committee may give different weight or take a different view of the planning considerations and, therefore, take a decision which differs from the **O**fficer recommendation. Sometimes this will relate to conditions or terms of a S106 obligation. Sometimes it will change the outcome, from an approval to a refusal or vice versa. In cases where the recommendation is to refuse but **M**embers indicate they may be

minded to grant planning permission the conditions attached to the permission or heads of terms for a s106 Obligation should also be considered.

16.2 In the above situations Members must be able to give a clear basis and reason for not accepting the **O**fficer recommendation. This is important to ensure, as far as possible, that any decision made will be capable of surviving a legal challenge or is defensible on appeal. In the event that this occurs the Chair is advised to ensure the following steps are taken before the Committee decision is made.

16.3 The planning reasons for taking a different view reasons are clear and included as part of the mover's motion.

16.4 Where the **O**fficer recommendation is to refuse but the mover's motion is to grant the application, the reasons will explain why the **O**fficer suggested reasons for refusal can be overcome and why the planning balance weighs in favour of the Application.

16.5 Officers are given the opportunity of advising on the reasons proposed, and if necessary to explain the implications of the contrary decision, including an assessment of a likely appeal outcome, and chances of a successful award of costs against the **C**ouncil, should one be made. In some cases, Officers may suggest a short adjournment before they provide the advice to Members, and in exceptional cases (including where the Officer recommendation is to refuse planning permission and members are minded to grant permission,) Officers may advise that a report is brought back to Committee to include Officers understanding of the reasons, and any conditions or heads of terms for a s106 Obligation

16.6 A detailed record of the committee's reasons should be included in the minutes.

16.7 Where no amendment is moved and seconded but the Committee votes to reject the Officer recommendation, the Chair will ask the **C**ommittee to clarify the planning reasons for the vote and seek to follow the above process. If this is not possible, the application will be deferred until the next meeting of the Committee. At that subsequent meeting the Director will table his understanding of the reasons why the Committee rejected the recommendation and the Committee will then vote to confirm the reasons put forward by the Director or not as the case may be.

17. DELEGATION OF DECISIONS TO OFFICERS

17.1 The Committee may agree to delegate any further decision (e.g. finalisation of the wording of conditions or the detailed heads of terms of section 106 Agreements to be attached to the grant of Permission) to the Head of Planning even where the

decision would normally be reserved to the Committee under the Scheme of Delegation of Development Control Decisions to Officers.

18. SITE VISITS

18.1 Officers will seek to ensure that full details and context of proposals can be reasonably ascertained from the information in the Committee Report and the photographs and plans available from the screen presentation.

18.2 Exceptionally site visits may be required where there is a need to view particular site factors in terms of the weight to be attached to them in making the decision.

18.3 Where, in such circumstances, a Committee Member feels a site visit is necessary it must make the request for a site visit to the Head of Planning no later than two days after the publication of the Agenda Papers (ie by 1700 on the Thursday) to allow arrangements to be made for the visit to be undertaken on the Monday preceding the meeting of the Committee.

18.4 All requests for site visits must detail the planning reasons and aspects of the site or the proposal which are considered to merit a site visit; the requests will be determined by the Head of Planning in consultation with the Chair with respect of the availability of appropriate presentational material and photographs.

18.5 Exceptionally, where there is a recommendation by Members during a meeting of the Committee Meeting to defer the application to allow for a site visit to take place, this must be moved and seconded and agreed by the Committee with valid planning reasons being given for the decision, which will be minuted. Information gained from the site visit should be reported back to the Committee so all Members have the same information.

18.6 Site visits do not have decision making status and will be arranged by the Head of Planning. All Committee Members will be notified of the visits by Democratic Support. A Planning Officer will be present throughout. Site visits are for Committee Members only, and no other Members or the Public will be permitted to participate (although applicants may attend to facilitate access only)

18.7 On no account should any Committee Member present at a site visit express a view on the merits of the application and wherever possible not engage in any dialogue with the Applicant/Owner, or any other third parties during the visit.

18.8 Committee Members should try and attend site Visits if at all possible 1300hrs the Monday preceding each Planning Committee will be the time generally reserved

for visits. Where a Committee Member is not able to attend the site visit s/he may visit the site separately although Members should not enter onto the site without the Owner's consent. As with an organised site visit an individual Member should not engage in any dialogue about the application etc.

19. ATTENDANCE AT COMMITTEE

19.1 Planning Applications may in some cases come before the Committee on more than one occasion. For example, the Committee may decide to defer an application for further information.

19.2 It is important that Committee Members taking decisions are in possession of all the facts. Attendance of Members on all occasions when an application has been considered by Committee will not only demonstrate that Committee Members are fully informed but will also ensure high quality consistent and sound decisions are made minimising the risks of any legal challenge.

19.3 If as a Committee Member you have not been able to attend meetings in connection with an application that has been deferred you should only take part in such a decision making process if you are satisfied that you can reasonably and properly do so in all the circumstances. Advice on involvement can be obtained from the Head of Planning and the Monitoring Officer.

20. OFFICERS

20.1 Members and Officers have different but complementary roles. Both serve the public but Members are responsible to the electorate while Officers are responsible to the Council as a whole. Accordingly:

- Do not put pressure on Officers to put forward a particular recommendation. This does not prevent you from asking questions or submitting views to the Head of Planning or the Director.
- In the first instance any contact by Members (Committee or non-Committee) about planning issues should be with the Head of Planning or other Officers authorised by the Director to have contact with Members. Note that any contact between a Member and Officer will be recorded.

21. APPEALS

21.1 The Director will prepare and where necessary present the City Council's case in an appeal based on the terms of the decision and the material considerations on

which the decision was made. The best possible arguments and available evidence in support of the decision will be presented whether or not the Committee's decision was in accordance with the Director's recommendation.

21.2 Where the Committee's decision was not in accordance with the Director's recommendation and any subsequent appeal is to be determined at a Hearing or Public Inquiry, the Chair or, as appropriate, an alternative Committee Member may be required to be the Council witness. The Head of Planning will arrange appropriate Officer support but in accordance with professional requirements, this will be provided in a way so as Officers are not put in a conflict of interest situation arising from their professional opinion on the matter in question.

22. TRAINING

22.1 It is mandatory that Members serving on the Committee must attend annual refresher training and where appropriate initial training. Substitute Members have to comply with the training requirement.

22.2 Mandatory Training will be provided when a Member is appointed to the Committee. This includes mandatory annual refresher training, which will be arranged to take place as soon as possible after annual appointments to the Committee have been made.

22.3 A record of attendance will be maintained for all Members who have attended the mandatory training.

23 GIFTS AND HOSPITALITY

In addition to complying with the Council's Member Code of Conduct on gifts and hospitality, Members involved in planning decisions should not accept over frequent or over generous hospitality, especially from the same organisation or where offered by lobbyists. Members should ensure that the acceptance of hospitality does not constitute a conflict of interest.

Version: Approved by Council 17th September 2026

Minute extract from the Planning Committee held on 2 September 2026 for the item National Scheme of Delegation

The Committee endorsed the amendments to the Terms of Reference and the Member Good Practice Guidance with the following observations:

- That Planning and Development Control Committee are clear that in Leicester there is appropriate use of the Committee procedure and scheme of delegation for determining applications, and that consequently the right cases come to Committee with the remainder being entrusted to officers.
- There is a concern that, in future, legislation may broaden the range of matters caught under Schedule 1, and that officers and Committee needed to be vigilant to ensure that opportunity for legitimate Member involvement in determining applications was not unduly eroded.
- Members noted that the Gateway Test places significant power in the hands of the Nominated Member and the Nominated Officer and that the requirement for unanimity between them could, by default, result in more cases remaining delegated to officers.
- However, Members recognised the limited legal discretion available to the Council due to the statutory nature of the proposals, welcomed the attempts to align the new arrangements to mirror the current local scheme of delegation as far as possible, and agreed to support the proposals.

Appointment of Council Committees 2026- 27 Municipal Year

Decision to be taken by: Full Council

Date of meeting: 17 September 2026

Lead director/officer: Kamal Adatia

Useful information

- Ward(s) affected: All
- Report author: Kamal Adatia
- Author contact details: Kamal.Adatia@leicester.gov.uk
- Report version number: 1

1. Summary

This report seeks the approval of Members to appoint Councillor Teresa Aldred as Vice-Chair of the Culture and Neighbourhoods Scrutiny Commission for the remainder of the 2026-27 municipal year, replacing Councillor Deepak Bajaj who was agreed as Vice-Chair at the AGM on 14th May 2026.

2. Recommended actions/decision

Appoint Councillor Teresa Aldred as Vice-Chair of the Culture and Neighbourhoods Scrutiny Commission for the remainder of the 2026-27 municipal year.

3. Scrutiny / stakeholder engagement

The proposal has been discussed with the relevant political group and committee members as appropriate.

No formal consultation or scrutiny has been undertaken as this is an appointment matter reserved to Full Council.

4. Background and options with supporting evidence

At the Annual Council meeting held on 14 May 2026, Councillor Deepak Bajaj was appointed Vice-Chair of the Culture and Neighbourhoods Scrutiny Commission.

Since the appointment, a request has been received to appoint a new Vice-Chair.

5. Financial, legal, equalities, climate emergency and other implications

5.1 Financial implications

There are no significant financial implications associated with the recommendations of this report. Since Councillor Aldred already receives a Special Responsibility Allowance, she will not be entitled to a further allowance for this position. As a result, the total expenditure on allowances will be marginally lower for the period that two positions are held by a single person.

Signed: Stuart McAvoy

Dated: 9th September 2026

5.2 Legal implications

This report is concerned solely with legal matters. The Council's Constitution reserves to Full Council the task of appointing Chairs and Vice Chairs of Committees, under CPR 36(a)(i)(b) and under CPR 36(a)(v) this includes the power to appoint and re-appoint from time to time.

Signed: Kamal Adatia

Dated: 8th September 2026

5.3 Equalities implications

N/A

5.4 Climate Emergency implications

N/A

5.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

6. Background information and other papers:

N/A

7. Summary of appendices:

N/A

8. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

N/A

9. Is this a "key decision"? If so, why?

No.

