

Leicester
City Council

Democratic and Civic
Support
Town Hall
Town Hall Square
Leicester
LE1 9BG

15 January 2014

Sir or Madam

I hereby summon you to a meeting of the LEICESTER CITY COUNCIL to be held at the Town Hall, on THURSDAY, 23 JANUARY 2014 at FIVE O'CLOCK in the afternoon, for the business hereunder mentioned.

Monitoring Officer

AGENDA

1. LORD MAYOR'S ANNOUNCEMENTS

2. DECLARATIONS OF INTEREST

3. MINUTES OF PREVIOUS MEETING

4. PETITIONS

- Presented by Councillors
- Presented by Members of the Public
- Petitions for Debate

4.1 Keep Clarendon Park Local – Stop Tesco!

5. QUESTIONS

- From Members of the Public
- From Councillors

6. REPORTS OF EXECUTIVE

Reserved to Council

- 6.1 Treasury Strategy 2014/15 to 2016/17
- 6.2 Licensing Act 2003 – Statement of Licensing Policy

Call-In of Executive Decision

- 6.3 Report on the Consultation on the Closure of Evesham House Housing Project for People with Substance Misuse Issues

7. EXECUTIVE AND COMMITTEES

To note any changes to the Executive and fill any vacancies of any Committee of the Council.

8. NOTICES OF MOTION

Please note that it is anticipated that this matter will be considered as the first substantive item of business.

Proposed by Councillor Palmer, Seconded by Councillor Cooke:

Local authorities' Mental Health Challenge

This council notes:

- 1 in 6 people will experience a mental health problem in any given year.
- Leicester's joint Health & Wellbeing Strategy identifies improving mental health and emotional resilience as a key priority.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.

This council believes:

- As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.
- Mental health should be a priority across all the local authority's functions, from public health, adult social care and children's services to housing,

planning and public realm.

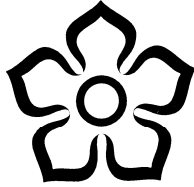
- All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis and in challenging stigma.

This council resolves:

- To sign the Local Authorities Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds. We commit to:
 1. Appoint an elected member as “mental health champion” across the council.
 2. Identify a “lead officer” for mental health to link in with colleagues across the council.
 3. Follow the implementation framework for the mental health strategy where it is relevant to the council’s work and local needs.
 4. Work to reduce inequalities in mental health in our community.
 5. Work with the NHS to integrate health and social care support.
 6. Promote wellbeing and initiate and support action on public mental health.
 7. Tackle discrimination on the grounds of mental health in our community and to tackle stigma.
 8. Encourage positive mental health in our schools, colleges and workplaces.
 9. Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health.
 10. Sign up to the Time to Change pledge.

9. ANY OTHER URGENT BUSINESS

Thursday, 23 January 2014



Leicester
City Council

WARDS AFFECTED
All Wards

COUNCIL

23rd January 2014

**PETITIONS FOR DEBATE BY FULL COUNCIL – KEEP CLARENDON PARK
LOCAL – STOP TESCO**

REPORT OF THE MONITORING OFFICER

1. INTRODUCTION

A petition has been received which asks the City Council to keep Clarendon Park Local – Stop Tesco.

The Council's petitions scheme adopted in May 2010, states that any petition that receives over 1,500 signatures must be subject to a full debate at Full Council (unless it is a petition asking for a senior council officer to give evidence at a public meeting).

2. RECOMMENDATIONS

Council is recommended to consider the petition and make any recommendations to the Executive in accordance with the Petitions Scheme.

3. REPORT

The petition has been received in the following terms:

Petition received by Councillor Patrick Kitterick and Mags Lewis with 2,264 validated signatures submitted in the following terms:

"We the undersigned petition the Council to value our independent local shops, oppose proposals for a Tesco Express in the former Barclays Bank, and petition the Council to do everything in their power to prevent this.

We are a group of Leicester residents who have started a local campaign in Clarendon Park.

We are trying to prevent Tesco from opening an Express store in the ex-Barclays Bank branch in our area.

Until very recently, they denied explicitly that they were planning to do this.

This is one of the few remaining neighbourhoods where most of the businesses on our main street are small, local and independent, giving it a unique and friendly character. We want to keep it that way.

Clarendon Park is a close knit community, more akin to a village than a city suburb. We encourage as many people as possible who live, work or study in the area to join our campaign and help save our wonderful little corner of Leicester from the corporate behemoths”.

The lead petitioners have been invited to speak on their petition for five minutes to be followed by a Councillor debate for a maximum of 15 minutes.

Following the debate, the Council can decide how to respond to the petitions and may decide to:

- Recommend to the Executive to either take or not take the action the petition requests.
- Recommend to the Executive a different course of action as a result of the debate.
- Commission further investigation into the matter, for example by a relevant committee.

Following the Council meeting the petition organisers will receive written confirmation of this decision.

Background

A further paper which details issues surrounding this petition will be circulated separately.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

4.1. Financial Implications

There are no direct financial implications arising from this report.

4.2 Legal Implications

There are no direct legal implications arising from this report.

4.3 Climate Change

There are no direct climate change implications arising from this report.

5. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References Within the Report
Equal Opportunities	N	
Policy	N	
Sustainable and Environmental	N	
Crime and Disorder	N	
Human Rights Act	N	
Elderly/People on Low Income	Y	Throughout – the petitions relate solely to older people.
Corporate Parenting	N	
Health Inequalities Impact	N	

6. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

None

7. CONSULTATIONS

None.

8. REPORT AUTHOR

Francis Connolly
Democratic Support.

REPORTS OF THE EXECUTIVE

6.1 TREASURY STRATEGY 2014/15 TO 2016/17

A copy of the report is attached.

The Council is recommended to approve this treasury strategy, and the authorised borrowing limit in paragraph 6.3.

6.2 LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY

A copy of the report is attached. Also attached is the relevant minute from the meeting of the Licensing Committee held on 2 October 2013.

The Council is recommended to approve the extension of the Licensing Policy for a further two years, to February 2015, as provided to the Licensing Act 2003.

**Sir Peter Soulsby
City Mayor**

EXECUTIVE
COUNCIL

17th December 2013
23rd January 2014

TREASURY STRATEGY 2014/15 TO 2016/17

Report of the Acting Director of Finance

1. Purpose of Report

- 1.1 This report establishes the strategy for the Council's borrowing and investments during 2014/15.

2. Summary

- 2.1 Treasury management is the process that ensures that the Council always has enough cash to make the payments that are necessary for its operations, and this involves both borrowing and investment. The Council's borrowing totals some £240 million; and its investments vary from below £110 million to over £230 million depending on circumstances.
- 2.2 The strategy continues the current approach whereby investments will only be lent to highly credit worthy counterparties. However, the financial climate (whilst still historically very difficult) appears more stable and has suffered less shocks in the past 12 months. We propose, therefore, to extend the maximum amount of money that we will lend to strong banks and to increase the maximum deposit period. We also propose to allow investments of modest sums in some building societies.
- 2.3 The strategy envisages :-
- a) a prolonged period of extremely low short term interest rates;
 - b) the use of our investment balances to avoid borrowing.

3. Recommendations

- 3.1 The Executive is recommended to approve this treasury strategy, and recommend it to the Council.
- 3.2 The Council is recommended to approve this treasury strategy, and the authorised borrowing limit in paragraph 6.3.

4.0 **Treasury Strategy**

4.1 This document is the treasury strategy for 2014/15. At the beginning of each year the Council receives this report which identifies how it is proposed to borrow and invest in the light of capital spending requirements, interest rate forecasts and economic conditions.

4.2 The strategy covers the matters listed below:

- i. the Council's current debt and investments;
- ii. prospects for interest rates;
- iii. capital borrowing required;
- iv. investment strategy;
- v. the balance between holding investments and using them to repay debt (or as a substitute for new borrowing);
- vi. debt rescheduling opportunities;

4.3 The key factors to consider are:

- i. How much new borrowing will cost. Members are asked to note that interest rates for borrowing over a long period of time are different from rates for borrowing over a short period.
- ii. Ensuring the Council has an appropriate balance of debt at fixed and variable interest rates, so we are protected against market changes.
- iii. How much interest the Council can get on its investments.
- iv. Ensuring the security of investments.
- v. When loans are due to be repaid and how much it is likely to cost to refinance them at that time.
- vi. Government initiatives which impact on borrowing and investment decisions.

5. **Current Portfolio Position**

5.1 The Council's current debt and investment position is shown in the table below. Members are asked to note that the figures shown represent a snapshot at a single moment in time. The table excludes £31M of debt managed by the County Council on behalf of the City Council and also excludes debt instruments held by contractors for PFI schemes.

Treasury Position As At 19th November 2013	Amount
Fixed Rate Funding	
Public Works Loan Board	£134m
Stock	£9m
Market Loans	£96m

Total Debt	£239m
Investments	£188m
Net Debt	£51M

6. **Treasury Limits For 2014/2015**

6.1 The treasury strategy includes a number of prudential indicators required by CIPFA's Prudential Code for capital finance, the purpose of which is to ensure that treasury management decisions are affordable and prudent. The recommended indicators and limits are shown below. One of these indicators, the "authorised limit" (para 6.3 below) is a statutory limit under the Local Government Act 2003.

6.2 The first indicator is that over the medium-term net borrowing will only be for capital purposes – ie net borrowing should not, except in the short-term, exceed the underlying need to borrow for capital purposes (the "capital financing requirement"). Authorities may, however, borrow to pre-fund capital requirements up to two years ahead. We do not anticipate any difficulties in complying with this requirement.

6.3 The Council is required to set an "authorised limit" on borrowing which cannot be exceeded. The approved limits recommended for 2014/15 are:

	£m
Borrowing	295
Other forms of liability	130
Total	425

6.4 "Other forms of liability" relates to loan instruments in respect of PFI schemes and to pre-unitary status debt managed by the County Council (and charged to the Council). The remainder, "borrowing", refers to conventional loans.

6.5 The Council is also required to set an "operational boundary" on borrowing and other forms of long-term liability, which requires a subsequent report to scrutiny committee if exceeded. The boundary recommended for 2014/15 and later years is £400m.

6.6 Recommended upper limits on fixed and variable rate debt exposures are shown in the table below. The figures shown are the principal sums outstanding of loans less investments. Variable rate loans include all loans where the lender has an option to vary the interest rate chargeable. Investments are treated as negative loans for this purpose. This table relates to "borrowing" rather than to "other form of liability" which are all substantially fixed rate.

	£m
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Fixed interest rate	270
Variable interest rate	60

- 6.7 The Council has also to set upper and lower limits for the remaining length of outstanding loans that are fixed rate as a percentage of the total of all loans. This table also excludes other forms of liability. Recommended limits are:

Upper Limit

	%
Under 12 months	30
12 months and within 24 months	40
24 months and within 5 years	60
5 years and within 10 years	60
10 years and within 25 years	100
25 years and over	100

We would not normally borrow for periods in excess of 50 years.

Lower Limit

	%
Less than 5 years	0
Over 5 years	60

- 6.8 The Council is required to set an upper limit for principal sums invested for more than 364 days. This limit can be over restrictive in that sometimes better rates are available if money is deposited for a few days more with no significant impact on credit risk. The overall limit recommended for 2014/15 and subsequent years is £100m and of this the amount permitted to be invested in excess of 366 days is £50m.

7. Prospects for Interest Rates

- 7.1 The Council retains Arlingclose as a treasury adviser to the Council and part of their service is to assist the Council to formulate a view on interest rates, described below, and these underpin the strategy.
- 7.2 The UK is now experiencing growth although it appears likely that official interest rates will be maintained at low levels for a considerable period of time in order to sustain this growth.
- 7.3 The forecast is that base interest rates (official interest rates paid by the Bank of England) will remain at 0.5% for the entire period covered by this strategy (to 2017). Market interest rates often differ from base interest rates.
- 7.4 In the money market, 3 month interest rates are forecast to increase from

about 0.50% to 0.8% over the duration of the strategy and 1 year rates are forecast to rise from 0.9% to 1.4%. We are likely to earn lower rates than this on our deposits because much of our money is lent to the government and to ultra-secure counterparties such as local authorities.

- 7.5 This difference between overnight rates and those paid for longer periods illustrates the opportunities and risks to be addressed in the investment strategy. The opportunity is that a higher interest rate on investments can be earned by investing for longer periods.
- 7.6 The Council's strategy for borrowing is mainly determined by interest rates for periods longer than one year and these are expected to increase over the period covered by the strategy. For example, loans from the PWLB for 5 year rates are forecast to rise from 1.45% to 2.5% and for 50 year rates from 4.1% to 4.4%.
- 7.7 The perceived margin of error to these forecasts is that interest rates might be 0.5% higher or lower (although base interest rates are not expected to fall below the forecast level of 0.5%). Broadly speaking it is believed that there is more risk that interest rates will be higher than forecasts than they will be lower than forecast. Possible responses to this uncertainty and other risks and uncertainties are considered in section 11 of this report.

8. **Capital Borrowings and Borrowing Strategy**

- 8.1 The Council's future need to borrow reflects the following factors:
- i. New capital expenditure that is to be financed by borrowing. In practice, this is now low, as the Government supports capital schemes by means of cash grants.
 - ii. Sums the Council is required by law to "set aside" from revenue each year to repay its borrowings - in much the same way as a homeowner repays a mortgage over a number of years;
 - iii. Sums required to repay maturing loans.
- 8.2 Taking these factors together the Council does not have a borrowing requirement over the three year period 2014/15 to 2016/17 as cash balances can be used as an alternative to borrowing.

9. **Debt Rescheduling & Premature Repayment of Debt**

- 9.1 Debt rescheduling is the premature repayment of loans with the repayment being financed by taking out new, cheaper, loans. Sometimes it is beneficial to pay a penalty to repay a debt early if the interest rate on the new loan is sufficiently low. At other times it may be possible to repay a loan at a discount. It is proposed that debt rescheduling will be undertaken if financially advantageous. The reasons for any rescheduling to take place will include:
- i. the generation of savings at minimum risk; or

- ii. in order to enhance the balance of the long-term portfolio (i.e. the dates of repayment and balance between fixed and variable interest rates).
- 9.2 Such decisions will be guided by expectation of future movements in interest rates and the situation will be continually monitored in order to take advantage of any perceived “tremors” in the market. To maximise the savings from debt rescheduling, replacement loans should be taken at low interest rates and when interest rates are expected to fall the taking of the replacement loan would be delayed until this happened. In the interim, temporary finance would be found by raising a temporary loan or by using cash balances.
- 9.3 Rescheduling decisions will also be influenced by the future borrowing requirements of the Council – given the unattractive terms offered on the premature repayment of debt it may be more economic to retain existing loans than to repay and then borrow new loans at a later date. However current long term projections indicate that in the absence of a stream of new debt funded capital schemes, the debt of the Council has peaked. There are a number of uncertainties in this projection and the position will be kept under review.
- 9.4 At present it seems likely that any rescheduling in 2013/14 will be done as a risk reduction measure but, otherwise, favourable opportunities for cost reductions are unlikely to present in 2013/14
- 9.5 Whilst we may not reschedule debt the outright premature repayment of existing debt utilising cash investments is more likely. We may repay existing long term fixed rate loans from the PWLB using cash balances. Whilst the premia payable are high the interest savings are expected to be high also – this reflects the fact that the rate of interest earned on investments is significantly lower than the rate of interest paid on existing loans. Opportunities to do this will be actively sought, as it is the only infallible way of eliminating investment risk.
10. **Investments**
- 10.1 This report outlines the investment strategy. Further details are given in the appendix, which sets the criteria that we apply to ensure that we only invest with borrowers of high credit worthiness. It also deals with measures to manage other key issues, for example ensuring access to liquid funds.
- 10.2 On 19th November the Council had investments of £188M. As previously stated we are expecting these funds to be drawn down as the Council spends the balances and uses them in lieu of borrowing. In addition the Council’s investments tend to peak around mid-year (this reflects the timing of cashflows) and cash balances are expected to be lower by the end of 2013/14.
- 10.3 In 2013/14 our lending was confined to the UK Government’s Debt Management Office, other local authorities and the large UK Banks. In 2014/15 we may invest also in money market funds and with smaller unrated building societies and this is described further below.

- 10.4 The 2014/15 strategy proposes to increase the maximum amount of money that we will lend to credit rated banks and building societies from £6M to £10M and to increase the maximum deposit period from 1 year to 2 years. The maximum loan period is graduated according to the strength of the credit rating.
- 10.5 Investments would only be permitted where in the opinion of the Director of Finance there is a good prospect, should the bank run into problems, of support from a strong government or well resourced parent. In practice, this has limited us to major British banks in 2013/14 and this will continue in 2014/15.
- 10.6 Under the 2013/14 strategy the investments will always comply with these minimum credit ratings but other factors will be taken into account as contra-indicators and these will include share price, the cost to investors of buying insurance against default and political and economic developments (especially those to do with the Eurozone). We propose to maintain a relatively small list of strong investment counterparties which it is practical for us to monitor regularly and in depth.
- 10.7 We currently do not invest in money market funds, but believe that these would be a useful form of investment. A report will be prepared for the Executive in the new year. No money will be invested in money market funds until this is done.
- 10.8 Money market funds are a pool of investments shared by a large number of investors and managed by a fund manager. Investors invest or disinvest by buying or selling shares in the fund and the fund manager makes corresponding sales of the underlying investments.
- 10.9 In a money market fund investors pool their liquidity requirements (ie their need for cash on demand), as not all will need access to cash at the same time. This enables money market funds to invest for periods longer than overnight, typically 30 to 60 days, thereby earning a higher rate of interest than would be earned if the money was simply invested overnight. The funds are invested in a range of interest paying investments of high credit worthiness. A significant proportion of funds are held in investments which can be easily sold to give access to cash
- 10.10 We may also consider investing in funds with a similar structure, but which are not designed to give access to day to day liquidity. Such funds still contain a diversified pool of investments with a high credit rating. However (on average) the underlying investments are longer dated and the day to day value of these will fluctuate in line with market conditions (which will mainly reflect market interest rates). Such investments may be suitable for cash balances to be invested for a period measured in weeks or months (depending on the fund chosen) but not for cash for which immediate access is required.
- 10.11 Our current investment criteria excludes us from investing with unrated UK building societies and whilst a few of the larger building societies are credit rated, the rest are not. It is understood that the reason that many smaller building societies do not have credit ratings is that they don't borrow enough

money in the money markets to make a credit rating worthwhile (not that they are uncreditworthy). Our treasury advisors have now carried out work on unrated building societies and recommend that some are suitable for investment. We therefore propose to use them, subject to routine provision of information on their finances via Arlingclose. The unrated building societies under consideration are: Furness, Leek United, Newbury, Hinckley & Rugby, Darlington, Market Harborough, Melton Mowbray, Tipton & Coseley, Scottish, Marsden, Loughborough, Mansfield, Vernon and Harpenden. The key issue regarding small societies is that updated financial information is produced less frequently than for banks, and we will avoid any societies whose financial strength could change significantly between reports. We also propose maximum investments in individual societies and the sector as a whole.

- 10.12 The Council banks with the Co-operative Bank which has credit ratings lower than the banks with which it invests in the money markets. As part of its banking arrangements it makes use of a deposit account linked to its main bank accounts. At the time of writing this report we have a restrictive approach to the use of this account and this reflects the pending refinancing of the Co-op Bank, but it is anticipated that this refinancing will have implemented by the time that this strategy comes into force.
- 10.13 The banking contract expires in 2015 and the Co-op Bank have told us that they will not retender for this work. When retendering for bank services credit ratings will be taken into account when deciding which bank to appoint.
- 10.14 The credit worthiness of investments will continue to be reported via six-monthly reports to the Overview Select Committee and monthly briefing reports to the City Mayor.
- 10.15 This investment strategy is based on the advice of Arlingclose, our Treasury Advisors and they have consistently taken a cautious approach (for example they advised against investing in Icelandic banks).

11. **Sensitivity of This Strategy**

- 11.1 This strategy is based on the view that the economic outlook for 2013/2014 and later years carries a number of significant risks.
- 11.2 Short-term interest rates are expected to rise slowly over the medium term and the main risk is that they rise faster and/or sooner than expected. Such changes will tend to impact most on investment decisions and on decisions to reschedule or repay existing long term loans.
- 11.3 No borrowing requirement is forecast in 2014/15 or later years and this is likely to change only if significant new debt funded capital schemes were approved by the Council or earmarked funds are spent faster than expected.
- 11.4 The Council has £96 million of market loans at favourable interest rates on which the lender has the right to periodically propose an interest rate increase. We have the option to refuse and to repay the loans, but would then have to

borrow new loans at the prevailing interest rates. In the current interest rate environment the financial risk is believed to be low - it's unlikely that lenders will exercise their option and if they did (which we would probably welcome) the cost of replacement loans (if needed) could be kept low by borrowing short to medium term loans.

- 11.5 Where, exceptionally, immediate action that does not comply with this strategy will benefit the Council such action will be taken, and will be reported to the City Mayor and the Overview Select Committee.
- 11.6 The Council's lending criteria takes into account the likelihood that a bank that runs into trouble will receive Government support. The Government is progressively trying to reduce its exposure to the bailing out of banks that run into financial problems and, other things being equal, this increases the exposure of lenders to the bank. However, this a work in progress which will take a number of years to achieve, but it will be monitored. At the same time the Government is trying to reduce the risks of lending money to banks by such measures as requiring them to hold greater amounts of loss holding capital.

12. **Housing Revenue Account**

- 12.1 The Housing Revenue Account (HRA) operates under a self-financing regime in which it has earmarked debts separate from those of the General Fund. Where appropriate, a separate loans strategy should be operated for each pool. However, the requirements of the HRA for 2013/14 are straightforward in that no new borrowing is required and the strategy described in this report is appropriate for the HRA.

13. **Treasury Management Advisors**

- 13.1 Since January 2008 the Council has employed Arlingclose as treasury advisors. The service provides advice on our borrowing and investment policies and strategies. The annual fee for this service is £20,000. The existing contract expires in 2013 and will be retendered.
- 13.2 There have been many challenges in 2013/14 and Arlingclose's performance has been good.

14. **Leasing**

- 14.1 The Council is likely to acquire equipment, principally vehicles, to the value of approximately £2 million that would be suitable for leasing.
- 14.2 Before leasing is pursued consideration will be given to the options of finance leasing, operational leasing, and prudential borrowing. At present prudential borrowing is more cost effective. This judgement takes into account the costs of the two forms of finance over the expected economic life of the asset. In addition, because of lease termination charges it is more expensive to dispose of a leased vehicle than an owned vehicle, and this is important because the Council is reviewing the utilisation of the existing fleet.

15. **Financial and Legal Implications**

- 15.1 The proposals are in accordance with the Council's statutory duties under Local Government Act 2003 and statutory guidance, comply with the CIPFA Code of Practice on Treasury Management. In accordance with the Council's Constitution the strategy requires full Council approval.

17. **Other Issues**

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

18. **Background Papers**

- 18.1 Background information is available on the files of the Acting Director of Finance.

19. **Consultation**

- 19.1 Arlingclose Ltd.

20. **Author**

- 20.1 The author of this report is David Janes of the Financial Services Division on extension 7490

Alison Greenhill
Director of Finance.

ANNUAL INVESTMENT STRATEGY 2014/2015

1. Introduction

- 1.1 This investment strategy complies with the DCLG's Guidance on Local Government Investments and CIPFA's Code of Practice.
- 1.2 The Investment Strategy states which investments the Council may use for the prudent management of its treasury balances. It also identifies other measures to ensure the prudent management of investments.

2. Investment Objectives & Authorised Investments

- 2.1 All investments will be in sterling, although bank deposits in euros will be permitted when placed with our bankers for operational reasons such as the receipt and disbursement of grants receivable and payable in euros.
- 2.2 The overriding policy objective for the Council is the prudent investment of its balances. The Council's investment priorities are
 - (a) the **security** of capital and
 - (b) **liquidity** of its investments.
- 2.3 The council will aim to achieve the **optimum return** on its investments commensurate with the proper levels of security and liquidity.
- 2.4 The Council will not borrow monies purely to invest or on-lend.
- 2.5 The list of authorised investments is as follows: -

Short Term Investments

- i. Deposits for periods up to one year with credit rated deposit takers (UK banks and building societies);
- ii. Deposits for periods up to one year with unrated building societies;
- iii. Deposits for periods up to one year with other local authorities;
- iv. Money Market Funds and similar pooled funds (subject to further approval of the Executive);
- v. Any deposit, bond, note, bill or other loan instrument with a residual maturity of up to one year which has the same economic characteristics as (i), (ii) or (iii).

Longer Term Investments

- vi. Deposits for periods in excess of one year with UK local authorities or which are issued by or explicitly guaranteed by the UK Government;
- vii. Deposits with credit rated banks and building societies for periods up to two years.

2.6 The Council will impose upper limits on the total amount of money to be invested in a sector according to the following criteria: -

- i. Banks and building societies - £80 million;
- ii. Within (i) a limit for unrated building societies - £10 million
- iii. Money Market Funds and other pooled funds – limit to be determined by the Executive;
- iv. Investments issued by or guaranteed by the UK Government or by a local authority – unlimited.

2.7 The following factors apply to both short-term and longer-term deposits.

- i. Deposits may be for fixed terms or may be repayable at the option of the borrower and/or the lender and may or may not be negotiable
- ii. Deposits may be agreed in advance that run from an agreed future date.
- iii. For the purposes of applying the credit rating criteria laid down in this AIS, deposits agreed in advance shall be treated as running from the date they are agreed. However, where a deposit is agreed 10 or fewer working days in advance it shall be treated as running from the date the cash is deposited.
- iv. Interest rates may be fixed at the outset or may be varied by agreement. They may also be varied by reference to market rates or benchmarks (eg LIBOR), provided that such rates or benchmarks are capable of independent verification.
- v. A deposit to an organisation with an unconditional financial guarantee from a parent organisation shall be treated as if it were as a deposit with that parent organisation.
- vi. Where an institution is part of a group then limits shall be set both at group level and at the level of the individual institution.

3. Security of Capital: The use of Credit Ratings

3.1 The Director of Finance will maintain a list of approved counterparties, selected in line with the following criteria.

3.2 The Council utilises credit ratings published by Fitch Ratings. This section of the strategy proposes minimum credit rating requirements. In practice, only investments of the highest security will be made. Minimum credit rating criteria shall be as shown below: -.

- i. For term deposits and callable deposits for periods of 2 year or less, a long-term rating of A+, a short term rating of F1
- ii. For term deposits and callable deposits for periods of 1 year or less, a long-term rating of A, a short term rating of F1
- iii. For term deposits and callable deposits for periods of 6 month or less, a long-term rating of A-, a short term rating of F2
- iv. For money market funds, and other commercial secured deposit facilities, a rating to be determined by the Executive

For (i),(ii) and (iii) there is an additional requirement that there shall be a good prospect of support from a strong government (the government either being the UK government or else a government having an AA+ long-term rating) or well-resourced parent institution (minimum A+ credit rating). In addition for all categories of investments regard will be had to other sources of information including (where applicable) the price of Credit Default Swaps, share prices, developments, news, economic data and market sentiment.

- 3.3 The credit worthiness of unrated building societies will be assessed by reference to the most recently published accounts and by reference to any other publically available market information. In particular regard shall be had to the capital held to absorb financial shocks, liquidity and profitability. Regard shall be had to advice from the Council's treasury advisors.
- 3.4 No credit rating is required for investments issued by or subject to an explicit guarantee from the UK government or in other local authorities.
- 3.5 The maximum sum to be deposited with individual counterparties, or in any one fund, shall be as shown below:
 - i. For money market funds and commercially secured deposit facilities – the limit to be determined by the Exective;
 - ii. For investments with, or explicitly guaranteed by the UK Government – unlimited;
 - iii. For deposits with UK local authorities £20 million;
 - iv. For deposits in credit rated banks and other credit rated institutions not guaranteed by the UK Government - £10 million;
 - v. For deposits in non credit rated building societies £1 million;
 - vi. For deposits with the Co-op Bank "Public Sector Reserve" account £2.5 million although higher balances shall be permitted when practical reasons make this unavoidable (for example when unexpected income is received and it's not practical to invest it elsewhere).
- 3.6 Investments are also permitted on the basis of equivalent ratings issued by Moody's Investors Services or Standard and Poor's. In the absence of good reasons to the contrary, decisions will be based on the lowest rating.
- 3.7 When applying these criteria it shall be assumed that investments shall be held to maturity. Where, however, the Council has an unqualified option to require the investment to be fully repaid at an earlier date, then for the purposes of applying these criteria it shall be assumed that the investment shall run until the earliest repayment date.
- 3.8 Credit ratings will be monitored:
 - i. All credit ratings for investments being actively used will be monitored monthly and credit rating alerts will be acted on as soon as practicable (the next working day or sooner);

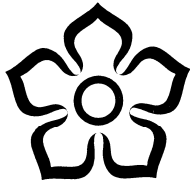
- ii. If a body is downgraded with the result that it no longer meets the Council's minimum criteria, the further use of that body will cease;
- iii. A deterioration in credit ratings will not automatically lead to a decision to terminate the investment prematurely (and in many cases there will be no contractual provision to permit this).
- iv. If a counterparty is upgraded so that it fulfils the Council's criteria, its inclusion will be considered and put to the Director of Finance for approval;
- v. If other market intelligence suggests that credit ratings give an over-optimistic view of credit-worthiness, this will be taken into account.

4. Investment balances / Liquidity of investments

- 4.1 The minimum percentage of its overall investments that the Council will hold in short-term investments is 40% and the Council will maintain liquidity by having a minimum of £30m of deposits maturing within 2 months (subject to the availability of funds to invest). There is a regular monthly cycle to the Council's cashflow and these limits apply to the peak cash balance just ahead of the payday. These liquidity targets are guidelines and occasional and temporary deviations from these limits will be permitted on a planned basis where there are good reasons.
- 4.2 No more than £100m will be held in investments in excess of 364 days of which no more than £50m will be invested in excess of 366 days.

5. Investment Reports

- 5.1 Reports will be prepared twice yearly as part of the reports on treasury management activity, and a monthly note is prepared for the Director of Finance and the City Mayor.



Leicester
City Council

WARDS AFFECTED
All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Licensing Committee
Full Council

2 October 2013
23 January 2014

Licensing Act 2003
Statement of Licensing Policy

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. To inform Licensing Committee that the current Licensing Policy may be extended for a further two years.

2. Recommendation

- 2.1. The Licensing Committee is asked to confirm that there are no objections to the the current Licensing Policy being extended for a further two years, to 6 February 2015, as provided to the Licensing Act 2003.
- 2.2. Full Council is recommended to approve the extension of the Licensing Policy for a further two years, to February 2015, as provided to the Licensing Act 2003.

3. Legislative change

- 3.1. Section 122 of the Police Reform & Social Responsibility Act 2011 amended section 5 of the Licensing Act 2003, so as to extend the duration of a licensing policy from 3 years to 5 years. This means that the expiry date of our current Licensing Policy may be extended from 6 February 2014 to 6 February 2016.
- 3.2. There are many other changes currently in progress in relation to the Licensing Act 2003. It is felt appropriate to make use of the extended validity of the existing Licensing Policy in order to allow those changes to be decided upon and implemented, and therefore reflect the most up to date situation when our policy is reviewed and replaced.

5. Financial, Legal and other implications

5.1 Financial Implications

There are no significant financial implications.

Colin Sharpe – Head of Finance, City Development and Neighbourhoods

5.2 Legal Implications

There are no significant legal implications arising from this report.

Shilpa Thakrar, Senior Solicitor, Legal Services

6. Other Implications

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

7. Background Papers – Local Government Act 1972

7.1. None

8. Consultations

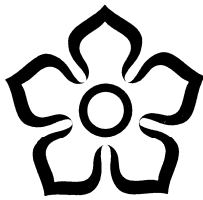
8.1. None

9. Report Author

9.1. Rachel Hall, Licensing Team Manager

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Leicester
City Council

MINUTE EXTRACT

Minutes of the Meeting of the

LICENSING COMMITTEE

Held: WEDNESDAY, 2 OCTOBER 2013 at 5.30pm

P R E S E N T :

Councillor Thomas (Chair)
Councillor Byrne (Co-Vice-Chair)
Councillor Clarke (Co-Vice-Chair)

Councillor Dr Barton
Councillor Naylor
Councillor Riyait

Councillor Sangster
Councillor Shelton
Councillor Westley

* * * * *

1. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed. No such declarations were made.

6. REVIEW OF LICENSING POLICY

The Director of Environmental Services submitted a report informing the Committee that the current Licensing Policy may be extended for further two years, following provisions in the Police Reform and Social Responsibility Act 2011. The Committee was requested to confirm that they have no objection to the policy being extended for two years, as provided in the Licensing Act 2003.

RESOLVED:

that the Committee has no objections to the current Licensing Policy being extended for a further two years to 6 February 2015, as provided by the Licensing Act 2003.

Leicester City Council

Statement of Licensing Policy

Contents

<u>Introduction</u>	Page 2
<u>Fundamental Principles</u>	Page 3
<u>Cumulative Impact</u>	Page 4
<u>Policy on Cumulative Impact</u>	Page 5
<u>Licensing Hours</u>	Page 7
<u>Promotion of the Licensing Objectives</u>	Page 7
<u>The Prevention of Crime and Disorder</u>	Page 8
<u>Public Safety</u>	Page 11
<u>The Prevention of Public Nuisance</u>	Page 12
<u>The Protection from Children from Harm</u>	Page 13
<u>Integrating Strategies</u>	Page 14
<u>Duplication</u>	Page 18
<u>Standardised Conditions</u>	Page 18
<u>Personal Licences</u>	Page 19
<u>Temporary Event Notices</u>	Page 19
<u>Enforcement</u>	Page 20
<u>Live Music, Dancing, Theatre, Circuses and Street Arts</u>	Page 20
<u>Other permissions</u>	Page 21
<u>Delegation of functions</u>	Page 21
<u>Period of Validity & Review</u>	Page 21
<u>Area of Special Policy on Cumulative Impact</u>	Page 23

1 Introduction

Purpose

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

It will also:

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

Consultation

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

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

Licensable Activities

1.3 The licensable activities are:

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

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

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment (indoors and outdoors)
- a performance of live music (not incidental music, e.g. a piano in a restaurant)
- any playing of recorded music
- a performance of dance
- and similar types of musical or dance related entertainment.

2 Fundamental Principles

Background

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

The Licensing Objectives

- 2.2 The Licensing Authority will carry out its functions with a view to promoting the licensing objectives. The licensing objectives, which carry equal importance, are:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.

Balance

- 2.3 The Licensing Authority will also seek to achieve a balance between leisure/entertainment and the needs of residents and other businesses for an acceptable environment and quality of life.
- 2.4 This Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representations on an application or seek a review of a licence or where provision has been made for them to do so in the Licensing Act 2003.

Relevancy

- 2.5 Licensing is about the control of premises and places being used for licensable activities and the vicinity of those premises and places. The terms and conditions attached to various permissions are focused on relevant matters that are within the control of the holders of those permissions. This means those matters occurring at, and in the immediate vicinity of, premises, and the direct impact they have on nearby residents and businesses. The 'vicinity' will be a question of fact in each case, and the authority will primarily focus on the direct impact of the activities taking place on members of the public living, working or engaged in normal activity in the area concerned.
- 2.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

3 Cumulative Impact

- 3.1 The Licensing Authority recognises that there can be confusion about the difference between "need" and "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder or public nuisance. "Need" concerns the commercial demand for another pub, restaurant, etc. is not a matter for a Licensing Authority in discharging the licensing functions or for this statement of licensing policy, but is a matter for planning committees and for the commercial market. On the other hand, the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the Licensing Authority and its licensing committee to consider.
- 3.2 In certain situations the number, type and density of premises selling alcohol may be associated with serious problems of crime and disorder. Where the impact on surrounding areas of customers taken together may be greater than the usual impact of customers from individual premises, the licensing authority may consider that a special policy is needed to deal with this cumulative impact.
- 3.3 The Authority recognises that once away from licensed premises, there is always a risk that a minority of consumers will behave badly and unlawfully. Depending on the circumstances, there are other mechanisms available for addressing such issues for instance:
- planning controls;
 - positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
 - the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
 - powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;

- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- the confiscation of alcohol from adults and children in designated areas;
- police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question;

4 Policy on Cumulative Impact

- 4.1 The Licensing Authority has received a representation from the Leicestershire Constabulary that the circumstances described above exist in relation to parts of Leicester's City Centre, and that the grant of further premises licences or club premises certificates would undermine the crime prevention objective.
- 4.2 In response to this representation the Licensing Authority has:
- Considered evidence about the extent of the problem of crime and disorder;
 - Considered evidence about the likely association of the problem with the number and density of licensed premises in the city centre;
 - Consulted on the proposal for a special policy in relation to new licences and variations to existing ones within the City Centre;
 - Considered the outcome of that consultation; and
 - Resolved to declare the continuation of the special policy described below.
- 4.3 The Licensing Authority will continue to adopt a special policy on cumulative impact in relation to the area of the City Centre:
- bounded by Churchgate, Haymarket, Belgrave Gate (from Haymarket to Abbey Street), Abbey Street and Burleys Way (from Abbey Street to Church Gate);
 - including both sides of the streets bounding the area;
 - including Gravel Street, Mansfield Street, New Road, Sandacre Street and Short Street within the area.
- 4.4 The area of this policy is marked on the map at Appendix 1.
- 4.5 The Licensing Authority will adopt a special policy on cumulative impact in relation to the Belvoir Street area of the City:
- bounded by Belvoir Street, Granby Street (from Belvoir Street to Chatham Street), Chatham Street, Wellington Street (from Belvoir Street to Park Street), Park Street, New Walk (from Park Street to King Street) and King Street (from New Walk to Belvoir Street);

- including both sides of the street bounding the area;
- including Stamford Street and part of Albion Street (from Belvoir Street to Chatham Street) within the area.

4.6 The area of this policy is marked on the map at Appendix 2.

4.7 The Licensing Authority will adopt a special policy on cumulative impact in relation to the Braunstone Gate area of the City:

- bounded by Braunstone Gate, New Park Street, Narborough Road from New Park Street to Upperton Road, and Hinckley Road (from Narborough Road to Fosse Road Central/Fosse Road South);
- including both sides of the streets bounding the area;
- including Thorpe Street, Foxon Street and Earl Howe Terrace within the area.

4.8 The area of this policy is marked on the map at Appendix 3.

4.9 The Licensing Authority will adopt a special policy on cumulative impact for off-licences in relation to the London Road/Granby Street area of the City:

- bounded by Conduit Street, Sparkenhoe Street (from Conduit Street to Highfield Street), Highfield Street, London Road (from Granby Street to Granville Road) and Granby Street (from London Road to Chatham Street);
- including Glebe Street, Andover Street, Lincoln Street, Prebend Street, College Street, Hobart Street, Seymour Street, Saxby Street, Gotham Street, Tichbourne Street (from Saxby Street to Highfield Street), and Severn Street (from Saxby Street to Highfield Street).
- including both sides of the street bounding the area;

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

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

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

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

4.14 The authority acknowledges that the impact will be different for premises with

different styles and characteristics.

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

4.16 The policies will not be used to:

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

5 Licensing Hours

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

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

5.3 In relation to shops and other retail outlets supplying alcohol for consumption off the premises, the general policy will be to allow sales of alcohol at all times that the premises is open for business. However, there may be circumstances in which restricting the hours of opening of a particular premises is in the interests of promoting the licensing objectives.

5.4 In making decisions in respect of licensing hours, consideration will be given to representations made by residents and businesses in the vicinity of the premises, their representatives, and the police as well as the applicant. This may lead to the imposition of stricter conditions on noise controls in areas of denser residential accommodation

5.5 Fixed trading hours will not be set for particular geographical areas. Each case will be decided on its own merits based on whether the licensing objectives can be met.

6 Promotion of the Licensing Objectives

6.1 The Licensing Authority is required to carry out its functions so as to promote the licensing objectives. This includes its role in:

- Granting or refusing applications for licences;
- Reviewing licences;
- Imposing conditions;
- Deciding how to integrate with other strategies of the council.

6.2 Licence applications should be accompanied by an operating schedule that includes the steps that the applicant proposes to take to promote the licensing objectives. The Licensing Authority strongly recommends that the process of developing the operating schedule includes a thorough risk assessment with regard to the licensing objectives, which will assist in identifying those steps.

6.3 Applicants for licences are urged to discuss their proposals with the responsible authorities prior to submitting an application. This will enable them to seek advice on the production of their operating schedule and may avoid the need for a hearing in response to representations made by the authorities. The relevant authorities are:

- Prevention of Crime and Disorder – Leicestershire Police, Leicester Crime Reduction Partnership.
- Public Safety – Leicestershire Police, Leicestershire Fire and Rescue, the City Council's Environmental Health Officers with responsibility for Health & Safety
- Public Nuisance – the City Council's Environmental Health Officers with responsibility for Pollution Control
- Protection of Children from Harm – Local Safeguarding Children Board, Leicestershire Police.
- A guide on how to write an operating schedule to meet the requirements of the responsible authorities is available from the Licensing Authority or can be downloaded from the Licensing Authority's web-site at:
<http://www.leicester.gov.uk/licensing/>

6.4 The following sections set out those steps that the licensing authority considers would ordinarily be appropriate for particular types or premises. The licensing authority would strongly encourage applicants and licence holders to consider adopting these requirements. However the Licensing Authority will not impose them indiscriminately. Applicants and licence holders may decide that it is not necessary to include these steps in the operating schedule for the premises, based on the particular circumstances involved. Equally it may be necessary to take steps to promote the licensing objectives in their premises, because of particular circumstances, even though they would not ordinarily be necessary.

7 The Prevention of Crime and Disorder

CCTV

7.1 The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, licensed premises. The Licensing Authority will therefore support the provision of CCTV in city centre pubs and clubs and city centre late night refreshment premises. The CCTV should be

installed and maintained on the advice of the Leicestershire Police Crime Prevention Officer and a guide to CCTV and licensed premises published by Leicestershire Police is available on the Council's website:
<http://www.leicester.gov.uk/your-council-services/cl/licensing/licensing-act/>.

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

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

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

Premises Outside the City Centre

- Pubs and bars;
- Off-licences;

Door Supervision

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

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

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

Premises Outside the City Centre

- Pubs and bars;

Staff Training

- 7.5 Adequate and appropriate staff training forms a vital part of ensuring licensed premises are properly run so as promote the licensing objectives. Level 1 Award in Responsible Alcohol Retailing from the British Institute of Innkeeping ensures successful participants are able to act within the law and to support the designated premises supervisor to retail alcohol responsibly on their licensed premises.
- 7.6 The licensing authority support staff training in general and in particular recommends that appropriate staff training is provided in the following types of premises:

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

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

Premises Outside the City Centre

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

Open Containers of Alcohol

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

Irresponsible Drinks Promotions

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

premises is not being approached in a responsible way.

Dance Venues

7.10 The culture of dance venues requires that special consideration be given to the steps required to prevent crime and disorder and promote public safety. It is recommended that operators of night clubs providing facilities for dancing are aware of the detailed guidance provided in the “*Safer Clubbing Guide*” published by the Government and available for download from the Licensing Authority’s web-site. <http://www.leicester.gov.uk/licensing/>

7.11 The local authority would support the following steps to promote the licensing objectives in pubs and clubs opening beyond midnight that provide dance facilities. Other pubs and clubs, depending on circumstances, may also benefit from these steps:

- Adoption of the City Council’s policy on preventing drugs misuse
- Searching of customers before entry in accordance with the Leicestershire Constabulary Code of Practice on *Searching and Licensed Premises*. This will be aimed at preventing drugs and offensive weapons being brought into premises.
- Making drinking water freely available at drinking fountains, or in freely available plastic containers, to help prevent dehydration and overheating.

Other Steps to Promote the Prevention of Crime and Disorder

7.12 There is a wide range of other steps which may be appropriate in particular circumstances including:

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

8 Public Safety

Premises Licensed for Regulated Entertainment

8.1 Premises licensed for regulated entertainment, including cinemas and theatres, are subject to a range of legislative requirements and regulatory regimes such as the Health and Safety at Work Act and the Regulatory Reform (Fire Safety)

Order 2005, aimed at protecting public safety. The Licensing Authority does not intend to duplicate requirements of existing statutory provisions. However, premises will be expected to ensure a level of compliance that promotes public safety.

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

9 The Prevention of Public Nuisance

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

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

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

Premises Outside the City Centre

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

Other steps to promote the prevention of public nuisance

- 9.3 Other steps which may be appropriate to prevent public nuisance include :
- Limitation on hours of operation where necessary to prevent nuisance and disturbance
 - Steps to prevent noise, disturbance and anti-social behaviour from people

- arriving at and leaving the premises
- Stricter controls will be supported in areas in closer proximity to residential accommodation.

10 The Protection of Children from Harm

General

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

Access by children to licensed premises

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

Children and Cinemas

- 10.5 Licence holders will be expected to prevent children from viewing films that are unsuitable because of the age classification of the film that has been imposed by the British Board of Film Classification or other film classification board approved by the licensing authority. Children will not be permitted to view un-certificated films.

Children and Public Entertainment

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

Children and the Sale of Alcohol

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

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

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

11 Integrating strategies

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

Crime Reduction Partnership

- 11.2 The Licensing Authority recognises its responsibility to address issues relating to crime and disorder and is committed to working together, with other partners, to make Leicester a safe and attractive city in which to live, work, study and socialise.
- 11.3 In making decisions, the Licensing Authority will consider the Safer Leicester Partnership Strategy, especially relating to,
- Reducing the opportunities for crime to occur
 - Tackling disorder and anti-social behaviour
 - Reducing the fear of crime
 - Combating the use of drugs

Planning

- 11.4 The Licensing Authority will ensure that planning and licensing regimes are properly separated to avoid duplication and inefficiency. Applicants must bear in mind the need for both planning permission and an appropriate licence, and are encouraged to seek planning permission first.
- 11.5 The Licensing Committee is not bound by decisions of the Planning Committee, and vice versa.

Cultural Strategy

- 11.6 'Diverse City – A Vision for Cultural Life in Leicester' is Leicester's Cultural Strategy setting out the common vision and shared goals for all those involved in the cultural life of the city.
- 11.7 The International Covenant on Economic, Social and Cultural Rights (ICESCR) which was ratified by the UK in 1976 recognises *the right of everyone to take part in cultural life* and requires that active steps are taken to develop cultural activity and ensure that everyone can participate in the cultural life of the community.
- 11.8 The Strategy encompasses arts, heritage, museums, parks and green spaces, neighbourhood facilities, markets, festivals and public events, media, libraries and literature, sport, play, faith and worship, tourism, restaurants and bars and creative industries. A key objective of Leicester's Cultural Strategy is "*to invest in the development of cultural activity which contributes to the economic, social and personal well-being of individuals at all stages in their lives and to increase access to, and participation in, cultural activity*". This has been underpinned by City Council performance targets to increase cultural participation.
- 11.9 The City Council has sought premises licences for selected public spaces in the community in its own name. This includes, for example, green spaces, parks, city centre squares etc. Performers and entertainers require permission from

the Council, as the premises licence holder, to use these spaces for regulated entertainment.

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

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

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

Building Control

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

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

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

Promotion of Equality

11.15 In developing this strategy, the Licensing Authority has recognised its responsibilities under the Equality Act 2010, to consider the need to eliminate unlawful discrimination and to promote equal opportunities. This Licensing Policy therefore supports and is supported by the City Council's Equal Opportunities Policy.

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

- The Licensing Policy and associated documents will be available on the internet, and in other formats upon request.
- Multi-language sections will be included in all leaflets and on the website.
- The licensing objective of protecting children from harm will be promoted.
- Support will be offered to licence applicants, licence holders and potential objectors who are socially excluded.
- Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
- Action will be taken to endeavour to ensure the safety of vulnerable people in licensed premises.
- Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

11.17 The Licensing Authority is aware that there may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. If and when this proximity has an impact on the promotion of one of the licensing objectives this may be a matter for the Licensing Authority.

Disabled Access

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

Transport

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

11.20 The LTP policies seek to ensure that alternatives to the use of the private car are available; these alternatives include walking, cycling and public transport (bus, rail and taxi). They are operated in conjunction with land use policies to seek to ensure that development takes place in locations where these alternatives can be best provided; the City Centre is naturally one of these locations, particularly with regard to public transport.

- 11.21 A high level of bus services is provided commercially between the hours of 7am and 7pm Monday to Saturday. Lower levels of services are provided up to 11pm and on Sundays, and the Council's Transport Strategy will continue to seek ways of improving the provision of bus services at these times and later at night to assist in getting people away from the City Centre quickly, safely and efficiently.
- 11.23 Taxis play a key role in filling in gaps in public transport services and offering a flexible, accessible door-to-door service. The City Council's aim is to improve the provision of ranks and investigate the use of innovative systems to manage the use of ranks taking into account customer need, balancing supply around the City Centre and minimising the need for kerb-side space.
- 11.24 A recent survey (2007) showed that 75% of taxi drivers claimed they have been physically or verbally assaulted in the 12 months previous. The Council will therefore work with the trade to investigate the potential to part-fund CCTV cameras in vehicles to encourage more taxis to work at night. Additional drivers working at night will lead to moving people out of the city centre quicker, helping to achieve the Crime and Disorder Partnership's target of reducing violent crime in the city centre.

12 Duplication

- 12.1 The Authority will avoid duplication with other regulatory regimes (eg the Health and Safety at Work Act) insofar as attaching conditions to premises licences and club premises certificates.
- 12.2 Conditions will only be attached where they are necessary for the promotion of the licensing objectives. If matters are already provided for in other legislation they cannot be considered necessary in the context of licensing law.

13 Standardised Conditions

- 13.1 Conditions may only be attached to premises licences and club premises certificates
- in order to implement the relevant operating schedule,
 - following a hearing where a relevant representation has been upheld, or
 - following a review hearing where the grounds for review have been upheld.
- 13.2 The Licensing Authority will only attach to premises licences and club premises certificates those conditions that are tailored to the individual style and characteristics of the premises and the events concerned, and where they are necessary for the promotion of one or more of the licensing objectives.
- 13.3 However, to aid administration attached to this statement, but not forming part of it, at Appendix 2 are pools of conditions from which the authority may draw

appropriate and proportionate conditions to cover particular circumstances. This is not intended to be an exhaustive list and other specific conditions may be appropriate.

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

14 Personal Licences

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

15 Temporary Event Notices

- 15.1 Part 5 of the Licensing Act allows licensing activities to be carried out in specified circumstances on a temporary basis, subject to a temporary event notice being served on the Licensing Authority, with a copy to the chief officer of police, ten working days before the event. The chief officer of police may object

to the event if he is satisfied that the crime prevention objective would be undermined.

- 15.2 The Licensing Authority considers that it is important that the police have sufficient time to properly evaluate the likely impact of a temporary event. Where insufficient notice of the event is given this may lead to objections being made that may have been unnecessary if a fuller evaluation had been possible. Equally, if notice of an event is given too far in advance it may be difficult to evaluate because of future uncertainty.
- 15.3 The Licensing Authority would therefore suggest as best practice that a temporary event notice is served between one and two months ahead of the event taking place.

16 Enforcement

- 16.1 The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives referred to in Section 1.
- 16.2 The Licensing Authority will develop and review enforcement protocols in agreement with the police and other enforcement agencies as appropriate.
- 16.3 Enforcement activities will be targeted in terms of risk and so as best to promote the licensing objectives. In addition account will be taken of the general enforcement policy of the licensing authority, which aims to ensure that enforcement is open, fair, reasonable and proportionate.
- 16.4 Enforcement activities will include operations designed to:
- Ensure compliance with conditions attached to licences, operating schedules, requirements specified in the this Statement of Policy, and the requirements of the Licensing Act itself;
 - Protect public safety;
 - Prevent nuisance;
 - Prevent crime and disorder;
 - Protect children from harm;
 - Identify unlicensed activities;
 - Respond to complaints and representations from relevant individuals and responsible authorities;
 - Prevent the sale of alcohol to minors
 - Prevent the sale of alcohol to people who are drunk
 - Identify the keeping of smuggled goods
 - Prevent drug misuse

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

- 17.1 The Licensing Authority will ensure that when it considers applications for licences for entertainment involving live music, dancing, theatre, circuses and

street arts it will act so as to promote the licensing objective of preventing public nuisance.

- 17.2 The Licensing Authority recognises that there is a need to encourage and promote a broad range of entertainment, particularly those activities identified above, because of the wider cultural benefits to communities. The potential for limited disturbance will therefore be balanced against these wider benefits.

18 Other permissions

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

19 Delegation of Functions

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

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

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

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

- 19.2 The relevant Corporate Director will determine all other matters.

20 Period of Validity & Review

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

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

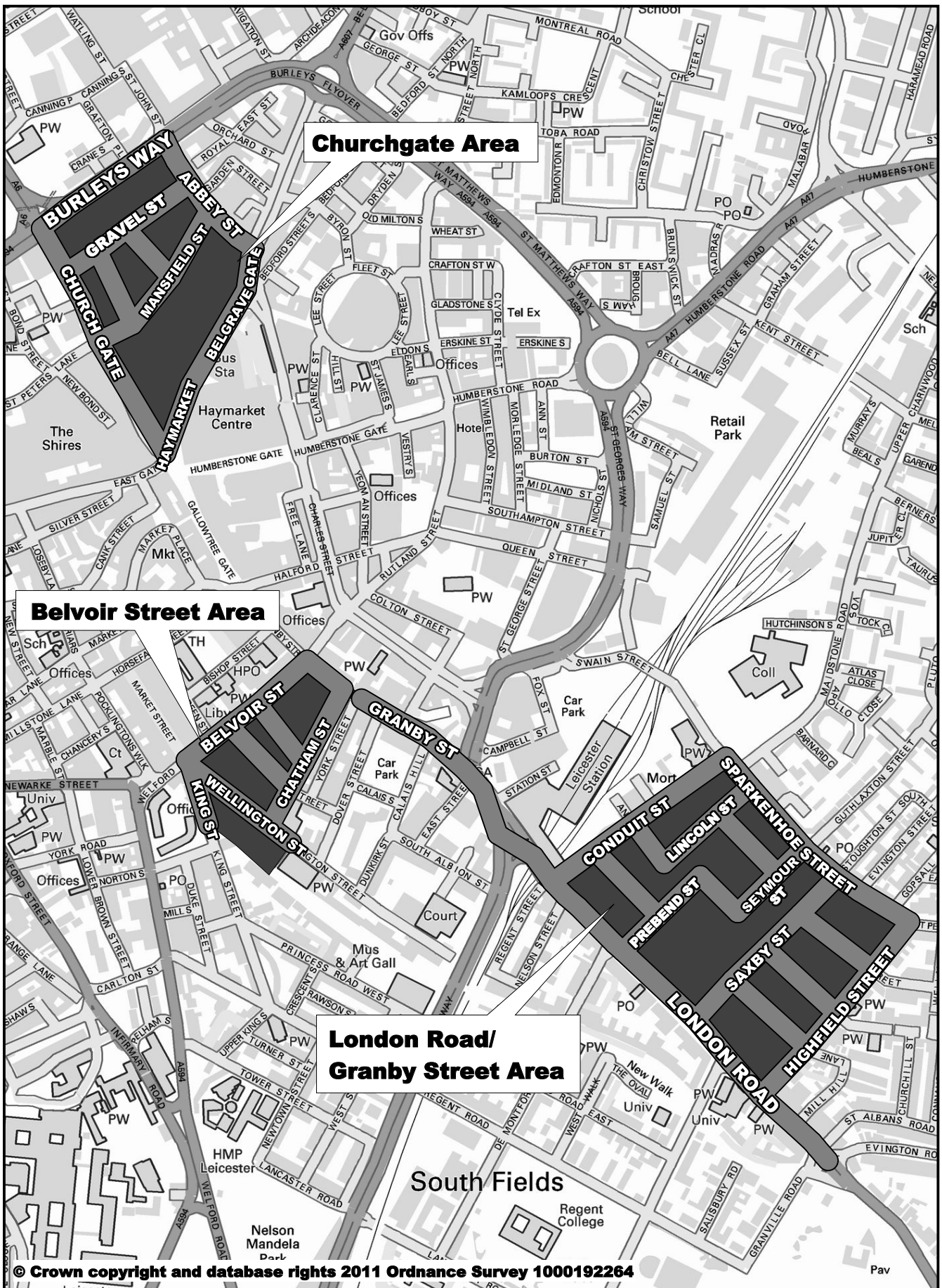
- 20.3 Before a new policy is adopted or amendments made to the existing one the Licensing Authority will undertake consultation in accordance with Section 5 of the Licensing Act 2003.

Area of Special Policy on Cumulative Impact

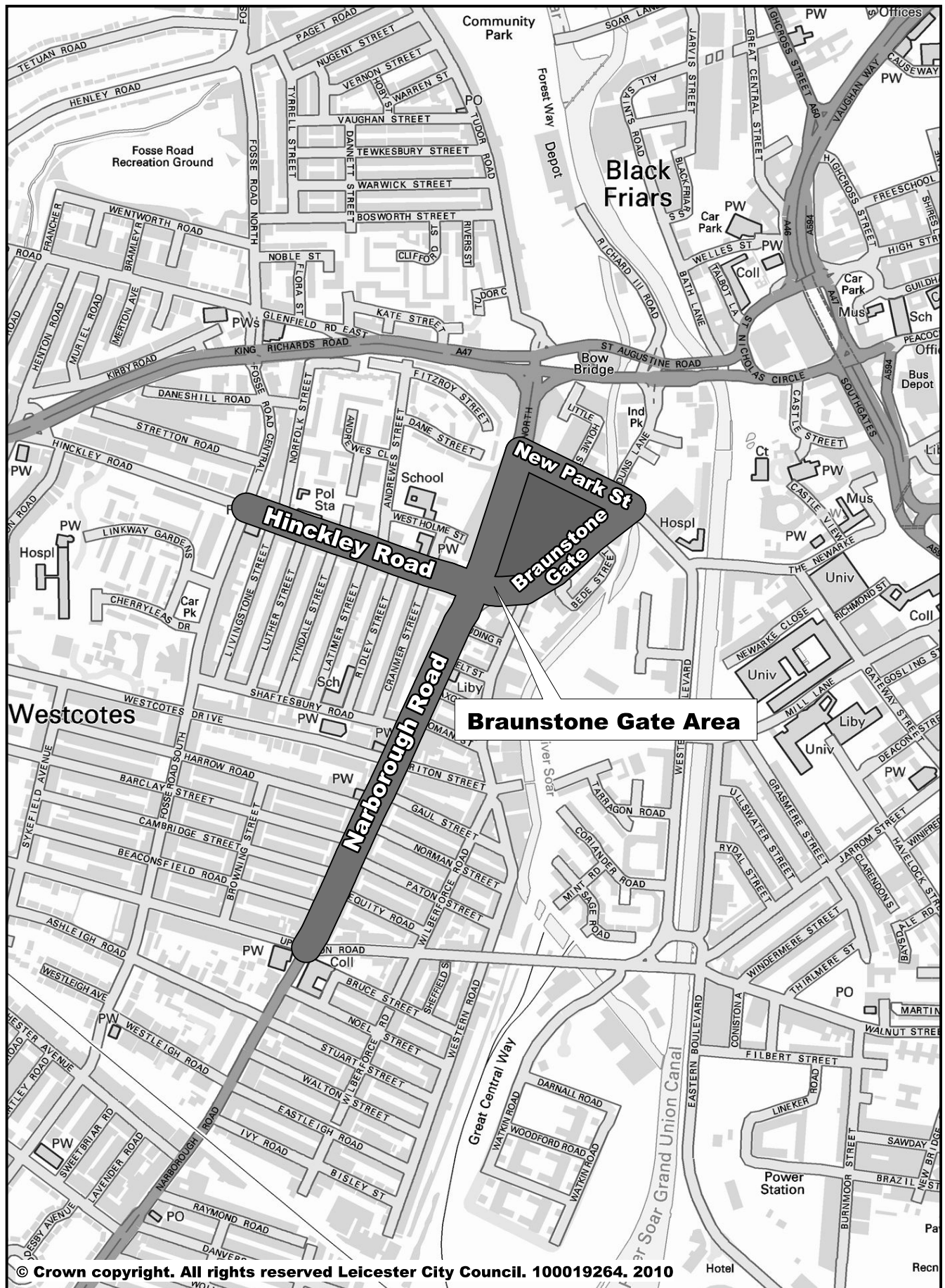
See separate plans for:

- Churchgate area
- Belvoir Street area
- Braunstone Gate area
- London Road/Granby Street area (off licences only)

Proposed City Centre Cumulative Impact Areas



Proposed Braunstone Gate Cumulative Impact Area



CALL-IN OF EXECUTIVE DECISION

6.3. REPORT ON THE CONSULTATION ON THE CLOSURE OF EVESHAM HOUSE HOUSING PROJECT FOR PEOPLE WITH SUBSTANCE MISUSE ISSUES.

In accordance with Rule 12 of the City Mayor and Executive Procedure Rules, Councillors Newcombe (Proposer), Alfonso, Kitterick, Moore and Willmott have objected to the decision of the City Mayor of 4 November 2013 with regard to the above.

The submitted grounds for objection are:-

“The requirement for a clear plan to minimise the impact of the closure on users of the service.”

A copy of the decision is attached along with a series of associated paperwork.

Arising from the receipt of an objection the issue had been referred to the meeting of the Housing Scrutiny Commission on 12 November 2013 and the Overview Select Committee on 28 November 2013. Copies of both extracts are attached.

The City Council is recommended to formally consider the Executive Decision regarding Evesham House.

Under the provisions of City Mayor and Executive Procedure Rule 12 (h), the Council may either confirm the decision of the Executive which would take immediate effect or refer the matter back to the Executive with an alternative recommendation for Executive to consider.

Report to Full Council

23rd January 2014

Evesham House

Lead Director: Tracie Rees (Adult Social Care)

Useful Information:

- Ward(s) affected: All
- Report author: Tracie Rees – Director of Care Services and Commissioning

- Author contact details 37 2301
- Date of Exec meeting N/A

1. Summary

- 1.1 A 'call in' has been received in relation to the decision taken by the Assistant Mayor Councillor Rita Patel as the Lead for Adult Social Care, in relation to the closure of Evesham House, which is supported accommodation for people with substance misuse problems.
- 1.2 The basis of the objection to the decision, and the reason for the 'call in' was, the 'requirement to see a clear plan to minimise the impact of the closure on users of the service'.
- 1.3 The matter was referred and discussed at the Housing Scrutiny Commission on 12th November 2013 (members of the Adult Social Care Scrutiny Commission were also invited and attended the meeting) who referred the matter to the Overview Select Committee. The Overview Select Committee considered further information on the 28th November 2013 and referred the matter back to a joint meeting of the Housing and Adult Social Care Commission ahead of Full Council on 23rd January 2014.
- 1.4 The joint meeting between the Housing and Adult Social Care Commissions has not yet taken place. However, a further delay to allow the meeting to take place is considered to be unreasonable. Therefore, Full Council is asked to consider the terms of the 'call in' and make appropriate recommendations to the Executive.

2. Recommendations

- 2.1 That Full Council formally consider the 'call in' of the Executive decision of the Assistant City Mayor (Councillor Rita Patel) regarding the plan to close Evesham House.

3. Supporting Information**2. Background**

- 2.1 Evesham house is one of 2 accommodation based services in the City that provide housing related support for people with substance misuse problems.
- 2.2 As part of the 2011/12 budget setting process, the Council agreed efficiency savings of 20% for this service. However, in addition to the required savings, the introduction of the Welfare Reforms has also impacted on the residents at Evesham House who are subject to the benefits cap from August 2013. This

has accelerated the need to review the service model.

- 2.3 At the time the benefit cap was introduced, plans were already under consideration to deliver a more effective service model within the new financial envelop. These plans were accelerated for Evesham House and it was agreed to close Evesham House accommodation based support for people alcohol misuse issues, supporting those currently resident at Evesham House into alternative accommodation.
- 2.4 As part of the decision making process, consultation was undertaken with the 6 residents of Evesham House, 2 of whom had already made plans to leave before the consultation ended. The remaining 4 residents have left Evesham House since the decision was taken on the 4th November 2013. All residents had reached a natural end to their supported housing 'journey' and are now living independently in the community. No new admissions have been made to Evesham and the building is now secured and empty.

3. Scrutiny consideration

- 3.1 In response to the 'call in' a paper was submitted to the Housing Scrutiny Commission that provided detailed plans for the residents of Evesham House in the event of closure (attached). The members were not satisfied by this response and further detailed information regarding the wider plans for the future delivery of housing related support for substance misuse problems were submitted to Overview Select Committee (OSC) on 28th November (attached).
- 3.2 In summary the paper submitted to OSC furnished members with information detailing the national policy context for this decision; the needs analysis underpinning the future model; the financial implications of the new model, compared to the existing provision; and a detailed description of the future plans for housing related support for substance misuse.
- 3.3 Further work following OSC has explored in more depth the needs analysis; the current effectiveness of Evesham; the location of the proposed 10 bedded unit that is part of the future model; and an asset transfer of the property. These are explored in detail in a paper that was prepared for a further special meeting of the Housing and ASC Scrutiny Commission. This meeting has not yet taken place.
- 3.4 To summarise the additional information, the needs analysis underpinning future plans clearly demonstrates the links between homelessness and substance misuse problems. The current accommodation based service only provides 30 places, whereas the proposed model will have capacity to support up to 152 users per year. This will include both accommodation based support and floating support provided to people in their own homes with substance misuse problems.
- 3.5 With regards to the effectiveness of the current model delivered at Evesham House. There are high levels of planned exits from Evesham, but this is coupled with a high proportion of people who come back into homelessness services. The current service model does not provide any kind of follow up / aftercare support. The plans for the future provision will include both early intervention, and follow up aftercare support that will help users to maintain their tenancies following discharge.
- 3.6 The location of a proposed 10 bedded unit which forms part of the future model

of service provision has not yet been decided. However, given the high density of services already located in Castle Ward, the procurement process could make note that the Council does not wish bidders to locate services in that Ward.

- 3.7 Members of OSC and Housing Scrutiny asked for more detail regarding possible asset transfer as a means to keeping the service open and avoiding the benefit cap. Whilst asset transfer could take place, this may not be desirable as the current facility at Evesham House is too small to meet the requirements of the proposed future service model. Additional evidence provided by the Council's Revenues and Benefits service suggest that if the asset is transferred to Registered Social Landlord the level of rental income is unlikely to exceed what the Council currently receives, which would make the service unaffordable for a new service provider.

We, the undersigned, wish to call in to the next meeting of the
Housing Scrutiny Commission

the decision of the City Mayor and/or Assistant Mayor in respect of the
following issue:

The closure of Evesham House Housing project for People with
Substance Misuse Issues

Reason for call-in

Requirement for a clear plan to minimise the impact of the closure on
users of the service.

Signed

Name	Signature
Cllr Paul NEWCOMBE	
Cllr Dawn ALFORD	
Cllr PATRICK KITTERICK	
Cllr D. Lynn MAINE	
Ross WILLMOTT	

Date...6 NOVEMBER 2013

Executive Decision Report

Report on Consultation on the closure of Evesham House, housing project for people with Substance Misuse Issues

Decision to be taken on: 4 November 2013

Lead director: Tracie Rees



City Mayor

Useful information

- Ward(s) affected: All
- Report author: Bernadette Wharton
- Author contact details:
- Report version number: v1

1. Summary

- 1.1 The report seeks Executive approval following a period of consultation to close Evesham House, Housing related Support Project for people with problematic substance misuse.

2. Recommendations

- 2.1 Executive is requested to approve the recommendation as detailed below to implement the closure of Evesham House, Housing related support project for people with substance misuse issues.
- 2.2 Executive is therefore requested to support option 4.

3. Supporting information including options considered:

- 3.1 The responsibility for Housing related support services for individuals who are experiencing problematic use of substances transferred from LCC Housing department to Adult Social Care in 2012.
- 3.2 A review of this provision identified that it no longer meets the needs of the client group, the current model fails to adequately address the recovery and reintegration needs of service users, there is no early identification of those at risk of homelessness in order to assist individuals to retain tenancy and there is little support for those whom do experience homelessness to reintegrate with the community and manage tenancies. It was recommended from this review that the services were remodelled and re-procured and this project was added to the corporate procurement plan for ASC.
- 3.3 Leicester City Council is currently undergoing a broader re-commissioning process with a view to combining the resources of the current HRS substance misuse projects (Evesham and Heathfield House) to develop a new model post April 2014. A statutory 3 month consultation process is planned for this wider remodelling and re-procurement exercise
- 3.4 The welfare reforms, which came into effect on August 15th 2013, limit individual claimant's income to a maximum of £350 a week for a single person. This change

in benefits means that there will be a shortfall in rental income from the Evesham House project to LCC of £7,000 per month from 15th of July 2013.

This change and the financial risk to the Council has necessitated that ASC review the wider plans for HRS and look to implement an earlier closure of the Evesham house project. In July 2013 the decision was approved to undertake a project specific consultation process with the current residents and stakeholders affected on this potential closure of Evesham House

- 3.5 Prior to this consultation being agreed a range of discussions (exec briefing dated 1st August 2013) took place across the council to explore alternatives to closure following the introduction of the welfare reforms. These discussions included Revenue and Benefits and Housing Management to explore possibilities in reducing the housing management costs in relation to Evesham House. These discussions did not yield any alternative to closure.
- 3.6 Consultation has now taken place in relation to the potential early closure of Evesham House and a detailed report of the finding is included as appendix 1. All residents accepted reasons for change however; concern was cited on the loss of this service to the city.
- 3.7 Two members of Leicester City Council Staff will be affected by the closure. A period of collective consultation has been undertaken with these affected staff and suitable alternative employment has been offered within LCC Hostels.
- 3.8 Agreement to close the project remains in context to the re-procurement of a wider housing related support project by Adult Social Care replacing the current 100% accommodation based projects of Heathfield House and Evesham House. Key elements which were highlighted through the consultation for Evesham will be factored into the proposed new model which will be going out to three month statutory consultation in October 2013.
- 3.10 An interim service delivery model for Housing Related Support to the current client group from Evesham house will be in place until March 2014, which will mitigate the concerns raised through the consultation of the loss of this service. This support will be under the current framework contract with Action Homeless.

The following options have been considered.

- 3.9 **Option 1** - Do nothing. This is not an option because the cost of the housing benefit will leave significant deficit in rental contributions affecting both service users and Leicester city Council.
- 3.10 **Option 2** – The City Council housing department to reduce its housing management costs – discussions have been had with housing management and due to the nature of the project it is not possible to either reduce the night time staffing cover or the wider housing management costs to such an extent that would mitigate the financial risk
- 3.11 **Option 3** – The council to subsidise the financial deficit of the impact of the Welfare reforms. There is an earmarked reserve which was set-up to offset any overspending in the HRS service. The 2013/14 balance for ASC is £248k; however this is for all the affected HRS projects within the Council. The reserve has been disaggregated and there is 17k available for the Evesham project which

is not sufficient to offset the deficit.

- 3.12 **Option 4** – To decant and re-locate residents into suitable and affordable alternative accommodation to an agreed timetable, and introduce a peripatetic approach to meet the support needs of the residents. As the financial impact of Reforms took effect mid-August, it is further recommended to utilise the earmarked reserve to offset costs already incurred.

4. Details of Scrutiny

- 4.1 Dialogue has taken place with Benefits and Revenues where outline of the costings was given and the fact that Leicester City Council buildings are not exempt for the capping.
- 4.2 A range of discussions have taken place across the council including with Housing Management to explore possibilities in reducing the housing management costs the city places on each residence. This has not been successful.
- 4.4 Discussions have been on-going about the proposals with both Finance and Legal Services.

5. Financial, legal and other implications

5.1 Financial implications

Housing

Housing General Fund (HGF) operates and runs the building and ASC provide the support to the residents. HGF retains all rental income received (£140k) paid for from housing benefit. Rents pays for two night workers and domestic staff (£101k). Rent also funds building maintenance and running costs, current budget of £17k. Evesham House contributes £22k to the overall HGF budget. If Evesham House closed HGF would lose this income stream and would need to find £22k savings from elsewhere in the budget. Redeployment opportunities have been identified for staff affected by the closure and there will be no redundancy costs.

	£k
Rental income (housing benefit)	(140)
Staff costs	101
Building maintenance and running costs	17
Surplus	(22)

Evesham House residents are affected by a weekly benefits cap of £350. Rent is currently £547 per week. Taking into account other benefits residents receive this will leave a shortfall of £269 per week which would have to be met by residents. This is unrealistic given they will have no other sources of income. The monthly shortfall in rental income is expected to be £7k. The shortfall will have to be met from elsewhere

in the budget (either Housing and/or ASC) or from Discretionary Housing Fund.

<i>Per unit</i>	£	Monthly Impact*
Weekly rent	547	
Other benefit (e.g. ESA)	72	
Weekly cap	(350)	
Income shortfall	269	£7k

(*assuming max occupancy of 6 units)

Housing has no alternative use for the building. If Evesham House closed the building would transfer to another department, be returned to the HRA, or sold on the open market. The building consists of six units all with wet rooms. The layout would suit the needs of other council services seeking to provide supported living accommodation. ASC have expressed interest in using the building to provide supported living accommodation for adults. Alternatively, returning to the HRA for use as HRA dwellings would be subject to available funding to pay for conversion costs and there being sufficient HRA headroom to appropriate the property from GF to HRA.

ASC

The Drug & Alcohol Action Team (DAAT) took over the responsibility for the disaggregated Housing Related Support fund that currently supports two housing projects (Evesham House and Heathfield House). Both projects support people's recovery and management of substance misuse and related issues. The funds came with efficiency savings agreed as part of the 2013/14 budget setting process and have been achieved through negotiation with existing providers. For Evesham House, the current 2013/14 contract value is £79k and Heathfield House £143k. Both these services will be remodelled and put out to tender for April 2014 with a reduced financial envelope. The existing support contract for residents will continue, and the cost of residents' support services will be unchanged during 2013/14. For 2014/14 support will continue on a reduced financial envelope pending a re-procurement process.

Pete Coles
Principal Accountant
Housing

5.2 Legal implications

The Authority is mindful of its overriding statutory obligations, professional and strategic priorities and a duty to act reasonably, proportionately and fairly in any decision-making process. The Authority is obliged to take into account Value for Money and Best Value considerations in the delivery of the project as appropriate, and be satisfied that it ensures the best use of financial resources available.

Appropriate risk and impact assessments and cost benefit analysis will have been conducted in respect of the service provision and delivery options going forward in light of real economic pressures both imminent and present.

Whilst this project encompasses Part B Services, these are deemed to provide some 'Social Value' and the Statutory Best Value Guidance states there should be

meaningful and adequate consultation in respects of such services. Consultation must be done fairly and transparently.

The Client Department has been averted to the Public Law overlay and potential for challenge or Judicial Review. Will this or any decision on the project affect the public law rights or legitimate expectations of any person. The impact of all decisions made in relation to the project must be reasonably assessed without predetermination.

Any decision will adhere to requirements as laid down in the constitution as deemed necessary.

Melanie Golding
Solicitor
Contracts & Procurement Team
Legal Services
Leicester City Council
Tel: 0116 454 1423

5.3 Climate Change and Carbon Reduction implications

No Climate change implications

5.4 Equality Impact Assessment

The Executive briefing report highlights the important role housing plays in tackling substance misuse. Our public sector equality duty requires us to understand and meet the needs of service users and determine whether service changes have any impact, particularly negative, on those needs continuing to be met. The summary in Section 1 sets out how the needs of current residents of Evesham House will continue to be met until March 2014 during their period of alcohol treatment support, at which point in time they will have exited the service.

The protected characteristics of the residents are gender (87% are male), ethnicity (85% are White British), and age (79% are between the ages of 36-55). It is anticipated that the closure of Evesham House in conjunction with the provision of interim housing related support will have no significant negative impact on current residents that would prevent them from benefiting from the alcohol treatment support they will continue to receive.

Irene Kszyk, Corporate Equalities Lead

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:

7. Summary of appendices:

Appendix 1 - Consultation Report

8. Is this a “key decision”? No

Appendix 1

Consultation re:

***Proposed Closure of Evesham House,
Housing related support project for
people with substance misuse issues***

(August 5th 2013 – September 5th 2013)

Findings report

TABLE OF CONTENTS

How to use this report

Part 1	Introduction	2
Part 2	Methodology for the consultation exercise	3
Part 3	Findings	7
Part 4	Conclusion	9

How to use this report

This report collates the responses from a statutory consultation exercise that took place between August 5th 2013 – September 5th 2013 regarding the proposal to close Evesham House.

PART 1 – INTRODUCTION

Background of Service

Evesham House is a specialist supported housing project comprising 6 en-suite rooms with shared facilities to support homeless men and women who have a history of problematic drinking.

Residents engage with a structured harm reduction framework to reduce and manage their drinking issues. The service is aimed at enabling people to maintain their independence and develop the service user's confidence in managing the practicalities of life.

Evesham House opened in 2009. The housing related support is provided by the Leicester based charity Action Homeless. Leicester City Council, who own the building, provide two night staff which forms part of their housing management function.

Why we are consulting?

National welfare reforms currently being implemented will impact on the service provided at Evesham House. From 15th August 2013 there will be a shortfall in housing benefit entitlement for residents at Evesham House. The benefit income cap rule affects working age, benefit income households which eventually will limit the claimant's income to a maximum £350. Where exemptions are in place, the current residents of Evesham do not qualify. Also, as the property is owned by Leicester City Council it is also not exempt from the new benefit cap.

The shortfall means that there will be a significant financial deficit in rental contributions to Leicester City Council. As a result of this the project is no longer financially viable.

A period of consultation was carried out between August 5th 2013 – September 5th 2013. This concentrated period of time was proportionate to the number of people affected by this decision.

Comments were invited on the proposed changes from residents at Evesham House, providers, stakeholders and the staff affected. The proposal states:

“The council proposes to close Evesham House over the next few months and help the people who currently live there to move into different accommodation, which meets their individual need.”

The consultation aimed to:

- Obtain feedback on the Council’s proposal for change for Evesham House,
- Explain how changes to national government welfare reform now mean that the service is neither affordable for residents, or LCC as landlord.
- Obtain feedback on alternative proposals people may have.
- Understand the impact of the proposal on residents and to understand any unintended consequences of the proposal.

The consultation was led by substance misuse commissioning within Adult Social Care.

PART 2 - METHODOLOGY FOR THE CONSULTATION EXERCISE

The following methods were used to consult on the proposal:

a. Letters

A letter was hand delivered to 5 service users currently living at Evesham House, and 1 ex-resident who had just left the service. This letter was to let them know that a phase of consultation on the future of Evesham House was being carried out.

The following information was given with the letter:

- A frequently asked questions sheet offering information on any immediate concerns that service users may have.
- Details of further meetings that residents could attend, including an offer of a meeting with a peer mentor within the drug and alcohol treatment system to offer extra support.
- The web address for the council’s website giving more information about the consultation and an opportunity for the general public to respond to the consultation.
- A generic email address and a telephone helpline number for people to contact the substance misuse commissioning team in order to express their views.

The Action Homeless staff worked sensitively to ensure that service users were not unduly stressed or upset by the various documents sent out.

The two affected Leicester City Council night staff were briefed as part of the collective consultation exercise. They were also provided with a letter explaining that the council was going into statutory consultation.

Letters detailing the proposal and consultation exercise were sent to Cllr Glover, Cllr Moore and Cllr Naylor whom have constituency within the Braunstone and Rowley Fields areas where Evesham House is located.

Letters were sent to Leicester Members of Parliament: Rt Hon Keith Vaz, Liz Kendall and Jon Ashworth detailing the proposals and offering briefings if required. No responses were received from members of Parliament or local Councillors

An email was sent to stakeholders alerting them of the consultation and asking them to send their views.

b. Letters to and meetings with current providers

Current providers of Evesham House (Action Homeless) were sent a letter informing them of the proposal and inviting them to meet to discuss the issue.

A number of meetings were held with Action Homeless to explore the potential impact of the changes on the residents as well as consider the package of care that would be offered to service users if they were moved from Evesham House.

c. One-to-one interviews for completing questionnaire

Individual one to one sessions were offered to all 6 residents in order to complete the questionnaire. This involved an engagement officer listening to people and capturing their views using the pre-set questionnaire.

A paper copy of the questionnaire was made available to service users at Evesham House at one to one interviews and consultation meetings.

Table 1: Breakdown of questionnaire completed at Evesham

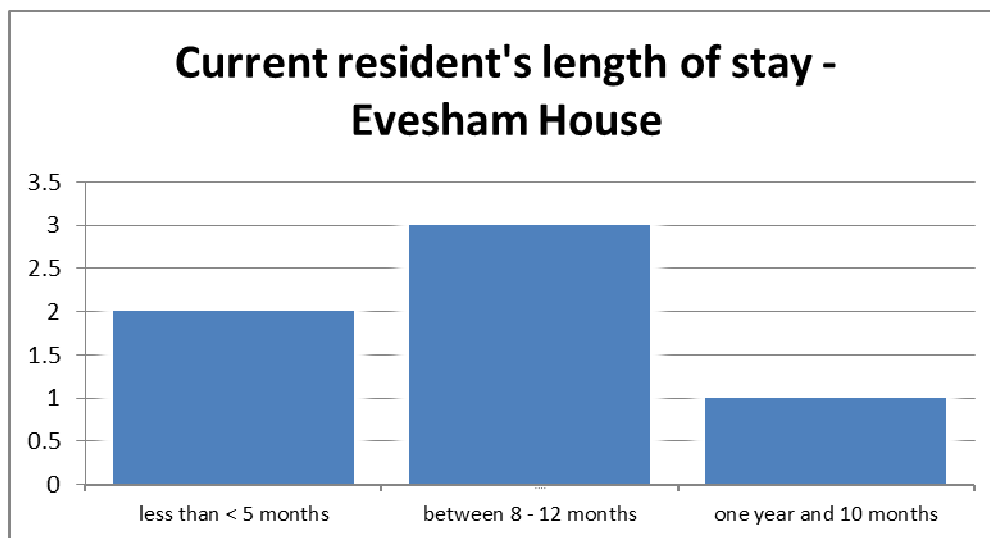
Project	Number Service Users in project	Numbers responding to questionnaire
Evesham House, Housing related support for people with substance misuse issues	6	6

Table 2: Breakdown of questionnaires received by gender and ethnic background

Male	5
Female	1

Ethnic background	Evesham House
White British	5
Other - Latvian	1

Table 3: Breakdown on length of stay for current residents



As outlined in the table above only one resident is close to the maximum stay of two years at Evesham house. Two residents have stayed for just under 5 months and three residents have lived at Evesham between 8 months and 12 months.

d. Service User consultation meetings

Three service user consultation meetings were facilitated at Evesham house. The meetings included an explanation of why the council is proposing to close Evesham House. Background information was given to explain the changes to housing benefit rules and what it means for the service at Evesham House. Residents were also given assurance that staff from Action Homeless would be working with them to seek appropriate alternative accommodation options, if the proposal to close was supported.

e. Staff and trade unions

A letter was sent to Trade Unions informing them of the proposal and the 30 day collective consultation due to take place with the two FTE Leicester City Council night staff.

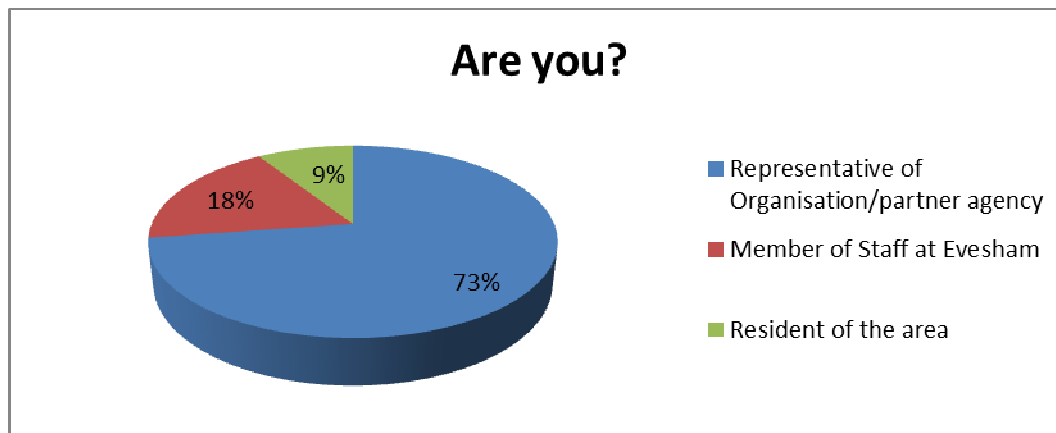
A confidential briefing note outlining the plans to address the impact of the welfare reforms on Evesham House was sent to the Trade Unions.

Three consultation meetings were held with the two FTE Leicester City Council staff. The first meeting was to inform staff of the proposal and discuss potential employment opportunities within Leicester City Council services. The follow up meetings were to work through any issues and discuss the possibilities further.

f. Online questionnaire.

The questionnaire was made available on the Leicester City Council's website for anyone to fill in.

Twelve responses were received. Eight out of the twelve were residents in Leicester City and the majority were partner stakeholders.



PART 3 – Findings

Headline findings

95% of those that took part in the consultation were concerned regarding the impact of the closure to Evesham House. (Total 18 (residents and online responders))

All residents stated they had a good understanding of the proposal and it was apparent that residents appreciated the one-to-one meetings and group meetings that took place.

There was a lack of understanding about how the decision to close Evesham could be followed through due to the fact that residents thought that it was such a valuable service even in light of the welfare reforms.

Concern was consistently highlighted from the majority of those taking part of the potential loss of housing related support to such a vulnerable client group.

The expertise and specialist service provided at Evesham alongside the small size of the project was considered key factor in the current success of the project.

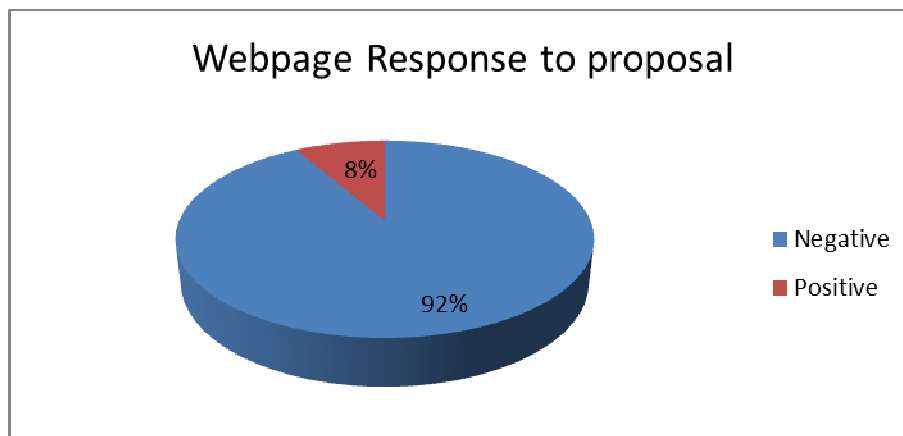
Summary points from residents and online respondents

Residents

- Everyone said they didn't want Evesham to close and could not comprehend loss of a service that is so positive.
- All residents felt concerned that no one else would benefit from this service in the future.
- All residents felt that, with appropriate support, they would be able to attain a positive move on.
- All residents highlighted the benefits of being in a small project such as Evesham. It was felt that this allowed more individual support to be offered and allowed for residents to really address issues that previously they had not been able to do.
- Residents also questioned the costs related to running the building and whether this needs to be reviewed.

Responses from Webpage

Eleven out of the twelve respondents on the webpage stated concern that such a service would be lost as a result of the closure.



One out of the 12 (8%) thought that the proposal was a good idea and this was a resident in the area where Evesham House is based.

The specialist provision that Action Homeless provide at Evesham House was recognised as key to success in working with and stabilising entrenched drinkers, alongside the small nature of the project:

“The support networks residents’ encounter with each other is key to their progress, coupled with the expertise of all staff.”

“It will be a loss to the overall hostel system, in that this specialist supported accommodation ensure that people who want to stabilise their alcohol use will be unable to do this in a separate facility. General hostels do not work for people trying to stabilise/reduce alcohol use.”

A representative from the police noted that the local the police had stated “there are very few issues with this location and the staff are usually able to deal with any issues. My issue would be how the residents would be monitored in the community.”

Overall concern was in regard to the vulnerable nature of this client group and how their needs could be accounted for in the future:

“Closing Evesham closes the door to one of the most vulnerable groups within society”

Results of Collective Consultation

As the City Council is the current landlord to Evesham House the Council entered into collective consultation both Human Resources and Trade Unions were fully involved, with two full time Leicester City Council employees. Individual consultation with the two staff has taken place and opportunities for redeployment within LCC housing services have been explored. Consultation is still on-going and trial periods are being offered in LCC projects for staff to finally decide if the new posts are suitable to their working lives.

The outcome of the consultation with LCC staff is still to be resolved; however, staff have been offered appropriate alternative employment within the Authority.

Conclusion

The overriding message from this consultation is that service users and partner agencies are concerned regarding the implications on the loss of this facility to the City.

It is fortunate and positive that the majority of residents were able to consider moving on to alternative accommodation. It is also positive that the consultation process the team undertook with the residents assisted them in coming to terms with the impact of the welfare reforms and enabled them to consider alternatives which have reduced the potential for relapse and/or negative effects on health and wellbeing to the majority of the residents.

The specialist nature of the service provided at Evesham is heralded as a success and highly regarded by stakeholders and residents alike. It is within the re-tendering of the wider housing related substance misuse services that elements of this service can be continued.

Recommendations: ASC recommend that the proposed closure of Evesham house is implemented.

Evesham House Closure

1. Background

1.1 Evesham House is a 6 bedded supported accommodation unit for people with problematic alcohol use. The service provides supported accommodation for people with problematic alcohol use. The length of stay is up to a maximum of 2 years, at which point users are reintegrated into their own accommodation, without further intensive support. The average length of stay for users is 12 months. The service was procured with Action Homeless in 2009, for on-site residential support to sustain long term independence in the community, as part of the Supporting People programme. Since then the contract has been extended through contract waivers, and the current contract is due to expire March 2014. The service is on the corporate procurement plan to be re-procured in line with corporate procurement guidelines, with new services to be available from April 2014. The building is owned by LCC, and the night cover staff is 2 LCC employees.

1.2 The current proposal to close Evesham house has been developed in response to two main changes in National Policy:

- (a) The model of service provision at Evesham House has been more focused on harm reduction rather than on helping people to recover from their substance misuse. National policy in this area is now focussed on recovery and therefore the model of support at Evesham House needed to change; and
- (b) The implementation of the benefits cap has made the current model unaffordable and has prompted early re-provision.

Both of these issues are explored in more detail below.

2.0 Commissioning Review

2.1 A strategic review has considered the needs of substance misusers in relation to their housing need and a redesigned service is due to be procured in 2014. The new model is both responsive to the needs of city residents, and also delivers a service in line with national policy directive of recovery. The previous model of Evesham house was procured prior to the 2010 National Drug Strategy, and since then the ambition of substance misuse treatment services, has moved from one focused on the reduction of harm to individuals and communities to one of full recovery from substances of misuse. Therefore, the model under which these services were procured is outdated and duplicates many services provided through substance misuse treatment services such as breath analysis, care planning and counselling.

3.0 Welfare Reforms

3.1 The impact of the Welfare Reforms, and the benefit cap, in August 2013, had an adverse impact on the Evesham House project. The welfare reforms impacted on all six residents within Evesham house. None of the residents were in receipt of the support element of Employment Support Allowance, therefore were not entitled to an exemption from the benefit cap of £350 per week. This shortfall over the period of the remaining financial year equated to approximately £59,400 deficit risk to Leicester City Council.

3.2 The financial position created by the impact of the welfare reforms created a need to consider options for Evesham, ahead of the future procurement of a newly designed service.

3.3 A number of options were considered to manage the financial deficit, and continue to provide a service to support the current residents. These are included at appendix 1. The option that was viable was option 3, 'To decant and re-locate residents into suitable and affordable alternative accommodation to an agreed timetable, and introduce a peripatetic approach to meet the support needs of the residents.'

3.4 Further to legal advice, a 6 week period of statutory consultation with the residents and staff took place. This intensive piece of work included residents being informed through letters which were delivered by hand, and then a series of individual meetings, and focus groups were delivered to explore the impact of the proposal to close the service. The consultation findings were presented to The Executive, with a recommendation to close Evesham House.

4.0 Plans for Service Users

4.1 Current Users

4.11 The maximum length of stay at Evesham house is 2 years. Of the 6 residents at Evesham House at the time of consultation, the average period within the service was approx. 1 year.

4.12 Of the six residents in Evesham House at the time of consultation, 4 residents were already at a stage in their recovery where a move from Evesham House to a more independent living arrangement was being considered as part of their recovery process. In fact 2 residents were already 'bidding' for properties to enable them to live independently. Each resident has made progress as follows:

- Resident 1 has moved in to housing association accommodation
- Resident 2 has moved in to a property under the empty homes project managed by Action Homeless

- Resident 3 has moved in to private rented accommodation and has a social care package of support in place.
- Resident 4 has moved in to LCC housing department accommodation at Hannon Court.

4.13 All of these residents are now successfully resettled, and are receiving a transitional floating support service from Action Homeless. The new arrangements are working well for each of these residents.

4.14 The two remaining residents will require alternative accommodation with support. This will be arranged if a decision to close is agreed. If a decision to close is agreed the residents will be served with 'notice to quit' which will increase their points in relation to rehousing. The support service will be delivered through a floating support model which will continue to be delivered by Action Homeless through a community hub model at the Action Homeless Engage harm reduction suite based at St James Terrace. The level of floating support delivered will be tailored to the individual needs of each resident. Each resident receives a support visit daily or several times daily if needed. Support is available from 8am – 10pm, 365 days per year. In addition to the floating support service delivered to residents in their homes, the availability of the 'hub' provides users with a place they are able to access away from their homes, for further support if they so wish.

4.2 Future Service Users

4.21 The need for these services for the future will be met through the newly designed services, as identified through the strategic commissioning review.

4.22 The new service model retains a small amount of on-site accommodation based support but also expands the provision to include floating support, thereby increasing overall service provision. Recent financial modelling work undertaken by LCC housing department (as part of the work for the review and procurement of homelessness services in the City) has been used to underpin this model, and concludes that the new model with a floating support element increases service provision by 60%.

4.23 This model therefore provides better value for money than current provision, with increased coverage, reduced duplication, and an emphasis on supporting outcomes, within a reduced financial envelope.

4.24 Potential service users, ahead of the planned procurement, will still have access to the Heathfield house accommodation based support service for substance misusers, and Action Homeless will offer a floating support and advocacy service to other potential referrals to assist with maintaining current tenancies. All potential service users will continue to have access to the full range of community substance misuse treatment services and LCC housing

services. In addition Action Homeless will offer a full floating support model if required, to new services users through a community hub model at the Action Homeless Engage harm reduction suite based at St James Terrace.

5.0 Impact on Staff

5.1 Two of the staff who support the delivery model of Evesham House are LCC staff. Consultation has taken place with the staff, and discussions within the Housing Department indicate that the staff can be redeployed within the Housing department, if Evesham House closes.

Report Authors:

Kate Galoppi, Head Of Commissioning (ASC)

Bernadette Wharton, Lead Commissioner (substance misuse)

Date 11.11.2013

Appendix 1

Option 1 - Do nothing. This is not an option because the cost of the housing benefit will leave significant deficit in rental contributions affecting both service users and Leicester city Council.

Option 2 – The City Council housing department to reduce its housing management costs – discussion have been had with housing management and due to the nature of the project it is not possible to either reduced the night time staffing cover or the wider housing management costs to such an extent that would mitigate the financial risk

Option 3 – To decant and re-locate residents into suitable and affordable alternative accommodation to an agreed timetable, and introduce a peripatetic approach to meet the support needs of the residents. This will require consultation.

Option 4 – The council to subsidise the financial deficit of the impact of the Welfare reforms. There is an earmarked reserve which was set-up to offset any overspending in the HRS service. The 2013/14 balance for ASC is £248k; however this is for all the affected HRS projects within ASC. The reserve has been disaggregated and there is 17k available for the Evesham project which is not sufficient to offset the deficit. However, a proportion of this may be required if the proposed closure and decant of residents is delayed.



Equality Impact Assessment for Service changes / Budget proposals

WHAT IS AN EIA?

An EIA is a tool which will help you assess whether there are any positive or negative equality impacts on people affected by proposed changes. This EIA form is for use in two circumstances (service changes and budget proposals):-

- (a) Service change involves redesigning or reshaping, (and in some cases the removal of) current service provision – whether directly provided by Council officers or commissioned by the Council for provision by an external provider.
- (b) Budget proposals should arise from service changes that you are considering throughout the year in light of the current financial climate. The EIA for budget proposals should cover the same issues as considered for service changes.

Our public sector equality duty requires us to ensure that we do not discriminate against any protected group or person with protected characteristics (see below) covered by the Equality Act 2010 when taking decisions that affect them. Potential negative impacts that we disregard or ignore could mean discrimination. We also have a duty to actively promote positive impacts that advance equality of opportunity. The protected characteristics covered by the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

The EIA template has a series of questions that you need to answer in order to identify any positive or negative equality impacts arising from the work you are doing. If there are negative impacts, this does not mean we cannot go ahead. Decision makers must have “due regard” to the findings and consider (if they do decide to go ahead) whether any mitigating actions can be taken to address negative impacts.

WHY IS AN EIA REQUIRED?

An EIA helps us assess whether we are meeting our public sector equality duty: eliminating discrimination and promoting equality of opportunity.

For example: Providing equality of access to services or other opportunities (such as employment related issues) because of barriers some groups may experience which may not be in place for others (language, information, or location).

The action plan identifies what steps we can reasonably take as a consequence of the EIA findings.

An EIA also enables us to identify where we do not have the data or information necessary to equality impact a decision. The EIA action plan enables us to map out how and when this data gap will be addressed.

WHEN DO WE NEED AN EIA?

The first thing to do is to assess whether there is any equality impact. This can be done by filling in a **screening questionnaire** as soon as you start your project/report. Answer the screening questions in order to determine whether an EIA is needed.

HOW IS AN EIA CARRIED OUT?

Before you start: If you are not sure whether you need to do an EIA, fill in the screening questionnaire to determine whether you need to complete one. The screening questionnaire is not obligatory, but will help.

What to do: When an EIA is required:

Step 1 The proposal

This part is at the start of the planning process. It sets out the service user profile, the proposed change to the service, and potential equality impacts arising as a result of the proposal.

Step 2 Consultation

This part highlights the outcome of consultation with service stakeholders about the service change proposal and likely equality impacts.

Step 3 The recommendation

The final part of the EIA identifies any changes made to the original proposal in Step 2 as a result of consultation and further consideration.

Completing the form requires you to consider the impact on **service users**, with the exception of a single question about staff. In order to assess the equality impact of staffing changes, complete the separate **EIA template for organisational reviews** which presents the 'before' and 'after' staff profiles of services affected.

Equality Impact Assessment for service changes / budget proposals

Name of service	Evesham House – Accommodation based service for people with Substance Misuse Issues
Lead officer and Contact details	Susan Holden, Tel: 454 2381
List of other(s) involved	Equality officer: Irene Kszyk Finance officer: David James

What is this EIA about?

(Please tick✓)

Budget proposal for existing service or service contract to achieve savings	
Budget proposal for new or additional service expenditure	
Commissioning a new service or service contract	
Changing or removing an existing service or service contract	X

Step 1: The proposal (how you propose to change the service)

Question 1:

What is the proposal/proposed change?
<p>To consult on the possibility of changes to services provided at Evesham House. Evesham House is a specialist supported housing project for homeless men and women who have a long history of problematic drinking. Residents engage with a structured harm reduction framework to reduce and manage their drinking issues.</p> <p>The project offers emotional support/counselling to address the residents issues. The aim is to develop domestic/life skills, such as managing finances and benefit claims; develop social skills/behaviour management. As part of move-on the project will assist in setting up and maintain home or tenancy. The project will liaise with any other relevant service and signpost to services as appropriate.</p> <p>Each resident works with staff and an individual support plans is agreed in order to manage their drinking. This is regularly monitored and on-going support is offered to residents to support their development. The aim is to help people reduce their dependency on alcohol and work towards enabling residents to live independently in the future. Evesham house is run by Action Homeless and the building is owned by Leicester City Council. The project opened in 2009.</p> <p>Residents stay for a maximum two years at Evesham House as per their licence agreement, however, over the last 3.5 years of the 40 residents that have been supported only 2 have stayed the length with both having severe health issues. Move-on is normally achieved in 6-12 months.</p>

Changes from national government welfare reform to take effect from 12th August 2013, mean that the service is neither affordable for residents, or LCC as landlord.

The proposed change is to rehouse the six current residents at Evesham house with 1 to 1 care plans and floating support packages and to close the project to reduce deficit to the project.

Who will it affect and how will they likely be affected?

There are six residents at Evesham, they will be affected.
Staff working for Leicester City Council will be affected.

Different services collect different types of data and service user information to capture the service they deliver and the outcome service users receive. The aim of the profile below is to capture what you already collect, not to make your information fit a standard template. List the equality profile of your service users. Where you find you do not address a particular characteristic, ask yourself why. You may need to follow up any information gaps as an action point. If this is the case, add it to the action plan at the end of the template.

Question 2:

What is the equality profile of current service users?

Please see below

Do you anticipate any changes to your service user profile as a result of your proposal/proposed change? If yes, how will it change?

No

Think about the diversity of your service users and the specific needs they may have that you need to address, depending on the service context and user group. An example of service need is school aged children having differing school meal requirements due to their ethnic or religious background; a potential issue could be poverty/low income having adverse impacts on children, women (lone

What are the main service needs and/or issues for those receiving the service because of their protected characteristic?

	Service needs and/or issues by protected characteristic
Age	Residents age range between 29years and 52years
Disability	All alcohol dependent and suffer from range of anxiety disorders
Gender reassignment	Not known
Pregnancy and maternity	Not relevant
Race	5 white British, 1 Latvian
Religion or belief	4 atheist, 1 Jehovah Witness, 1 Catholic
Sex (gender)	5 male 1 female
Sexual orientation	5 heterosexual, 1 bi-sexual

Question 3:

Will the proposal have an impact on people because of their protected characteristic?

NB Any Actions you identify through completing this EIA, you must add to the Action Plan at the end.

Tick the anticipated impact for those likely to be affected and describe that impact in the questions 4 & 5 below.

	No impact ¹	Positive impact ²	Negative impact ³	Impact not known ⁴
Age	x			
Disability			X	
Gender reassignment	x			
Pregnancy and maternity	x			
Race	x			
Religion or belief	x			
Sex (gender)	x			
Sexual orientation	x			

Question 4:

Where there is a positive impact, describe the impact for each group sharing a protected characteristic. How many people are likely to be affected?

Question 5:

Where there is a negative impact, describe the adverse impact for each group sharing a protected characteristic. How many people are likely to be affected?

The six residents at Evesham House will be affected. There is a possibility that levels of anxiety will be increased by unexpected change being placed on them. The change is that they may have to move out of the support environment of Evesham House and move to alternative accommodation.

How can the negative impact for each group sharing a protected characteristic be reduced or removed?

We will work with the provider primarily to secure suitable supported/shared housing for 4 residents. This will maintain the function of supported living which is a feature in the current Evesham model.

2 of the residents are ready for tenancies and we will seek to gain support from LCC to assist with this.

We will write to residents to arrange an individual 1-1 interview and send them a FAQ about the proposal to enable them to understand what is proposed prior to a semi structured interview, which will seek to understand the impacts on them and explain the support which would be available to them in the event that a decision is taken to close Evesham House. People can also make written representations or representations via email.

We will scope out whether individual advocacy needs to be arranged for any service user who lack the mental capacity to participate, and do not have a representative.

In summary we intend to carry out a targeted consultation with those directly affected and

¹ The proposal has no impact (positive or negative) on the group sharing a protected characteristic.

² The proposal addresses an existing inequality experienced by the group sharing a protected characteristic (related to provision of services or facilities).

³ The proposal disadvantages one or more of the group sharing a protected characteristic.

⁴ There is insufficient information available to identify if the group sharing a protected characteristic will be affected by the proposal.

NB Any Actions you identify through completing this EIA, you must add to the Action Plan at the end.

will make citizens of Leicester aware of this via the consultation website.

We will aim to maintain a service to all residents who are required to move out of Evesham based on the main elements outlined in Q1.

We will aim to assure residents of move on plans that are in place and work to ensure this transition is as smooth as possible, this will alleviate the pressure of change placed on these individuals.

Question 6:

Which relevant stakeholders were involved in proposing the actions recommended for reducing or removing adverse impacts arising from the proposal?

We are due to consult with the relevant providers when the consultation goes live between 5th August to 5th September 2013.

What data/information/analysis have you used to inform your equality impact findings?

Data provided by the provider.

Supplementary information

Question 7:

Is there other alternative or comparable provision available in the city? Who provides it and where is it provided?

This is a unique service in the city. Alternative supported accommodation will be obtained and individualised support will be tailored to need and support will be maintained according to need.

Can this alternative or comparable provision help reduce or remove the negative impacts identified in Question 5? If not, why not?

The proposed changes in provision are set up to minimise impacts and ensure that residents continue to receive appropriate care.

Would service users negatively affected by the proposal be eligible to use this alternative or comparable provision? Would it meet their identified needs?

Yes

Question 8:

Will any particular area of the city be more affected by the proposal than other parts of the city? What area and why?

The project is based in Braunstone but takes in residents from across the city.

For example, Government policies or proposed changes to current provision by public agencies (such as new benefit arrangements) that have an adverse impact on residents; external economic impacts such as the recession/economic downturn; socio-economic factors such as deprivation/low income.

Question 9:

NB Any Actions you identify through completing this EIA, you must add to the Action Plan at the end.

Is it likely that there may be other sources of negative impacts affecting service users over the next three years that need to be considered? What might compound the negative effects of this proposal? Describe any additional negative impacts over time that could realistically occur.

Changes in welfare system known as the 'welfare reforms' and universal credit. The current economic climate and the City Council's Homelessness Strategic Review.

The service users will be changing their residence and it may increase anxiety. One to one work will be undertaken to understand the potential impact this will have on individuals and sensitive support will be given to assist people to cope with the changes.

Question 10:

Will staff providing the service be affected by the proposal/proposed changes? If yes, which posts and in what way?

2 night staff are expected to be affected by the change. Work will be carried out to transfer their working premises to another project in the city.

Date completed16th July 2013

Step 2: Consultation on the proposal

Consulting potential service users on the proposal will provide you with an opportunity to collect information from them on the equality impacts they think may occur as a result of the proposed change, positive as well as negative. For negative impacts, this is an opportunity for them to identify how best to mitigate any negative impacts on them that they think may occur.

Question1:

**What consultation on the final proposal has taken place?
When, where and who with?**

Question 2:

What potential impacts did consultation stakeholders identify?

What positive equality impacts were identified? For people with which protected characteristics?

What negative equality impacts were identified? For people with which protected characteristics?

Question 3:

Did stakeholders indicate how positive impacts could be further promoted? How?

Did stakeholders indicate how negative impacts could be reduced or removed? How?

Date completed

Question 1:

Has your recommended proposal changed from the proposal in Step 1 as a result of consultation and further consideration?

Yes ☐ No ☐ If 'no', go to Question 2.

If yes, describe the revised proposal and how it will affect current service users?
What are the equality implications of these changes? Identify the likely positive and negative impacts of the final proposal and the protected characteristic affected.
<div style="border: 1px solid black; border-radius: 15px; padding: 10px; background-color: #f0f0f0;"> <p>Go back to the initial exercise you carried out at the beginning, on understanding your equality profile. Re-visit each characteristic and what has changed as a result of amending your recommendation. Revise potential positive and negative equality impacts accordingly.</p> </div>
How can any negative impacts be reduced or removed?

Question 2:

Are there any actions⁵ required as a result of this EIA?

Yes ☐ No ☐

If yes, complete the action plan on the next page.

Date completed

Step 4: Sign-off

This EIA completed by	Name	Signature	Date
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⁵ Actions could include improving equality information collected or identifying the actions required to mitigate adverse impacts identified in the EIA.

NB Any Actions you identify through completing this EIA, you must add to the Action Plan at the end.

Lead officer			
Countersigned by Equalities Officer			
Signed off by Divisional Director			

Completion - Keep a copy for your records, and **send an electronic copy** of the completed and signed form to the [Corporate Equalities Lead](#) for audit purposes

EIA Action Plan

Please list all the equality objectives, actions and targets that result from the Equality Impact Assessment. These should be included in the relevant service plan for performance management purposes.

Equality Objective	Action required	Target	Officer responsible	By when?
Example: To know equality profile of all service users.	Example: collect monitoring data on disabled users (currently not being provided)	Example: To have data for first performance review	Example: Joe Smith	Example: Start collection of data in April 2013

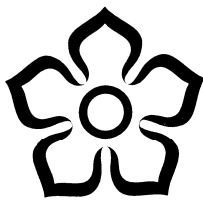
What to do next?

If this EIA has identified any issues that need to be addressed (such as plugging a data gap, or carrying out a specific action that reduces or removes any negative impacts identified), complete the attached EIA Action Plan to set out what action is required, who will carry it out, and when it will be carried out/completed.

Once your EIA has been completed, (countersigned by the equalities officer/finance officer **and signed off by your Director**) the equality officer will work with you to monitor this action plan.

Officers to contact: Corporate Equalities Lead/Corporate Resources and Support: Irene Kszyk 296303
 Adult Social Care, Health & Housing: Gurjit Minhas 298706 Children's Services: Sonya King 297738
 City Development & Neighbourhoods: Daxa Patel 296674

NB Any Actions you identify through completing this EIA, you must add to the Action Plan at the end.



Leicester
City Council

Minutes of the Meeting of the
HOUSING SCRUTINY COMMISSION

Held: TUESDAY, 12 NOVEMBER 2013 at 5.00pm

P R E S E N T:

Councillor Newcombe (Chair)

Councillor Alfonso (Vice Chair)

Councillor Aqbany
Councillor Kitterick

Councillor Mayat
Councillor Westley (Substitute)

In Attendance:

Councillor Connolly
Councillor Chaplin
Councillor Moore

– Assistant Mayor for Housing
– Adult Social Care Scrutiny Commission
– Adult Social Care Scrutiny Commission

* * * * *

35. APOLOGIES FOR ABSENCE

The Chair welcomed Members of the Adult Social Care Scrutiny Commission to the meeting, who had been invited to attend for Agenda Item 11, 'Call-In of City Mayor and Executive Decision. It was agreed the agenda be heard out of order, and Agenda Item 11 be taken as the first item of business to be discussed.

Apologies were received from Councillors Glover, Joshi, V. Patel and Willmott. Councillor Westley was present as substitute for Councillor Glover.

36. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business to be discussed on the agenda.

Councillor Aqbany declared a family member was a council tenant.

Councillor Mayat declared a family member was a council tenant.

Councillor Westley declared a family member was a council tenant.

In accordance with the Council's Code of Conduct, the interests were not considered so significant that they were likely to prejudice Councillor Chaplin's judgement of the public interest. Councillor Chaplin was not therefore required to withdraw from the meeting during consideration and discussion on the items.

Councillor Newcombe declared an interest in an Agenda Item 6 'Proposal to Move Band 5 Applicants from the Housing Register', as his name was included on the list. He said he would vacate the meeting when the item of business was to be discussed and hand over to the Vice-Chair.

40. ANY OTHER URGENT BUSINESS

41. CALL-IN OF CITY MAYOR AND EXECUTIVE DECISION

The Chair had agreed to take the agenda item as urgent business in order to comply with City Mayor and Executive Procedure Rule 12(f).

The decision was called-in, and was referred to the Housing Scrutiny Commission for consideration under Council Procedure Rule 12(f), Part 4D of the Council's Constitution:

- Decision by the Assistant Mayor (Adult Social Care) to close Evesham House accommodation based support to people with alcohol misuse issues.

The reason for the call-in was the requirement by Members to have a clear plan to minimise the impact of the closure of Evesham House on users of the service.

The Chair thanked officers who had produced supporting documentation on the background of the decision, and details of the plans for service users. This was emailed to Members of the Adult Social Care Scrutiny Commission and Housing Scrutiny Commission, and was tabled at the meeting. There was a break of five minutes in the meeting to allow Members to read the supporting documentation.

Cllr Moore asked an amendment be made on page 11 of the supporting information which should read Cllr Cooke, not Moore.

Kate Galoppi, Head of Commissioning and Bernadette Wharton, Lead Commissioner – Substance Misuse, were present at the meeting and presented the reports.

The Commissioning Manager said the proposal to close Evesham House was developed in response to two main changes in National Policy, outlined in the supporting information.

A Strategic Commissioning Review was undertaken, and a new model of service was designed, and included the removal of duplication of services. The new redesigned service would be implemented from April 2014.

The impact of the Welfare Reforms and the benefit cap had an adverse effect on all six residents, and equated to a shortfall of £59,400 to Leicester City Council.

It was reported that each of the options to mitigate against the financial impact of the welfare reforms, in the report were explored in detail. Option 3 was considered to be the most viable, and would require consultation prior to decanting and re-locating residents into suitable and affordable alternative accommodation to an agreed timetable, and introduce a peripatetic approach to meet the support needs of the residents.

A six-week period of statutory consultation took place with residents and staff. The consultation findings were presented to the Executive, with a recommendation to close Evesham House, with an interim period between closure and the new service.

Four of the six residents had moved to alternative accommodation already and were receiving a transitional floating support service from Action Homeless. Leicester City Council staff based at Evesham House would be redeployed within the Housing Department.

The meeting was informed there would be service continuity for the two remaining residents, with the level of floating support tailored to the individual needs of each resident. The support would be delivered through a floating support model within service users own homes, however if required service users would be able to access further support at the Action Homeless Engage harm reduction suite based at St James Terrace. There would be accommodation based support at Heathfield House, which was a 24-bed unit support service for substance misusers. It was reported the new model with floating support would be able to target more service users, increasing provision by 60%, and therefore provided better value for money than current provision, with increased coverage, reduced duplication, and an emphasis on supporting outcomes, within a reduced financial envelope.

The Lead Commissioner said current provision at Evesham House was for a maximum of two years, but the average length of stay was one year, with only the most severe cases remaining longer. Members were informed there was a strong evidence base that recognised the importance of stable housing in recovery from drug and alcohol use which had informed the development of the new model. The new model would link much better with treatment services and be part of the recovery community, and consisted of both accommodation based support (approximately 10-bed) and floating support.

Members asked for the location and cost of the new 10-bed unit. The Head of Commissioning said there was no proposal to site the new accommodation in Highfields, and the budget of the new facility which also covered Heathfield House was included in the £205k budget reported, which was a reduction in the budget for Heathfield House and Evesham House. She added the location of the new premises would be part of the tender process and current providers

would be able to submit tenders for the new service.

Members were concerned that vulnerable service users would have to visit St James Terrace and Heathfield House, both sited in an area in Stoneygate Ward which had issues with street drinkers. Members added there was no evidence to suggest there had been any other consultation with other departments at Leicester City Council, for example, Licensing. The Head of Commissioning said they worked very closely with Licensing and were aware of the Cumulative Impact Zone in the area, introduced because of street drinking issues. She added 'The Hub' at St James Terrace was an additional part of the treatment provision, and that there was no expectation for service users to attend here if not appropriate as they would be receiving floating support in their own homes.

Members were also concerned with the potential for Heathfield House to close in the future through the procurement plan. Members believed this would not be conducive for service users if they were made to move accommodation again, and asked if the level of service could be guaranteed. They also had concerns over the gap in service provision between the closure of Evesham House and the opening of the new 10-bed facility. They had been informed at the meeting that Heathfield House was full, and there were waiting lists for the service across the city. They said the service provision was for the treatment of the most vulnerable people, and they wanted to see the new unit established before closing Evesham House.

Members could not equate the closure of a facility that worked, and the opening of a new 10-bed facility. The Head of Commissioning said the needs of service users very much underpinned the design of the new model and combined accommodation base with good treatment support, and recovery from treatment services. She added there was no suggestion that the new model moved away from accommodation support. She gave assurance that the two remaining residents at Evesham House would receive the treatment and outcomes needed.

Members asked if the six residents at Evesham House were eligible for the Discretionary Housing Fund, and could it be used to cover the shortfall of benefit residents received under welfare reform changes. The Head of Commissioning advised that this option had been explored but had been advised that the fund was not sufficient for this purpose. The Director of Housing said there were many calls on the fund and criteria were locally determined.

Members said there was no information included in the report on the impact of the service changes on Action Homeless. The Lead Commissioner said Action Homeless was involved in the consultation with staff and residents, and Action Homeless would be able to bid under procurement process.

Members said the figures in the report were inaccurate and did not make the case for the closure of Evesham House. They said other benefits received by residents, for example, ESA, were an income for residents and not a cost, and

shortfall reported was questionable. They asked that a breakdown of costs and income be provided to the Scrutiny commission at a future meeting.

Members considered the building maintenance at £17k per year to be high, and also requested a breakdown of this figure. The Head of Commissioning responded the figure included annual rental, council tax and staffing costs. She added there was a separate budget for support costs.

Members believed Evesham House was intrinsically linked to other parts of a city-wide strategy for tackling substance misuse, but they were being asked to look at Evesham House in isolation. They asked that information be brought to the meeting on the impact on other agencies, information on the new model with examples of where it had been put into practice, and information on the National Plan.

Members were concerned there would be no night support for the six residents of Evesham House in the interim period. The Lead Commissioner responded it could not be said whether there would not be night support in the new model.

Members asked what discussions, if any, had taken place with departments, and had any consideration been given to transferring Evesham House to the voluntary sector, for example, Action Homeless could then claim Discretionary Housing Payment, and therefore continue to operate, but were informed that this had not been considered.

Members drew attention to Question 2 in the Equality Impact Assessment, where it was reported the vast majority of residents were White British, and there would be no negative impact to the residents. They objected to race being a factor in the consultation, and that treatment would be provided whatever the group.

Councillor Kitterick moved the following motion:

“This Commission is not satisfied with the level of detail supplied to the Commission on the closure of Evesham House. We therefore resolve that this decision be passed for consideration at the next meeting of the Overview Select Committee of Leicester City Council.”

The motion was seconded by Councillor Mayat. Upon being put to the vote, the motion was carried.

The Assistant Mayor for Housing asked that officers be made aware of what information the Overview Select Committee would require, in order for them to respond to the call-in. It was agreed that a summary of the information requested by Members would be provided for officers.

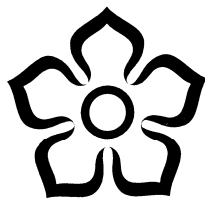
The Chair thanked officers for the reports, and asked that further details on the points raised by Members be brought to the next meeting of the Housing Scrutiny Commission.

RESOLVED:

that it be agreed that the Commission, being not satisfied with the level of detail in the report on the closure of Evesham House have the decision passed for consideration at the next meeting of the Overview Select Committee of Leicester City Council.

Councillor Moore and Councillor Westley left the meeting at this point.

DRAFT



Leicester
City Council

MINUTE EXTRACT

Minutes of the Meeting of the
OVERVIEW SELECT COMMITTEE

Held: THURSDAY, 28 NOVEMBER 2013 at 5.30pm

P R E S E N T:

Councillor Dawood (Chair)
Councillor Singh (Vice-Chair)

Councillor Chaplin	Councillor Cooke
Councillor Cutkelvin	Councillor Grant
Councillor Kitterick	Councillor Dr Moore
Councillor Newcombe	Councillor Osman
Councillor Porter	Councillor Sangster
Councillor Thomas	Councillor Westley

Also present:

Sir Peter Soulsby	City Mayor
Cllr Andy Connolly	Assistant City Mayor - Housing

* * * * *

68. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Willmott. Apologies were also received from Assistant City Mayor, Rita Patel; the Chair extended the best wishes from the committee for her speedy recovery.

76. CALL-IN DECISION ON EVESHAM HOUSE

Councillor Newcombe, Chair of the Housing Scrutiny Commission explained that the Housing Scrutiny Commission (with some members of the Adult Social Care Scrutiny Commission) had considered the call-in on the decision to close Evesham House at their meeting on 12 November 2013. The

proposed closure of Evesham House had concerned members of both scrutiny commissions.

Members heard that four out of the six residents at Evesham House had moved to independent accommodation and two were also ready for independent living. The solicitor to the committee outlined the legal position of the call in decision and explained that the decision would be referred to full council unless either an agreement between the decision maker and the Overview and Scrutiny Committee (OSC) could be reached, or the call in was withdrawn. She added that any resolutions made by OSC could only relate to the reason for the call in, which was for a clear plan to minimise the impact of the closure on users of the service.

Members expressed concerns that the impact on future users of the service was not being considered and that the scope was being limited to the impact purely on current users; however the City Mayor confirmed that there was no wish to restrict the scope to current users and he was happy for the commission to consider the impact on both current and potential future users of Evesham House.

A member commented on the political make-up of the committee, but the Chair suggested that this should be a separate agenda item for discussion at a future meeting at OSC.

The Assistant City Mayor for Housing, Councillor Connolly explained the reasons behind the decision that had been taken by the Assistant City Mayor for Adult Social Care, Councillor Patel. He said that the decision to close Evesham House had been difficult, but it was taken for financial reasons and he believed that it was the correct decision. The closure of Evesham House would result in savings of £64,000; savings which were necessary because of the reduction in council funding and the impact of the benefit income cap. Under the new model, there would be a ten bed unit and capacity to support 48 clients, an improvement on the current model where 30 clients were given support. In addition, under the current model, when residents left Evesham House they received no support.

Members raised concerns that there had been a failure to identify where the new ten bed unit would be located, although the closure of Evesham House was already proposed. The service dealt with some of the most vulnerable people in the city, and members were concerned that they were not seeing the whole picture. There were people in crisis in various parts of the city and it was stressed that provision should not be concentrated in one or two parts of the city. If people were on an intensive recovery programme and were given three support sessions per week, they would not be in a position to attend those sessions, because the cost of bus fares to travel across the city would be prohibitive.

Members also stated that there had been information on the council website relating to a forthcoming consultation on Heathfield House, which was due to commence on 2 December. Concern was expressed that this might mean that

its future was also uncertain and again, the need for members to be able to see the whole picture was stressed. Comments were made that Members might be reassured if they knew what was happening with Heathfield House and where the proposed new 10 bed unit would be located. Assistant City Mayor Connelly explained that it was not possible to say where the new 10 bed unit would be as this had not yet gone out for procurement.

Members also commented that if Evesham House was transferred to a Registered Social Landlord, the impact of the benefit income cap could be avoided.

Members also raised concerns as to whether floating support would be effective, as some of the clients had very complex needs. It was also queried as to whether there would be capacity to support clients, when staff were on annual leave or sick leave. It was further questioned as to whether the Executive would defer the decision on the closure of Evesham House until the whole strategy was available for Members to take into consideration.

The Chair summarised the discussion and made the following points:

- More information was needed on the location of the 10 bed unit
- A need to look at the continuing plans of operation, not just for the interim period.
- There was a need to see the whole picture rather than part of the strategy
- There were concerns over the effectiveness of floating support
- There were concerns relating to meeting the needs of these individuals.
- Consideration needed to be given to working with the voluntary sector and around the transferring of the asset to the voluntary sector.
- A need to looking at the future of Heathfield House.
- A comprehensive review of Evesham House was needed before closing Evesham House and to look at deferring the decision.
- The mode of delivery to be considered at Adult Social Care Scrutiny.

RESOLVED:

that a special meeting of Adults and Social Care Scrutiny / Housing Scrutiny be arranged to further consider the Call-In, of the decision on Evesham House, before the issue returns to the Overview Select Committee prior to full council in January 2014.

