



Leicester  
City Council

**MEETING OF THE NEIGHBOURHOOD SERVICES AND COMMUNITY  
INVOLVEMENT SCRUTINY COMMISSION**

**DATE: WEDNESDAY, 25 JANUARY 2017**

**TIME: 5:30 pm**

**PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles  
Street, Leicester, LE1 1FZ**

**Members of the Commission**

Councillor Cutkelvin (Chair)  
Councillor Gugnani (Vice-Chair)

Councillors Aldred, Dr Chowdhury, Fonseca, Halford and Hunter  
(1 unallocated non-grouped place)

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

*Elaine Baker*

For Monitoring Officer

**Officer contacts:**

**Alex Sargeson (Scrutiny Policy Officer)**

**Elaine Baker (Democratic Support Officer),**

*Tel: 0116 454 6355, e-mail: [elaine.baker@leicester.gov.uk](mailto:elaine.baker@leicester.gov.uk)*

*Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ*

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- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

### Further information

If you have any queries about any of the above or the business to be discussed, please contact:

**Elaine Baker, Democratic Support Officer on 0116 454 6355**

Alternatively, email [elaine.baker@leicester.gov.uk](mailto:elaine.baker@leicester.gov.uk), or call in at City Hall.

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# **PUBLIC SESSION**

## **AGENDA**

### **FIRE / EMERGENCY EVACUATION**

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#### **1. APOLOGIES FOR ABSENCE**

#### **2. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

#### **3. MINUTES OF THE PREVIOUS MEETING**

**Appendix A**

The Minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held on 30 November 2016 are attached and Members are asked to confirm them as a correct record.

#### **4. PROGRESS ON ACTIONS AGREED AT THE LAST MEETING**

To note progress on actions agreed at the previous meeting and not reported elsewhere on the agenda (if any).

#### **5. CHAIR'S ANNOUNCEMENTS**

#### **6. PETITIONS**

The Monitoring Officer to report on the receipt of any petitions submitted in accordance with the Council's procedures.

#### **7. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE**

The Monitoring Officer to report on the receipt of any questions, representations and statements of case submitted in accordance with the Council's procedures.

#### **8. COMMUNITY ASSET TRANSFER UPDATE**

**Appendix B**

The Director of Neighbourhood and Environmental Services submits a report

providing an overview of the Community Asset Transfer policy, a summary of the work undertaken as part of the Transforming Neighbourhood Services project and noting lessons learned from early experiences. The Commission is recommended to note and comment on the progress made to date, feedback and lessons learned regarding Community Asset Transfer.

**9. PUBLIC SPACES PROTECTION ORDER (NEW PSYCHOACTIVE SUBSTANCES & STREET DRINKING) [Appendix C](#)**

The Director of Neighbourhood and Environmental Services submits a report providing details of the work undertaken to date to consider establishing a city-wide Public Spaces Protection Order (PSPO) around new psychoactive substances (“legal highs”), along with information on plans to consult residents and communities on the continuation of the current street drinking PSPO. The Commission is recommended to note and comment on the contents of the report.

**10. CITYWIDE VOLUNTARY AND COMMUNITY SECTOR SUPPORT [Appendix D](#)**

The Director of Delivery, Communications and Political Governance submits a report providing an update on the arrangements for citywide support to the voluntary and community sector. The Commission is recommended to consider these arrangements and make any necessary representations around the future of the support arrangements, which will then be formally considered as part of the consultation process.

**11. RESPONSE TO THE LEICESTER ADVICE SECTOR: A REPORT OUTLINING THE RISK AND DEMANDS IN THE CITY [Appendix E](#)**

The Director of Finance submits a report responding to the issues raised in the annual Social Welfare Advice Partnership Report. The Commission is recommended to receive the report and comment as appropriate.

**12. GENERAL FUND REVENUE BUDGET 2017/18 TO 2019/20 [Appendix F](#)**

The Director of Finance submits a report setting out the City Mayor’s proposed budget for 2017/18 to 2019/20. The Commission is recommended to pass any comments to the Overview Select Committee as part of its consideration of the report before it is presented to the Council meeting on 22 February 2017.

**13. SPENDING REVIEWS [Appendix G](#)**

To receive an update on spending reviews affecting services within this Commission’s portfolio and not considered elsewhere on the agenda. Members are recommended to note the update and comment as appropriate.

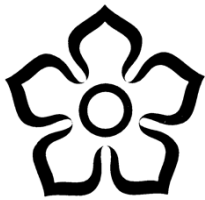
**14. WORK PROGRAMME**

**Appendix H**

The current work programme for the Commission is attached. The Commission is asked to consider this and make comments and/or amendments as it considers necessary.

**15. ANY OTHER URGENT BUSINESS**





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# Appendix A

Minutes of the Meeting of the  
NEIGHBOURHOOD SERVICES AND COMMUNITY INVOLVEMENT SCRUTINY  
COMMISSION

Held: WEDNESDAY, 30 NOVEMBER 2016 at 5:30 pm

P R E S E N T :

Councillor Cutkelvin (Chair)  
Councillor Gugnani (Vice Chair)

Councillor Aldred  
Councillor Dr Chowdhury

Councillor Fonseca  
Councillor Halford

Councillor Hunter

In Attendance

Councillor Master, Assistant City Mayor - Neighbourhood Services  
Councillor Waddington, Assistant City Mayor - Jobs & Skills

Councillor Sood – Ward Councillor , Belgrave

\* \* \* \* \*

**48. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**49. DECLARATIONS OF INTEREST**

Councillor Aldred declared a Regular Other Disclosable Interest in agenda item 10, Transforming Neighbourhood Services- North East, in that she was on the Community Centre, Community Association.

**50. MINUTES OF PREVIOUS MEETINGS**

**a) 5 October 2016**

Members of the Commission were asked to confirm the minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held 5 October 2016.

The Director, Neighbourhood and Environmental Services requested the following amendments to the minutes of the meeting held 5 October 2016 (new wording in italics):

**Agenda item 35, Paragraph 7, bullet point 5**

The bulky waste collection service currently cost approximately £350,000 £360,000 per annum to provide;

**Agenda item 24, Paragraph 7, bullet point 13**

- ~~The Waste Standards Authority Food Standards Agency had identified~~ *felt that Leicester as being very similar was comparable* to a London borough in terms of waste management, so this Council's service had been benchmarked against equivalent London boroughs, as well as neighbouring authorities. However, *although some comparisons with London boroughs could be made, it was recognised that Leicester was very different to the expectations of residents in a London borough could be very different to those of residents in Leicester*, so Members expressed some caution about the appropriateness of this comparison;

AGREED:

that the minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held 5 October 2016, as amended above, be confirmed as a correct record.

**b) 16 November 2016**

Members were also asked to confirm the minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held 16 November 2016

AGREED:

that the minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held 16 November 2016 be confirmed as a correct record.

**51. PETITIONS**

The Monitoring Officer reported that no petitions had been received.

**52. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE**

The Monitoring Officer reported that no questions, representations or statements of case had been received.

**53. PROGRESS ON ACTIONS AGREED AT THE LAST MEETING**

The Chair outlined the progress on actions as agreed at the previous meetings.



Points made included the following:

### **Meeting held 16 November 2016**

The Chair reiterated that the Executive had been urged to look at making concessions available for those people reliant on welfare benefits.

### **Meeting held 5 October 2016**

#### **Welfare Reform**

The Chair stated that it had been agreed to supply Members with copies of the leaflet advising people on how to apply for assistance when facing financial hardship.

The Chair believed that the Assistant City Mayor for Children, Young People and Schools had been asked to ensure that the opportunities available for the personal development of children in households with decreasing income were monitored, to ensure that those children were not disproportionately disadvantaged because of the welfare reforms.

#### **Citizens Advice Leicestershire City Advice Services Contract Performance 2015-16**

Members indicated that they had not received information on how clients and Councillors could access Citizen's Advice LeicesterShire advice services. The Chair asked for the Head of Revenues and Customer Support to send this information again direct to each Councillor and for it to be included in the information bulletin issued by Members' Services.

The Chair announced that she would change the running order of business on the agenda, and the item on Transforming Neighbourhood Services – North East, would be considered next.

## **54. TRANSFORMING NEIGHBOURHOOD SERVICES - NORTH EAST**

The Director of Neighbourhood and Environmental Services submitted a report that provided an overview of progress to date on the Transforming Neighbourhood Services (TNS) Programme in the North East area of Leicester.

The Director presented the report and then Mr Mashru, a local resident addressed the Commission in relation to the Belgrave Lunch Club. Mr Mashru's presentation included the following points:

- The Belgrave Lunch Club was fully committed to working with the Council to reduce costs.
- In the event of there being a new kitchen, they would like one to cater for at least 100 people as there were plans to expand the lunch club.

- The lunch club catered for the elderly and for people who were lonely with no one to care for them or to provide them with a meal. People were encouraged to come to the club to socialise. There were concerns that their health and wellbeing would deteriorate without this facility.
- Service users and families were concerned for the future of the lunch club.

Councillor Sood, as Ward Councillor for Belgrave, then addressed the Commission, and her points included the following:

- The lunch club had been running for several years and service users came from different areas of the City.
- The food was served on time.
- The club was useful for social networking.
- People were grateful that the library would remain open.
- The service users wanted their food to be cooked on the premises, rather than being cooked elsewhere and brought in.

The Chair stated that a number of questions had been submitted, which had arrived after the deadline for submitting questions to this particular meeting; however officers would respond directly to the person who had submitted the questions.

The Assistant Mayor, Neighbourhood Services explained that as part of the TNS programme, the Council were looking at all the services to establish whether they provided the best value for money, and to consider where improvements could be made. One of the proposals being considered was to reduce the size of the kitchen in the Belgrave Neighbourhood Centre.

Councillor Hunter stated that another proposal was to close the Northfields Neighbourhood Centre, and she questioned how officers had worked with groups to find an alternative facility for them. The Senior Project Manager, Neighbourhood Services explained that there was a proposal to transfer the Northfields Neighbourhood Centre as a community asset, so that it would be open to the user groups. Officers would need to work with six or seven groups, some of which used other centres as well as the Northfield Centre. Councillor Hunter reiterated the need to work with those groups, as she said they would need support.

Councillor Hunter referred to the proposals for the Armadale Youth Centre and the Netherhall Neighbourhood Centre. The Senior Project Officer responded that the two buildings faced each other and this presented an opportunity for them to be used more efficiently. A consultation had taken place with the Youth Service and there was no suggestion that there would be a reduction in staff.

The Chair commented that TNS, when it first started, did not involve youth centres, but noted that they were now included. She said that youth groups really valued their own space and being able to make it their own. Officers were asked whether they had considered the possibility of tensions arising from situations where there were two very different groups meeting alongside each other. For example, some older people might feel uncomfortable alongside groups of teenagers. The Senior Project Officer responded that this issue had been raised and considered. They would need to give some thought as to how they could facilitate youth groups wishing to display their material.

Councillor Chowdhury commented that, with reference to community asset transfer, he had worked in a voluntary centre for many years and was aware that people in voluntary organisations had many responsibilities, and it was very difficult for them to compete with businesses. He stated that the Council needed to work with groups to facilitate the process in order to prevent another facility from disappearing.

The Chair stated that the Commission had previously expressed concerns about community asset transfers, and it was on the Commission's work programme for consideration at their next meeting on 25 January 2017. There had previously been problems over different groups gaining access and increasing hire costs. The Assistant Mayor responded that lessons had been learned from every community asset transfer that had occurred. The process commenced early, so that interested groups would know what they were undertaking and would have full access to the financial details. The Council did not undertake the process lightly and wanted it to succeed. They were aware that there had been occasions where groups having taken on the asset transfer, had excluded other groups or overcharged them. The Council were working with groups so that they fully understood the commitment they were undertaking. However, the process could work and some groups had made a success of their asset transfer.

Councillor Halford questioned whether officers were working closely with the Ward Councillors; she had become a Councillor half way through the TNS programme in her area and at the time had not felt fully consulted. The Assistant Mayor responded that the Ward Councillors were involved at every stage and had been invited to the consultation meetings. The Senior Project Officer added that a lot of work had been carried out to ensure consultation forms, with tear off response slips reached as wider range of people as possible. These had also been provided in other languages and translators had been provided at meetings. In respect of the criteria for agreeing for a group to take on a community asset transfer, officers checked that the successful group had the capacity and understanding for what they were undertaking and that it would fit in with the local community.

The Chair commented that the report referred to two centres as potentially providing some housing provision and she questioned whether self-service housing provision had been explored. The Senior Project Officer explained that officers were looking at some self-service options at the Belgrave and Hamilton Libraries, where there could be telephone access to customer

services. People had requested greater access to council services. The libraries were being considered because there was no front line housing office in those areas.

The Chair commented that people had been concerned about increased charges and in 2013, when TNS had been previously considered at Scrutiny, the Commission had requested a simplified system. The Head of Neighbourhood Services responded that the council had not increased charges last year, but they had been simplified.

**RECOMMENDED:**

- 1) Officers are asked to continue to talk to user groups to find a workable solution in respect of the Lunch Club held in the Belgrave Neighbourhood Centre, as it is clear that the club provided benefit for people in the community.
- 2) In respect of youth services, the Commission has concerns about putting groups of a very different demography alongside each other and request that consideration be given to making separate access or entrances available.
- 3) The Commission express concerns that the Youth Services Review is separate to the Transforming Neighbourhood Services Programme, and suggest that in future, those reviews are held at the same time.
- 4) The concept of shared space, such as café areas, in community and neighbourhood centres be re-visited, to ensure that members of the community have some affordable and easy access.

*Councillor Hunter withdrew from the meeting at this point.*

*6.40 pm - 6.45 pm. The Chair adjourned the meeting for a short break.*

## **55. REGULATORY SERVICES SPENDING REVIEW**

The Head of Regulatory Services delivered a presentation on the Regulatory Services Spending Review, a copy of which is attached at the back of the minutes.

The Head of Regulatory Services explained that Phase One of the review had been completed, but Phase Two was ongoing, and therefore there were constraints on how much he could update Commission Members, because of the need to consult staff and the trade unions. The review was necessary because of the significant financial challenges that the authority was facing.

In response to a question about domestic violence, the Director for Neighbourhood and Environmental Services explained that there was package of support and a hotline for anyone who was at risk. If Members were aware of anyone who was at risk from domestic violence, they were asked to let the officers know, and they would signpost if appropriate. The Chair stated that an officer had previously attended the Commission to talk about Domestic Violence and could be invited again at Members request.

A Member commented that the required amount of savings from the review must necessarily impact on staff, but Members had not yet been advised of that level of detail. The Director responded that as part of the review, there had been a reduction from three Heads of Service to just one.

The Chair asked as to what percentage of the regulatory services was statutory, and the Head of Service responded that it was very difficult to be specific, and while some services were statutory, it was difficult to say where the statutory duty ended.

The Chair asked about opportunities to generate money from regulatory services, and the Head of Service responded that some services such as licensing, generated income, although the Council only applied costs to break even. Training courses provided an income, and advice to businesses was also offered although there had not been a big demand for this service. Members also heard that there was a charge for pest control, although there was no charge for rat treatment.

The Chair thanked officers for the report and acknowledged that there was a huge scope to the regulatory services that the Council provided. It was noted that the scope included areas that could be of public concern, such as potential food poisoning incidents, if the work was not carried out properly.

## **56. CLEANSING SERVICES SPENDING REVIEW**

The Head of Parks and Open Spaces delivered a presentation on the Cleansing Services Spending Review, a copy of which is attached to the back of the minutes. He explained that any changes needed to be made in a measured and careful way. The Chair then invited comments and queries from Members.

Several Members expressed concerns over the problem of people spitting chewing gum onto the pavements and allowing their dogs to foul in public spaces. The Director commented that to deal with issues such as these effectively, a number of measures were needed including campaigns, enforcements if appropriate and engagement with the community.

The Chair expressed frustration at the problem of reporting dog fouling on parks, because there appeared to be a lack of clarity as to whose responsibility it was to clear it up. The Chair asked whether there could be a single point of contact for members of the public to report the problem. The Commission were

advised that people could report dog fouling to Customer Services or via the Love Leicester App and from there, the correct team would be notified. Problems such as dog fouling could be mapped through the Love Leicester App, and the Council could target its resources using that data. However, all officers would be expected to forward any such complaints to the correct service, if it was outside of their remit.

A Member made reference to a very small park in the North Evington Ward and asked whether it could be transformed into a play area. The Head of Parks and Open Spaces explained that there was limited green space in that area, and by turning that park into exclusively a play park, other service users would be excluded.

The Chair stated that there were people with specialist skills within the team and she asked how those specialisms could be retained following the review. The Commission heard that people would have generic job descriptions, so there would be greater flexibility.

A question was raised relating to recycling at City Hall. The Head of Parks and Open Spaces explained that currently there was limited recycling at City Hall, but changes to this were anticipated and a new system was being considered within the Corporate Waste Contract.

AGREED:

that the presentation be noted.

## **57. CONSIDERATION OF THE FLY TIPPING STRATEGY**

The Director of Neighbourhood and Environmental Services submitted a report that provided Members of the Commission with an overview of fly-tipping incidents in Leicester. The report requested Members views on the actions that were taking place to address the issue.

Members were referred to the benchmark statistics in the report and it was noted that of the listed local authorities, Nottingham had the lowest incidents of fly tipping. The Director explained that Nottingham defined fly tipping differently to other authorities and they also had approximately 100 Community Protection Officers compared to Leicester's 9 City Wardens.

The Chair thanked Officers for the report, stating that it was helpful and demonstrated the numerous problems that arose from fly tipping.

It was noted that the report included a reference to Direct Surveillance and a Member queried what this was. The Commission heard that this was covert surveillance with cameras, which was carried out under close controls under the Regulatory Powers Act.

A Member praised the City Wardens, stating that she had worked with them on some incidences of fly tipping and they had been excellent.

A suggestion was made for the Council to provide skips in the community, which would be free for people to use. The Assistant Mayor for Neighbourhood Services responded that the Council had offered this as a free community facility in the past, but unfortunately the scheme had been misused by some traders who had used the skips to dispose of their trade waste. Community clean up events were still being held however in some wards in the City and cleaning kits could be provided free of charge for this purpose.

AGREED:

- 1) that the report be noted; and
- 2) that the Commission endorse section 7.1 of the report, detailing the areas that are being considered, and as appropriate developed, to support the Council's newly defined intelligence led approach to fly tipping.

#### **58. UPDATE ON THE TASK GROUP REVIEW "GETTING THE BEST OUT OF OUR SERVICES IN NEIGHBOURHOODS"**

The Chair announced that due to time pressures, the update on this Task Group Review would be deferred to the next meeting of the Commission.

#### **59. SPENDING REVIEWS**

The Chair stated that the Commission had received updates on most of the spending reviews, with the exception of Standards and Development.

The Director of Neighbourhood and Environmental Services responded that the Budget Monitoring Reports for Period 6 had been updated to reflect progress with the reviews, including that on Standards and Development.

#### **60. WORK PROGRAMME**

The Neighbourhood Services and Community Involvement Scrutiny Commission Work Programme was noted.

The Chair stated that training on 'Channel Shift' for Councillors would be held on Thursday 8 December at 5.30pm. All Members were encouraged to attend, as the issue impacted on the business of the Commission. The Democratic Support Officer was asked to email a reminder to Members.

#### **61. CLOSE OF MEETING**

The meeting closed at 8.20pm.





## Regulatory Services Spending Review

Roman Leszczyszyn  
Head of Regulatory Services

## Regulatory Services

- Diverse range of services involved in the protection of the public and environment
- Net budget (2016/17) is £4.4m. Gross expenditure is £7m. Income is £2.6m (grants, internal commissions, licence fees, sale of services)
- Budget pressure – c.£200K (unrealisable income and increased establishment)
- Establishment is 158 FTE.

## Regulatory Services

- **Communities**
  - Domestic Violence
  - Anti-Social Behaviour Unit
  - Community Safety
  - City Wardens
  - Enviro-crime
  - Private Sector Housing
  - Area Environmental Health
  - Pest Control/Dog Wardens
  - Noise and Pollution
  - Building Control
  - Building Safety & Protection
- **Businesses**
  - Licensing (alcohol, taxis, street trading, pet shops, etc)
  - Licensing Enforcement
  - Food Safety Team
  - Trading Standards
  - Public Safety (health & safety workers, sports grounds safety, public health outbreaks)
  - Business Advice, Support & Training

## Regulatory Services – Indicators

- 6,890 ASB incidents reported in 2015/16
- 166 Complex ASB cases referred by external teams and agencies
- 17 Acceptable Behaviour Contracts agreed
- 2 ASB injunctions/closure orders
- 16,748 applications, registrations and notifications in 2015/16
- 13,039 compliance checks on businesses
- 103 formal enforcement actions against businesses (excluding licensing)
- 256 businesses supported
- 43 Advice visits re: alcohol and tobacco

## Regulatory Services - Indicators

- People trained 1433
- Untidy land interventions 838
- Rats inside premises treatments 1033
- Flea treatments 121
- Stray dogs 320
- Warnings and Notices issued for noise nuisance 280
- Welfare funerals 35
- Building Regulation applications (687) and inspections (2830)
- Dangerous structures emergency callouts 23
- Filthy or verminous premises 44
- Inspections of rented housing for defects 613
- Complex consumer fraud investigations 19
- Properties secured as part of the Alleggate Programme 1231
- Sports grounds certificated and inspected
- Fatality investigations (4) and accidents (170)
- Food premises closed used emergency powers 10
- Taxi driver licence suspended (16) and vehicles suspended (144)
- Domestic violence counselling sessions delivered 1386

## Regulatory Services Spending Review

- Indicative Savings Target is £1m
- Spending Review Approach
  - Ensure delivery of Spending Review savings
  - Mitigate budget pressures
  - Assure delivery of 'statutory duties'
  - Assure delivery of 'local priorities'
  - Retain discretionary services (where there is no alternative supplier and it is a local priority).
  - Exploit opportunities for 'self-service', 'channel shift' and 'service migration'.
- Reduction in management (already achieved), service re-profiling to achieve indicative total savings of £420K.

## Regulatory Services Spending Review

- Areas to consider safeguarding include:-
  - People at risk of domestic violence
  - People at risk of harassment
  - Consumers/customers e.g. restaurants, taxi users, sports spectators,
  - Private sector tenants
  - Public at large e.g. LCC's contribution to PREVENT, animal diseases, flytips.

## Any Questions?

Roman Leszczyszyn  
Head of Regulatory Services

Email: [Roman.Leszczyszyn@leicester.gov.uk](mailto:Roman.Leszczyszyn@leicester.gov.uk)

Tel: (0116) 454 3191

## Cleansing Services Spending Review

Presentation to Neighbourhood Scrutiny  
30 November 2016.

Stewart Doughty, Head of P&OS



## Service Overview

- Maintain 487 miles highway land weekly
- Remove 3,900 tonnes of litter annually
- Maintain 2,653 streets weekly
- Over 1,500 litter bins, 333 within City centre
- Street washing
- Highway weed spraying
- Public conveniences
- 24 hours on call
  - RTA clean up/spillages/SHARPS/asbestos
- Removal of flytipping
- Winter maintenance



## Statutory requirement

- Environment Protection Act 1990 imposes duties under Section 89 on LA to keep clean public highways.
- The Act, seeks to encourage LA to maintain other land within acceptable standards.
- Cleanliness standards should be monitored to ensure NI195 litter standards are maintained.
- Clearance from night time economy by 8.00am
- Advisory standards, re. graffiti and flyposting due to impact on the quality of the environment (none statutory).



## Spending Review Programme

- Government Grant reduced by 50% in real terms 2019/20 to 2010/11 – Impacting all Council services
- Reduced spending by £100m per year
- Further cuts at least until 2019/20, est £50m-£60m
- Managed via Spending Review programme
- Indicative target for Waste & Cleansing £2.5m
- First phase £0.7m contribution Cleansing Services
  - 27% of net budget



## It is recognised that a clean quality local environment supports a vibrant City and supports the sustainability and growth of the business and tourism offer:

secures quality, long term commercial investors  
attracts and retains workers with scarce skills  
meets landowners' and tenants' legal obligations and liabilities  
deters anti-social behaviour and some criminal activities  
secures the approval of electors, for whom local environmental quality is a fundamental test of an administration's efficiency and effectiveness  
creates environments that are more easily maintained and less subject to vandalism.



## It is critical that service reductions within Cleansing Services are carefully managed to minimise the impact on the service offer.

- Cleansing functions very visible, instant impact.
- Linked to wider enforcement litter campaigns.
- Introduction of small blitz team to tackle issues.
- Cleanliness standards monitoring.
- Review of schedules and frequencies.
- Continue to benchmark via APSE



## Current Service Provision

- LCC benchmarks against 18 comparable LA's.
- 2014/15 key PI's:
  - Below avg cost per household £29.71 (£34.83).
  - Cost per head of population £12.70 (£15.05).
  - Overall quality band score 116 (97.39).
  - Highest results for recycling 82.37% (24.92%).
- Cleanliness standards, 87% litter, 90% detritus.



## Service Options

- Through the streamlining of services into the cleansing role removal of the dedicated FIDO (faeces intake disposal operation) machine and operative and the dedicated Bring Bank team.



- Transfer of additional duties to other teams in order to reduce am bin & bag collection & cleaning of car parks.



- Review and reduce weekend cleaning of shop frontages & main gateways into City.



- Review how the Transfer Station is resourced.



- Review the use of roll on roll off vehicles in order to reduce 1 roll-on-roll off vehicle & driver.



- Review the operation of the Graffiti team in order to reduce the team.



- Redesign of schedules in order to reduce the City Centre Cleansing team.



- Redesign schedules in order to reduce the district sweeping team.



- Removal of 1 of the 2 mechanical brushes for district cleaning.



- Review of the management of corporate waste with a combined service collecting both mixed waste and recycled materials in a split body vehicle.
- Review of management/supervision and admin team.



## Maximise Income

- Trade waste
- RTA/spillages
- Graffiti removal
- Skip provision
- Market waste
- Bus shelters
- Shop fronts
- Dry waste recycling



## Summary

- £700k phased initial saving (to be reviewed)
- Housing Caretakers inc in Housing review.
- Maximising income generation.
- Corporate fleet savings, add. £170k



## Timeline

- Initial timeframe 3 year phased approach (with review).
  - Year 1 - April 2017 - £365k
  - Year 2 - April 2018 - £508k (143k)
  - Year 3 - April 2019 - £700k (192k)
- The fluidity of the reductions allows for changes in service provision based on outcomes as the proposed changes are introduced.



## Questions ?

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## **Neighbourhood Services & Community Involvement Scrutiny Commission**

# **Community Asset Transfer update**

Date: 25th January 2017

Assistant City Mayor, Councillor Kirk Master

Lead director: John Leach

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## **Useful information**

- Ward(s) affected:
- Report author: Lee Warner / Neil Gamble
- Author contact details: x373542
- Report version number plus Code No from Report Tracking Database: v.FINAL

### **1. Purpose of report**

The purpose of this report is to:

- Provide an overview of the Community Asset Transfer (CAT) policy developed by Leicester City Council
- Present a summary of the work undertaken as part of the Transforming Neighbourhood Services project
- To note lessons learned from early experiences

### **2. Summary**

2.1 Asset transfer comes in many forms whether it be licence, lease or sale and can be at market rates or down to peppercorn levels. The circumstances for each property will be different and treated on its own merits.

2.2 In some areas of the city Community Asset Transfer (CAT) has been considered under the Transforming Neighbourhood Services (TNS) programme for buildings which are no longer proposed to be run by the Council.

2.3 A programme has been developed under TNS to promote opportunities for local communities and organisations and to support the development of business plans. Independent support has been arranged to help community organisations develop their plans.

2.4 There have been good lessons learned through the programme to date. The assessment criteria for business plans continues to be developed to support the community asset transfer process and to support local communities.

### **3. Recommendations**

- That the Scrutiny Commission note the progress made to date, feedback and lessons learned regarding Community Asset Transfer.
- The Scrutiny Commission is invited to comment on progress to date



## **4. Report**

### **4.1 Background to the Community Asset Transfer scheme.**

4.1.1 Historically the Council has let and sold property to community organisations but not always in a consistent manner and following publication of the Local Government White paper “Strong and Prosperous Communities”, which set out a new relationship between local government and its communities based on a devolution of power by giving residents greater say over local services, in 2008 the Council adopted its own “Policy for transfer of assets for community governance” as an addition to the existing “Framework for Disposal of Property”.

4.1.2 Subsequently the Localism Act of 2011 sought to further empower communities to self manage and in view of this the policy was reviewed to give greater clarity and consistency to the Council’s approach to asset transfer. It is to be noted that asset transfer comes in many forms whether it be licence, lease or sale and can be at market rates or down to peppercorn levels. The circumstances for each property will be different and treated on its own merits.

### **4.2 An overview of the current working model**

4.2.1 Under the Council’s Transforming Neighbourhood Services (TNS) project neighbourhood buildings are being reviewed on an area by area basis. The TNS programme is scoped to identify different ways of organising how services are delivered within the neighbourhoods of the city of Leicester, with a view to reducing the costs of delivery by around 30% while maintaining the quality of our services. TNS is a building based programme and assumes that services will continue to be delivered in the model put forward.

4.2.2 In some areas of the city Community Asset Transfer (CAT) has been considered under TNS for buildings which are no longer proposed to be run by the Council. These proposals have been consulted upon as part of the overall model for the area to gain the views of service users, stakeholders and residents and to test the appetite for community organisations to take on the running of buildings.

4.2.3 The TNS process has been further developed since the programme started to help better identify good opportunities for Community Asset Transfer. This is achieved through an early public engagement exercise, prior to proposals being drawn up for consultation. During this stage ward councillors, local residents and stakeholders are invited to give their views and suggestions for the buildings under review. The engagement period invites open comment through drop in sessions, focus groups and widely distributed questionnaires. Service usage data and building information is also collected during this period. The views and information collected are analysed and proposals developed for a full public consultation. It is acknowledged that in the earliest days of the TNS programme some ambitions for asset transfer did not always come to fruition. The model which has since been developed supports the identification of good community asset transfer opportunities. Once a decision to offer a building for CAT has been taken independent support is offered by Locality to all interested groups to ensure that organisations can assess the feasibility for their group and construct a formal business plan to express their ambition.

- 4.2.4 The current working model for the Community Asset Transfer of buildings following an executive decision under TNS follows the Council's approved CAT policy. In these cases the proposal for asset transfer has been based upon granting leases passing all responsibilities for the building to the community organisation based upon a peppercorn rent being payable and the organisation being required to preserve and expand the existing community offer.
- 4.2.5 Under this model community organisations take on all financial responsibility for the building. Responsibilities include both the maintenance and repair of the building for the duration of the lease. Maintenance costs include utilities for example heating, electricity and water, business rates, buildings insurance, telephony and refuse collection. The organisation also takes on responsibility for the management and day to day running of the building, including responsibilities such as health and safety, fire safety, access and room bookings as well as maintaining and repairing the building. To help groups understand the implications and responsibilities of asset transfer introductory workshops are held at the start of the Community Asset Transfer process to explain these. It is important that groups are aware of the financial, legal and management responsibilities at the outset to help them to decide on the feasibility of taking on a building before undertaking detailed work on their business plan.
- 4.2.6 The process for community organisations with an interest in CAT is as follows:
- Early consultation with ward councillors
  - Area wide public consultation on proposals under the TNS programme
  - Executive decision taken - building(s) may be identified for CAT
  - Consult ward councillors
  - Independent support for community groups procured
  - Advertise and promote CAT opportunities
  - Initial workshops held by LCC and Locality to generate interest
  - Community groups to submit business plans by closing date
  - Asset Transfer Review Group reviews business plans
  - Consult ward councillors
  - Executive decision – successful organisations informed
  - Legal Services instructed - terms of transfer drafted in accordance with terms and conditions agreed
  - Community Asset Transfer Complete - keys handed over and the organisation takes responsibility
  - Ongoing access to advice and support
- 4.2.7 The latest conditions surveys and buildings running data will be made available as part of the community asset transfer process to help groups assess the feasibility of taking on a building, and potential improvement works they might want to undertake to support their business case. Although it is not viable for the council to refurbish or renovate buildings as part of the CAT process buildings will be handed over in good working order.
- 4.2.8 Under the current model buildings continue to be run by the council until leases are signed. Service provision is therefore continuous excepting any works which may need to take place before or after handover.

4.2.9 It is to be noted that Community Asset Transfer is distinct from the council's key fob access system whereby the building is retained and managed by the council as part of its neighbourhood offer, but with self access systems in place for inducted community organisations at agreed times. Whilst this system extends use of community buildings to enable access during unstaffed times, responsibility and financial costs remain with the council.

### **4.3 Business plan and assessment criteria**

4.3.1 Community organisations are required to produce a detailed business plan as part of the application process under the CAT policy. The development of the plan helps to ensure that organisations are clear about the community benefits they are undertaking to deliver, and the implications of running a community building. The business plan is assessed and scored by the Council against a set of criteria which is included here as an appendix.

4.3.2 The assessment criteria are routinely reviewed and updated to reflect learning from previous exercises. The key assessment criteria which have been approved for the latest CAT process are as follows:

- Community benefit from proposals
- Financial viability of proposals
- Governance and track record of organisation
- Financial standing of organisation
- Rent offered
- Equality and inclusion
- Community impact

4.3.3 Assessment criteria are weighted to ensure key considerations are reflected in the overall assessment. For example, out of a total score of 100, 30 marks are offered for community benefit and a further 15 marks are available for consideration and mitigation of potential community impact. Community considerations therefore account for 45% of the assessment.

4.3.4 Clear guidance is given regarding the evidence which should be submitted to support business plans. A range of policies and statements are required to help assess submissions. For example:

- Room hire policy, to include charging and room allocation
- 2 year cash flow projection to demonstrate soundness of financial plans
- Governance documents, including charitable status, legal identity, structure etc
- Audited accounts to verify financial standing of organisation
- Equal opportunities Policy
- Good neighbour policy

4.3.5 Organisations are assessed to ensure they are eligible to apply for CAT under the council's policy. The Council's CAT policy provides the following guidance: "A community led group is defined as being a formally constituted group based within and delivering or capable of delivering services or functions of benefit to a local community, be this area based, around a particular social group or other particular community interest."

4.3.6 A good business plan will necessarily be detailed enough to satisfy all of the requirements outlined in the assessment criteria, and will contain documented evidence of policies and procedures, governance and financial accounts. The requirements of the plan will help groups to express their community benefits and establish the feasibility of taking on the running the building. Advice on building a good business plan is provided at the commissioned workshops offered by Locality. A typical plan will include:

- Group or organisation information
- Experience, aims, and track record
- Plans for the building
- Knowledge of the community and plans for community provision
- Business model
- Financial planning
- Risks and how to lessen them
- Meeting obligations

#### **4.4 Support available for groups planning to take over an asset**

4.4.1 During early TNS consultation in the West area of the city one of the key concerns around CAT opportunities concerned well regarded and capable community organisations who may not have had experience of writing a business case to take on the running of a building. A need was identified to provide independent support to help a wide range of community organisations to develop their plans to help ensure their skills, knowledge and community aims are supported by a clear plan.

4.4.2 As a result independent support has been procured from Locality, a national organisation with a local base in Leicester and a specialist knowledge and wide experience of supporting community organisations through community asset transfer. Although commissioned by the Council the support offered to community groups by Locality is on a completely independent basis. Locality describes itself as “the national network of ambitious and enterprising community-led organisations, working together to help neighbourhoods thrive.” The organisation provides community-sector professionals working to support community organisations and the communities they serve. Further information about Locality can be found on their website at: <http://locality.org.uk>

4.4.3 Locality have provided tailored support for a wide range of community organisations. Most recently the support programme for three buildings in West and North West Leicester has included:

- Initial overview sessions to support and promote the CAT adverts. These sessions were open to any interested groups and focused on developing interest and clarity around the realities of taking on a building
- Business plan workshops. These sessions focused on the requirements of the business plan, the information and evidence groups would need to provide, and practical considerations for groups
- One to one review sessions to challenge and develop plans
- Support with developing financial information

4.4.4 The Council’s property and neighbourhood services provided support to produce information regarding the buildings and the current community usage. General information packs were provided to all, including:

- current room hire charges, timetables and occupancy
- current income from room hire
- building running costs including utilities and rates
- building condition surveys
- Floor plans and ground plans
- Energy consumption charts

In addition officers are available to supply additional information upon request.

4.4.5 Community organisations are also signposted to Voluntary Action Leicester for support with their legal identity (becoming constituted) and for accessing funding opportunities.

4.4.6 During the course of asset transfer the council also works with existing community groups currently using the building to help prepare them for the change. Following transfer of the building community groups will have a new relationship with the organisation taking on the property. Neighbourhood services officers will work with groups to help facilitate the change of management or to explore alternative locations for activities if groups prefer.

#### **4.5 CAT leases under TNS**

4.5.1 For the latest round of community asset transfers under the TNS programme a standard lease is supplied when buildings are advertised for CAT. This helps to set expectations at the earliest stage. The lease will specify:

- Length of tenure – depending on the building
- Responsibility for building repairs and maintenance are with the lease holder
- Responsibility for all aspects of building management for the duration of the lease are with the lease holder

4.5.2 The organisation’s business case, policy statements and commitments made including community benefits will be included as a formal part of the lease to enable the Council to judge adherence to the stated proposals and give a basis take action should commitments not be met.

#### **4.6 Community Asset Transfers under TNS**

4.6.1 The following table shows the buildings which have been advertised for Community Asset Transfer following a TNS decision, and the outcome of the process.

##### **Buildings advertised for CAT under the TNS programme**

<b>Building</b>	<b>Ward</b>	<b>Community Organisation</b>	<b>Handover date</b>
Cort Crescent Community Centre	Braunstone & Rowley Fields	Forward In Faith	January 2016
The Oak Centre	Braunstone & Rowley Fields	Trinity Life Church	January 2016
Newfoundpool Community Centre	Fosse	Leicester Events Group	January 2016

Braunstone Grove	Braunstone & Rowley Fields	No suitable bids received	
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Business cases for the following buildings are currently being evaluated

<b>Building</b>	<b>Ward</b>
Home Farm Neighbourhood Centre	Beaumont Leys
Manor House Neighbourhood Centre	Braunstone & Rowley Fields
New Parks Community Centre	Western

#### **4.7 Lessons Learned**

The Community Asset Transfer process is routinely reviewed prior to marketing new opportunities. Some of the key lessons learned to date are:

- 4.7.1 The involvement of independent expert support is crucial for community groups to support them in assessing the feasibility of taking on the running of buildings and to develop clear community benefits. Additional support sessions have been organised for the CAT opportunities in the North West area of Leicester. This has resulted in interested organisations requesting detailed community and buildings information in order to develop their proposals.
- 4.7.2 The early involvement of ward councillors during the initial TNS consultation stage and prior to the commencement of the CAT process has been crucial to the process. Additional consultation has been built into the process for the most recent offers in the North West area.
- 4.7.3 A standard lease is now supplied at the outset of the CAT process to ensure expectations of the community groups are clear and to reduce the time taken for negotiating the lease.
- 4.7.4 The assessment criteria for business plans have been updated to provide more emphasis on the community benefit expected, to protect existing groups and to provide clarity with regard to plans for room hire charges and for access for existing and new community groups. Extra consideration has been given towards local groups with good connections to the building and the local community.
- 4.7.5 Community Asset Transfer has resulted in investment for some buildings for example Newfoundpool Community Centre and the Oak Centre both of which have been refurbished.
- 4.7.6 Some Community Asset Transfers have been more successful than others in terms of retaining existing community groups and attracting new groups and activities. Room hire charges and access arrangements have been key issues in retention of existing groups.
- 4.7.7 There is a recognition that detailed documentation especially around the community offer and access policies for community groups using the buildings is essential. Additional policies and procedures are now required as part of the business case and all documentation will be included in the formal lease. This helps to ensure that all parties are clear on commitments and responsibilities with regard to the building and the community offer. The development of this approach

will also means that adherence to community proposals may be assessed and give a basis for the Council to take action should commitments not be met.

**5. Summary of appendices:**

Appendix 1. Assessment criteria September 2016

## COMMUNITY CENTRE BUSINESS CASE SUBMISSION REQUIREMENTS

## Appendix 1

Area to be covered in business case	Requirements	Criteria to be met to achieve high score	Maximum score
Community benefit from proposals	Demonstrate proposals for provision of retained and enhanced community provision, proposed users and uses	Existing groups retained within premises on similar terms to existing. Include policy for room hire charges, changes to current room allocation and timetabling for duration of lease. Significant expansion of local community services from the property Local organisation currently working in the building or the local community	15 10 5
Financial viability of proposals	Provide a 2 year income and expenditure cashflow identifying sources of income, an understanding of the use of the building and an appreciation of the total costs of occupying and running	No ongoing financial support required from the Council A viable cashflow which provides evidence of self-sustainability	10 10
Governance and track record of organisation	Details of the bidding organisation, legal identity, structure, personnel, experience, partnership with other groups	Established organisation with significant experience of managing property, delivering good employment practices and service provision	15
Financial standing of organisation	Documented evidence of the financial standing of the organisation (i.e. bank reference, audited accounts)	Established organisation with sound financial position	10
Rent offered	Provide an annual figure that the organisation is able to offer, including requirement for any rent free period	A rental is offered with the capability to pay being backed up by financial projections (Scoring criteria will compare levels of rent proposed)	5
Equality and inclusion	Documented evidence of equal opportunities policies	<ul style="list-style-type: none"> <li>Evidence of commitment to equal opportunities and promoting diversity</li> </ul>	5
Community impact	Provide details of any negative impact the proposals may have on neighbours and the local community e.g. parking, noise, hours of operation and how they will be managed	Minimal negative community impact including management plan for impact factors Provision of a Good Neighbour policy to evidence ability to co-operate in co-operation with neighbours	10 5









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## ***Public Spaces Protection Order (New Psychoactive Substances & Street Drinking)***

For consideration by: Neighbourhood Services &  
Community Involvement Scrutiny Commission

Date: 25<sup>th</sup> January 2017

Lead director: John Leach

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## Useful information

- Ward(s) affected: All
- Report author: Daxa Pancholi
- Author contact details: 0116 454 0203
- Report version number plus Code No from Report Tracking Database: 1

### 1. Purpose of report

- 1.1 The council together with partners is to consider establishing a city wide Public Spaces Protection Order to cover New Psychoactive Substances (NPS) and street drinking.
- 1.2 The purpose of this report is to provide;
- a) Details of the work undertaken to date to consider establishing a city wide Public Spaces Protection Order (PSPO) around the New Psychoactive Substances (the so-called legal highs) including the consultation findings and;
  - b) Plans to consult residents and communities of Leicester on the continuation of the current street drinking PSPO.

### 2. Summary

- 2.1 Public Spaces Protection Orders gives police additional powers within a designated area to tackle individuals taking NPS or street-drinking where it is associated with anti-social behaviour (ASB).
- 2.2 A Police Officer or Police Community Support Officer can in a designated area (if there is ASB):
- Require a person not to consume alcohol or take NPS
  - Require a person to surrender any alcohol or NPS in his/her possession
  - Dispose of the alcohol/ NPS
  - Arrest an individual if they fail to comply with the Officer's request.
- 2.3 Public spaces protection orders (PSPOs), which came into effect as part of the Anti-Social Behaviour, Crime and Policing Act 2014, are intended to deal with a particular nuisance or problem in a particular area that has a detrimental to the quality of life of those in the locality. They are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
- 2.4 The application of the PSPO is designed to be broad and focus on the impact that the anti-social behaviour is having on victims and communities. A PSPO can be made by the Council if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:
- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
  - is, or is likely to be, persistent or continuing in nature;

- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed by the PSPO.

2.5 Before a PSPO can be implemented, a consultation exercise must be carried out (along with relevant advertisement etc.) with the residents in the local community (and other persons specified in the legislation). Evidence is also required to demonstrate that it is desirable to have a PSPO in place within any specified area. Once a PSPO is in place, it must be reviewed every three years. If it is the case that 3 years pass without the PSPO being renewed, the PSPO will become unenforceable.

### **New Psychoactive Substances PSPO**

2.6 The Psychoactive Substances Act 2016 came into force on 26<sup>th</sup> May. The Act received Royal Assent, meaning the production, supply and importation of these potentially dangerous drugs is now prohibited nationwide.

2.7 The new legislation also gives police and other law enforcement agencies greater powers to tackle the trade in psychoactive substances, formerly known as 'legal highs', and will see offenders face up to seven years in prison.

2.8 The PSPO does not represent a ban on NPS (as taking NPS is not illegal); rather it allows for greater control over the use of NPS, where it is of a problematic nature – e.g. large groups intimidating residents/passers-by; and gives police additional powers within a designated area to tackle where there is associated anti-social behaviour (ASB).

2.9 The use of NPS, both alone and with other substances, can result in acute toxicity and serious harm. The use of NPS can also result to reduce someone's inhibitions, so they may do potentially harmful things they wouldn't normally do. They can cause paranoia, coma, seizures and, in rare cases, death. No one can ever be sure of what is in an NPS.

2.10 Large amounts of NPS paraphernalia has been found in the city centre and across all wards in the city including parks and open spaces by Police, cleansing staff etc. Therefore it was suggested that a citywide NPS Order may be beneficial and justifiable.

2.11 As a result, it was agreed that the residents and communities of Leicester will be consulted in order to determine whether there is any appetite for a PSPO around NPS. New Psychoactive Substance (NPS) Public Space Protection Order public consultation took place for 7 weeks from 13<sup>th</sup> September 2016 till 31<sup>st</sup> October 2016.

2.12 The consultation aimed to find out and determine:

- How much awareness there is amongst the public about New Psychoactive Substances and
- How much public support there is to enforce controls on the use of NPS by giving the police additional powers via the application of a PSPO.

2.13 At the conclusion of the consultation process, a total of 658 responses were received, including online and hard copies. The outcome of the consultation was that the majority, 86.02% of the 658 respondents stated that they would support the use of citywide NPS order, which would give the Police additional powers to deal with any ASB issues related to NPS.

### **Street Drinking PSPO**

2.14 In 2014, the council (with partners) undertook a consultation exercise and subsequently put in place a PSPO around street drinking, for the period January 2015 to December 2017 (three years).

2.15 A total of 660 responses to the consultation were received. The findings showed that a majority (83%) of the 660 respondents stated that they thought that street drinking was a problem in Leicester. A small minority of just under 9% of the 660 respondents felt that street drinking in Leicester was not a problem for them, with approximately 8% remaining undecided.

2.16 Over 73% of the 660 respondents supported the use of citywide street drinking order. Approximately 7% did not support the use of a citywide street drinking order and approximately 6% were undecided and approximately 15% chose not to answer this question.

2.17 As indicated at 2.5 above, after a three year period a PSPO must be renewed and as such officers have now instigated a consultation exercise from 16<sup>th</sup> January 2017 to 27<sup>th</sup> February 2017; for a period of 6 weeks to garner the views of the public on the continuation of the street drinking order. The guidance, consultation questionnaire and frequently asked questions are at Appendix 1.

### **3. Recommendations**

3.1 It is recommended that members of the Scrutiny Commission note and comment on the contents of this report.

### **4. Report:**

#### **New Psychoactive Substances Order**

4.1 Public Spaces Protection Orders ('PSPOs') were introduced by S.59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (this section came into force on 20 October 2014).

4.2 Public spaces protection orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

4.3 The council can make a PSPO on any public space within its own area. The definition of public space is wide and includes any place to which the public or

any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission, for example a shopping centre.

- 4.4 The PSPO does not represent a ban on NPS, as the taking of NPS is not illegal in itself; rather it allows for greater control over the use of NPS, where it is of a problematic nature – e.g. large groups intimidating residents/passers-by; and gives police additional powers within a designated area to tackle where there is associated anti-social behaviour (ASB).
- 4.5 The use of NPS, both alone and with other substances, can result in acute toxicity and serious harm. The use of NPS can also result to reduce people's inhibitions, so they may do potentially harmful things they wouldn't normally do. Use of NPS can cause paranoia, coma, seizures and, in rare cases, death. One can never be sure of what is in an NPS.
- 4.6 Large amounts of NPS paraphernalia has been found in the city centre and across all wards in the city including parks and open spaces by Police, cleansing staff etc. Therefore it was suggested that a citywide NPS Order may be beneficial and justifiable. .
- 4.7 To enforce control for use of NPS and any related anti-social behaviour, the authority need to adopt and implement enforcement via the Crime and Policing Act 2014 by utilising a city wide Public Spaces Protection Order (PSPO). A PSPO can prohibit or require specific things to be done, and failure to comply with it is a criminal offence.
- 4.8 The Psychoactive Substances Act 2016 came into force on 26th May. The Act received Royal Assent, meaning the production, supply and importation of these potentially dangerous drugs is now prohibited nationwide.
- 4.9 The new legislation also gives police and other law enforcement agencies greater powers to tackle the trade in psychoactive substances, formerly known as 'legal highs', and will see offenders face up to seven years in prison.
- 4.10 There are a number of risks and challenges to be taken into consideration with a citywide approach to NPS legal high orders, particularly with regards to human rights implications. However, through clear and targeted publicity, outreach work with problem groups/ individuals, and careful monitoring and management of enforcement, the authority should be able to mitigate these risks.
- 4.11 A PSPO Steering Group formed by the Community Safety Team consisted of various members and partner agencies, who contributed to the formation of the consultation document which outlined the opportunities for consultation and the responsible officer for pursuing each opportunity.
- 4.12 The Steering Group was essential to establishing the best approach to addressing this issue and contribute data which provided evidence of the detrimental effects of NPS. The main objectives of the Steering Group were to:
- Raise awareness of the effects of NPS and to
  - Consider the establishment of a PSPO related to NPS.

- 4.13 Multi agency teams and organisations involved in this work included: Police, City Cleansing, City Warden Services, Public Health, NHS, Parks & Open Spaces, Housing, Street based Youth Workers and Public Health.
- 4.14 An assessment for gathering evidence was carried out via Multi Agency data from Police, Housing, Outreach Workers, Street Based Youth Workers, Public Health, NHS and Parks & Open Space who have provided information for NPS citywide for the period 01/04/2015 to 31/03/2016, that is:
- Number of incidents
  - Number of sightings
  - type of paraphernalia such as wrappers and canisters
  - time of day or day of week re incidents/ sightings
  - Number of incidents and effects on health conditions
- 4.15 Before a PSPO can be implemented, a consultation exercise must be carried out (along with relevant advertisement etc.) with the residents in the local community (and other persons specified in the legislation). Evidence is also required to demonstrate that it is desirable to have a PSPO in place within any specified area. Once a PSPO is in place, it must be reviewed every three years. If it is the case that 3 years pass without the PSPO being renewed, the PSPO will become unenforceable.
- 4.16 New Psychoactive Substance (NPS) Public Space Protection Order (PSPO) public consultation undertook for 7 weeks from 13th September 2016 till 31st October 2016. From various venues e.g. Customer Service, Haymarket Bus Station, Youth Centres Housing Offices, Parks and Open Spaces, Libraries, Community Centres and religious places.
- 4.17 The consultation aimed to find out and determine:
- How much awareness there was amongst the public about New Psychoactive Substances and
  - How much public support there was to enforce controls on the use of NPS by giving the police additional powers via the application of a PSPO.
- 4.18 At the conclusion of the consultation process, a total of 658 responses were received, including online and hard copies. At the conclusion of the consultation, the majority 86.02% of the 658 respondents stated support the use of citywide NPS order, which would give the Police additional powers to deal with.
- 4.19 Over 523 respondents (79.48%) stated that they knew what NPS are. At least 437 respondents (66.41%) have had an experience with someone suspected of using NPS. Over 505 respondents (76.75%) thought that there is an NPS issue in Leicester.
- 4.20 252 respondents (38.30%) have had experience with both individual and groups using NPS. 72 respondents (10.94%) stated that their family had been affected by NPS. 330 respondents (50.15%) have experienced problems with NPS every day. Overall 430 respondents felt : 65.35% Littering, 57.45% Poor Health, 54.86% Intimidation, 51.52% Mood Swings, 49.09% Verbal Abuse, 47.20% Physical Abuse, 48.78% Noise and 30.55% Vulnerability saw problems caused by NPS.



## **Continuation of Street Drinking order**

- 4.21 At present Leicester City Council has implemented a PSPO in relation to street drinking, Police Officers are authorised to enforce the PSPO with the power to request people to stop drinking alcohol in a public place (if engaged in anti-social behaviour) and ask them to surrender the alcohol.
- 4.22 A PSPO is not an outright ban on street drinking. It is not an offence to consume alcohol in a public space; the offence is failing to comply with an officer's request to stop drinking or failing to surrender the item. The Police can make an arrest for street drinking related to anti-social behaviour (although this would not be under the provision of the PSPO). Street drinking is sometimes associated with anti-social behaviour, causing high levels of noise, rowdy and nuisance behaviour, harassment and intimidation of passers-by, as well as the littering of cans and bottles and urination in public spaces. There are further concerns with underage drinking, criminal damage and substance misuse. The previous street drinking order covered the city centre only, causing a displacement effect, therefore, a citywide order has now been introduced.
- 4.23 Signs are located in areas that suffer from the highest impact of alcohol related disorder, as well as main roads into the city. PSPOs will be in force all hours of the day, every day (unless any restrictions are specified within the PSPO by the local authority).
- 4.24 The Police Safer Neighbourhood Teams continue to patrol and respond to incidents as part of their community response. If someone commits an offence relating to the PSPO the outcomes available to the police are the following:
- No further action
  - Conditional Caution
  - Charge to court.
- 4.25 The option of issuing Fixed Penalty Notice (FPN's) is not be available to Leicestershire Police. Leicestershire Police are one of three forces (Staffordshire and West Yorkshire being the others) who have been chosen to take part in a Ministry of Justice Pilot Project looking at the way we use Out of Court Disposals for Adult Offenders in criminal cases. Out of Court Disposals (OOCs) are responses to crime that the police can administer locally without having to take the matter to court.
- 4.26 The current powers available to the police as a result of the PSPO have been used extensively in the city centre, accepting that more needs to be done across the city as a whole.
- 4.27 Police statistics indicate that in 2014 there were 613 street drinking incidents across the city area, through the use of the order in 2016 there were 467, which is a significant reduction of 24%. This evidence supports the view that the PSPO has assisted the police in reducing incidents of street drinking. Unfortunately, the police do not record alcohol related crime in a manner that would allow them to identify what crime is related to the street drinking.
- 4.28 From a police perspective, the power is an extremely helpful tool in helping them reduce alcohol based ASB in public places; this is particularly the case in the city centre and have commented that they would struggle to impact on street

drinking without this power. It gives the police the opportunity to take quick and decisive action to tackle an incident and then take more positive action against those who continue to abuse the PSPO regularly. As a result of this, the police are supportive of the continuation of street drinking PSPO.

- 4.29 The continuation of the street drinking order would allow for greater control of drinking where it is of a problematic nature especially in parks and open spaces. As PSPO can be applied to specific geographical locations shown to have issues with significant and persistent street drinking-related ASB which is having a detrimental effect on the quality of life of those in the locality, specific areas can be targeted. The legislation does not exclude the possibility of having a local authority wide PSPO provided that there is sufficient evidence to demonstrate that street drinking is a problem across the whole area.
- 4.30 In order to ensure that relevant residents, communities and groups are consulted. Presentations will be delivered to relevant strategic groups such as the Safer Leicester Partnership, Alcohol Delivery Group, Frontline Services Forum and Ward meetings. Paper copies for each of the PSPO questionnaires will be sent out to all libraries, community centres and customer service centres across Leicester along with a poster. A contact email address will be provided on the consultation for verbal queries and people will be advised to view the online consultation for an enlarged view of the map. An online frequently asked questionnaires (FAQs) document will also be made available for each of the PSPO consultations.
- 4.31 Staff from the Community Safety Team will visit the Council's Customer Service Centres to discuss the consultation and ask for views on the use of the continuation of the street drinking order to those individuals using the Centres. People of varying ages, gender and ethnicity will be approached.
- 4.32 Press releases will be put out by the Council's Communication Team with wide coverage in the media and in particular over BBC Radio Leicester. Contacts will be made with E-networks such as Voluntary Action Leicester, Democratic Services and the Housing Provider Forum. Reminders will be sent out by email at the halfway point of the consultation in order to encourage people to take part in the consultation.

### **Expectations**

- 4.33 It is intended that if there is support for on-going continuation of the street drinking order then both the NPS and street drinking orders will be established and enforced jointly throughout the city.
- 4.34 The joint PSPO would encourage greater consistency across the city in how the taking of NPS and/ or street drinking is addressed and managed. It will remove confusion over which streets/areas (or parts of) are covered by the order, and where the police can and cannot enforce powers.
- 4.35 If there is supporting evidence, then it is more practical that a PSPO covers the entire City rather than create a patchwork of PSPOs as issues arise. This will not only help operationally (as indicated above) but also in terms of time and effort needed in establishing new Orders.

4.36 There are also a number of risks and challenges to be taken into consideration with a citywide approach to street drinking and the taking of NPS, particularly with regards to human rights implications. However, through clear and targeted publicity, outreach work with problem street-drinkers and drug users, and careful monitoring and management of enforcement, the authority should be able to mitigate these risks.

#### **Resource requirements**

4.37 Funding will be required to meet the cost of producing street signs, leaflets, posters, and other publicity. Discussions are yet to be taken as to whether to continue with the current street drinking signs and install separate NPS signs OR to take down the current street drinking signs and agree on one joint sign for both street drinking and NPS. Depending on the decision made the costs associated with this will vary.

4.38 Also, funding will be required to pay for publishing the two statutory notices in the local newspaper; it is estimated that this will cost about £1,000 (£500/notice).

#### **Implementation**

4.39 Currently through discussions and joint working with the police, it is expected that police frontline staff will be trained on the use of the power, together with when and where to apply the order.

4.40 Furthermore, it is our expectation that the police will monitor the use of this power. Data will be collected on issues such as location, age and ethnicity of individuals where the order has been applied. This information will be collated and shared regularly with partners in order to ensure that services and enforcement activities are targeted where needed.

### **5. Financial, legal and other implications**

#### 5.1 Financial implications

The implementation costs have not been quantified in detail at this stage, and will be driven by the extent of publicity, signs, public engagement, etc., deemed to be required both before and after implementation. However, reasonable costs can be funded from the City Developments & Neighbourhoods budget. The implementation of a single city wide order should in any event be more cost effective than a more ad-hoc/reactive series of orders for specific areas.

Colin Sharpe, Head of Finance, Ext. 37 4081.

#### 5.2 Legal implications

The provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the 2014 Act') which sets out the powers and conditions of a Public Spaces Protection Orders (PSPO's) are due to come into force on 20 October 2014. PSPOs replace Designated

Public Place Orders (DPPOs) under the Criminal Justice and Police Act 2001.

PSPOs are designed to tackle a range of activities which have a detrimental effect on the quality of life of those in the locality. PSPOs provide a constable (or other authorised person as defined in the Act) ('officers') powers to take steps to tackle activities within the public place which are being carried out in contravention of the PSPO.

The conditions to be satisfied before a PSPO can be made are set out in S.59 of the Act and the procedure to be followed is set out in S.72. The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014, provides guidance on the publication of PSPOs as required by S.72 of the Act. Further guidance in relation to the making of a PSPO is set out in the Home Office Guidance Document (Anti-Social Behaviour, Crime and Policing Act 2014: reform of anti-social behaviour powers) July 2014.

Before a PSPO can be made the Local Authority must be satisfied (on reasonable grounds) that the following two conditions are met:-

1. That the activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or that it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
2. That the effect, or the likely effect, of the activities is (or is likely to be) of a persistent or continuing nature and which is such as to make the activities unreasonable and that this justifies the restrictions set out in the PSPO.

If it is the case that the above conditions are satisfied then subject to the procedure being followed to implement a PSPO, a PSPO can be put into effect following authorisation.

A PSPO gives powers to an officer to regulate the activity which is subject to the PSPO. However, it is important to note that a PSPO would not impose a ban on the activity within the designated area. In relation to the use of alcohol and/or psychoactive substances, unless their use is causing a detrimental effect (such as associated anti-social behavior), in the area subject to the PSPO, it would not constitute an offence.

An offence will be committed where in the event that the person does not stop using the substance/alcohol or fails to surrender it at the request of an officer. Such an offence can be subject to a fixed penalty notice or on summary conviction a fine not exceeding level 2 on the standard scale. These details should be relayed to the police and other authorised persons who will be enforcing the PSPO.

The PSPO can be drafted to cater for the requirements of any particular area with reference to the duration of the PSPO, the time of the day and period of time during which it is to be in effect and the specific areas in which it would operate.

Unlike the previous DPPOs, a PSPO will only be in force for a maximum period of 3 years from the commencement date. The Local Authority however has power under the Act to extend the duration of the PSPO or to revoke it as necessary.

It should be noted that even after following the relevant steps to bring into force a

PSPO, the PSPO may still be challenged by way of judicial review by anyone subject to it, within 6 weeks of making of the PSPO. If it is the case that the matter is going through judicial review then the Court may suspend the operation of the PSPO while the matter is considered.

In so far as a PSPO is concerned to regulate the use of psychoactive substances within Leicester, the proposal is legally compliant and falls within the ambits of the Act. The matter may require further consideration at the time that the terms of the PSPO are drafted to ensure that the prohibitions are reasonable.

Jeremy Rainbow – Principal Lawyer (Litigation), Ext. 371485

### 5.3 Climate Change and Carbon Reduction implications

There is no climate change implications associated with this report.

Mark Jeffcote

Senior Environmental Consultant, Ext. 37 2251

### 5.4 Equalities Implications

One aim of the three aims of our Public Sector Equality Duty is to foster good relations between different groups of people. As described in the report, the use of NPS and street drinking can give rise to anti-social behaviour which has the opposite effect of destroying public relations within public spaces because of the negative impacts of these activities – both in regard to the health of those taking part and to the reduction of social engagement in public places arising from the negative behaviours described. The proposed action will result greater opportunities for positive social engagement in public spaces for public users of these spaces and also promote opportunities for outreach work for NPS users and street drinkers which in turn could achieve positive impacts on their health and well-being. People across all protected characteristics could potentially benefit from the introduction of the proposed PSPO.

Irene Kszyk, Corporate Equalities Lead, Ext. 374147.

### 5.5 Other Implications

Section 17 Crime & Disorder Act: implications with regards to the duty of local authorities to consider the impact of their decisions and actions on crime and disorder in the local area.

Daxa Pancholi, Head of Community Safety, Ext 37 0203

**6. Background information and other papers:**

- a. Criminal Justice and Police Act 2001
- b. Violent Crime Reduction Act 2006
- c. Guidance on Designated Public Place Orders (DPPOs) for Local Authorities in England and Wales, Home Office, December 2008
- d. Anti-Social Behaviour, Crime and Policing Bill 2013-14
- e. City-Wide Street Drinking Order, Neighbourhood Services & Community Involvement Scrutiny Commission, 13th October 2014

**7. Summary of appendices:**

- a. Guidance, Questionnaire and Frequently Asked Questions (Continuation of Street Drinking order) – Appendix 1

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

No

**9. Is this a “key decision”?**

No

**10. If a key decision please explain reason**

# Appendix 1

## Overview

### Why We Are Consulting

Leicester City currently has a citywide Public Spaces Protection Order (PSPO) around street drinking, which was established in January 2015 and will end in December 2017. The PSPO gives police extra powers to deal with anti-social behaviour related to street drinking.

We are consulting in order to seek the views of residents and communities of Leicester on the continuation of the current Public Spaces Protection Order (PSPO) around street drinking. PSPOs last for a maximum of three years and now community consultation is required to determine how much public support there is to continue with the current street drinking Order to deal with anti-social behaviour related to street drinking within the city.

A PSPO is not an outright ban on street drinking. It is not an offence to consume alcohol in a public space; the offence is failing to comply with an officer's request to stop drinking or failing to surrender the item. The Police can make an arrest for street drinking related to anti-social behaviour.

is necessary as previous street drinking order has proven effective, however the ongoing occurrence such as high level of noise, rowdiness, littering, criminal damage and nuisance behaviour, anti-social behaviour, harassment and intimidation to passers-by is ongoing.

### Purpose

Public Spaces Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem (in a specified area) that is damaging the local community's quality of life; by imposing conditions on the use of that area which apply to everyone. They are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

The continuation of PSPO around street drinking will;

1. Allow council and police officers to continue to take action to protect our communities under the existing legal framework.
2. Allow police officers to make an arrest for any anti-social behaviour related to street drinking
3. Give officers the tools to tackle on-street alcohol consumption
4. Give greater control to deal with street drinking where it is problematic, especially in parks/open areas citywide.

## **Consultation Questions**

If you would prefer to complete this questionnaire online or for more info including a larger version of the map and a Frequently Asked Questions (FAQ) guide – then please visit the Street Drinking consultation available at: <http://consultations.leicester.gov.uk>

**1. Do you think that street drinking continues to be an issue in Leicester?**

Yes  No  Undecided

**2. Have you ever had a problem with street drinkers?**

Yes  No  Prefer not to say

*If you have not been personally affected by Street Drinking then please skip to Question 3.*

**a. Was the problem with?**

An individual  A group

**b. And how regularly was this problem for you?**

Every day  3-4 times a week  2-3 times a month  2-3 times a year

**c. Where did this occur?** (Try to be as exact as possible - i.e. name of park, street, place, postcode etc.)

**d. What was the type of problem caused by the Street Drinkers?**

Noise  Verbal abuse  Physical abuse  Intimidation  Littering

Other \_\_\_\_\_

**3. Do you think that the current order has helped in dealing with street drinking?**

Yes  No  Undecided

**4. Do you support the continuation of a citywide street drinking order?**

Yes  No  Undecided

**5. If there anything else you would like to say about the subject then please use the space below:**



**6. To help us analyse responses - please give us your postcode:**

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Thank you for your time, if you have any queries regarding this process then contact: Priti Narshi, Community Safety Assistant ([Priti.Narshi@leicester.gov.uk](mailto:Priti.Narshi@leicester.gov.uk))

Please return completed forms to: Priti Narshi, Community Safety, Leicester City Council, Phoenix House, 1 King Street, Leicester LE1 6RN

## **FAQs**

### **1. What are the concerns and issues with street drinking?**

Street drinking is sometimes associated with anti-social behaviour, causing high levels of noise, rowdy and nuisance behaviour, harassment and intimidation of passers-by, as well as the littering of cans and bottles and urination in public spaces. There are further concerns with underage drinking, sexual activity, criminal damage and substance misuse.

### **2. What are Public Spaces Protection Orders (PSPO)?**

Public spaces protection orders are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. The order could also be used to deal with likely future problems.

Only a local authority could issue the order, and before doing so, they must consult with the chief officer of police, the Police and Crime Commissioner and any representatives of the local community they consider appropriate. The behaviour must also be ongoing or persistent (or there must be a reasonable belief that future behaviour will be ongoing or persistent).

### **3. Can I be stopped or arrested for carrying alcohol in public spaces?**

A PSPO does not make it illegal to carry alcohol or to drink alcohol in a public place; as long as drinking is done responsibly, a PSPO will only be used to tackle alcohol related anti-social behaviour or disorder. Under these circumstances police will have the power to stop people drinking alcohol and seize or confiscate alcohol within the controlled area.

### **4. Do police already have these powers?**

Police have powers of arrest for criminal offences that can be linked to alcohol. However, it is only an offence to refuse to comply with an officer's request to stop drinking alcohol or to surrender alcohol when asked, where a PSPO is in operation. Where there is no PSPO in operation, it is not an offence alone to refuse to surrender alcohol, although any related anti-social behaviour is.

### **5. Would people still be able to drink or hold alcohol bottles outside pubs?**

Yes. The PSPO does not make it illegal to drink alcohol in a public place. However, if a person was to drink beyond the legal boundary of a licensed premise and they do not stop drinking if asked to do so by a police officer or police community support officer, then they could be at risk of regulation.

### **6. What about street parties and events in parks?**

Events within a public place authorised by a premises license or a Temporary Event Notice (TEN) will be excluded from the Police PSPO powers.

### **7. Will there be any extra policing to enforce the PSPO?**

No. Police Safer Neighbourhood Teams will continue to patrol and respond to incidents as part of their community response.

**8. Are there time restrictions on a PSPO?**

PSPO will be in force all hours of the day, every day.

**9. What are the benefits of citywide a PSPO?**

The main benefits of a PSPO are to reduce street drinking. Additional benefits include a safer city and a healthy environment, whilst reducing harmful consumption of alcohol and protecting vulnerable people.

**10. Any other information?**

If you or someone you know has an alcohol related problem, there is help available. You can contact:

If you or someone you know has a drug related problem, there is support available. Please contact:

Turning Point

Telephone: 0330 303 6000

Referrals: [LLreferrals@turning-point.co.uk](mailto:LLreferrals@turning-point.co.uk)

Website: <http://wellbeing.turning-point.co.uk/>





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## ***Citywide Voluntary and Community Sector Support***

Neighbourhood Services & Community Involvement  
Scrutiny Commission

25 January 2017

Lead director: Miranda Cannon, Director of Delivery,  
Communications and Political Governance

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## Useful information

- Ward(s) affected: All
- Report author: Andrew Shilliam, Head of the City Mayor's Office
- Author contact details: 0116 454 0131 / [andrew.shilliam@leicester.gov.uk](mailto:andrew.shilliam@leicester.gov.uk)
- Report version number: v.01

### 1. Purpose of report

- 1.1 To provide an update on the arrangements for citywide support to the Voluntary and Community Sector (VCS).

### 2. Summary

- 2.1 The Council is currently in the final year of a three year agreement where we receive services from Voluntary Action LeicesterShire (VAL) to (1) strengthen and enhance the Voluntary and Community Sector (VCS) across Leicester; (2) develop better collaboration between VCS organisations and establish a collective identity and voice; and (3) to identify, promote and fulfil volunteering opportunities.
- 2.2 This agreement is coming to an end (September 2017) and we are currently in the process of considering what future support arrangements might be possible given the current financial challenges faced by the Council. This report explains more fully the current position of this review.

### 3. Recommendations

- 3.1 That the Scrutiny Commission considers the current VCS support arrangements in place; and
- 3.2 That the Scrutiny Commission makes any necessary representations around the future of the support arrangements which will then be formally considered as part of the consultation process.

### 4. Voluntary Action Leicester – current agreement

- 4.1 Our current three year arrangement with VAL concludes in September 2017, and combines three separate agreements, the detail of which is covered later in this report. The services which these agreements relate were procured as three separate opportunities, partly to encourage a variety of providers to come forward.
- 4.2 These contracts are:
- Providing infrastructure support to the city's Voluntary and Community Sector (£140,000pa);
  - Supporting collaboration & guaranteeing a collective voice for the city's Voluntary and Community Sector (£53,000pa); and

- Supporting Volunteers and Volunteering in the City (£83,000pa).

4.3 The total cost of £276,000pa is funded through a contribution of £5,000pa from the Office of the Police and Crime Commissioner (OPCC), £45,000pa from the local Clinical Commissioning Group (CCG), and a net yearly cost to the Delivery, Communications and Political Governance division of £226,000pa.

4.4 At this stage we do not anticipate that the OPCC and the CCG will continue to provide funding to the same extent as current levels for any future arrangements, if at all. This will be clarified in the coming weeks.

4.5 Each of the above agreements has some clear expected outcomes, all of which were identified at the point of commissioning and which VAL are monitored against.

4.6 **Supporting collaboration and guaranteeing a collective voice for the city's Voluntary and Community Sector**

4.7 The following outcomes are expected from this agreement:

- Bring together the city's VCS groups and organisations on matters of common concern and mutual interest, promoting collaboration and partnership working.
- Guarantee a collective voice for the city's VCS groups, organisations and service users.
- Establish and maintain effective communication and regular dialogue within the city's Voluntary and Community Sector.
- Establish and maintain effective communication and regular dialogue among the city's VCS groups and organisations collectively and Leicester City Council (and its partners and stakeholders).
- Establish and maintain effective communication and regular dialogue between the city's VCS groups and organisations collectively and relevant contacts in the Private Sector.
- Support the city's VCS groups and organisations in seeking out, evaluating and implementing ways to become sustainable (by, for example, maximising opportunities to leverage external funding).
- Share and help make sense of data and information, especially related to the City Council's policy and service development affecting the Voluntary and Community Sector.
- Disseminate news and information from the City Council, especially related to policy and service development affecting the Voluntary and Community Sector.
- Ensure that issues related to the city's VCS groups, organisations and service users receive appropriate consideration within the policies and operations of the City Council (and its partners and stakeholders) leading to improved design, delivery, monitoring and review of services.
- Cooperate with relevant partners and stakeholders to support engagement of the city's VCS groups and organisations across the range of protected characteristics (as defined in the Equality Act 2010).

#### **4.8 Providing infrastructure support to the city's Voluntary and Community Sector**

4.9 The following outcomes are expected from this agreement:

- Offer a programme of information, advice, guidance and training aimed at establishing a baseline of knowledge and skills for groups and organisations in the city's Voluntary and Community Sector.
- Reflect the diverse and varied nature of the city's Voluntary and Community Sector by providing different kinds of support to different kinds of groups and organisations.
- Provide differentiated support, not only for frontline personnel, but also for board members, directors and trustees of groups and organisations in the city's Voluntary and Community Sector.
- Identify issues of shared concern to groups and organisations in the city's Voluntary and Community Sector and tailor support to those concerns.
- Strengthen a sense of common purpose and mutual support among groups and organisations in the city's Voluntary and Community Sector by sharing good practice and learning from experience.
- Encourage adaptability, flexibility and innovation among groups and organisations in the city's Voluntary and Community Sector, so that they might be better equipped to meet current challenges.
- Increase capacity and capability of groups and organisations in the city's Voluntary and Community Sector to deliver appropriate services more effectively.
- Help groups and organisations in the city's Voluntary and Community Sector become more self-sufficient and sustainable.
- Offer mainstream support to groups and organisations representing communities in the city which are normally considered "hard to reach" or "difficult to engage".
- Update the city's Voluntary and Community Sector on national legislation and local policy related to the Sector.

#### **4.10 Supporting volunteers and volunteering in the city**

4.11 The following outcomes are expected from this agreement:

- Brokerage: "match both individuals and groups interested in volunteering with appropriate opportunities in the local community [holding] information on a comprehensive range of opportunities. [...] offer potential volunteers support and advice matching their motivation to volunteer with appropriate volunteering opportunities."
- Marketing Volunteering: "stimulate and encourage local interest in volunteering and community activity. This may include promoting and marketing volunteering through [...] events and campaigns."
- Good practice development: "promote good practice in working with volunteers to all volunteer-involving organisations, [...] deliver training and accreditation for potential volunteers, volunteers, volunteer managers and the volunteering infrastructure."
- Develop volunteering opportunities: "work in close partnership with statutory, voluntary and private sector agencies as well as community groups and faith groups to develop local volunteering opportunities. [...] understand the potential offered by the local communities and work with them to realise this potential. [...] target specific groups which face barriers



to volunteering. [...] work creatively to develop imaginative, non-formal opportunities for potential volunteers.”

- Policy response and campaigning: “identify proposal or legislation that may impact on volunteering. [...] lead and/or participate in campaigns on issues that affect volunteers or volunteering. [...] campaign proactively for a more volunteer-literate and volunteer-friendly climate.”
- Strategic development of volunteering: “As the local experts on volunteering [...] inform strategic thinking and planning at a regional and national level.”
- Recognise the value of volunteering as meeting a range of objectives (e.g. as a route into employment; supporting health and well-being; helping those who are more vulnerable as a result of mental health conditions).
- Acknowledge the different types of volunteers and more explicitly support the recruitment of those with appropriate skills to serve as Board members and trustees.
- Share and help make sense of data and information, especially related to City Council’s policy and service development affecting volunteers and volunteering.
- Give something back to volunteers.

4.12 In practical terms these outcomes can be translated into the following types of support to be provided as part of the current agreements;

- Discussing matters of common concern and mutual interest, collaboration and working in partnership with other VCS groups or organisations;
- Supporting a collective voice for the city's VCS groups, organisations and service users;
- Maintaining regular dialogue with other VCS groups and organisations about issues important to the city's Voluntary and Community Sector;
- Looking at ways to become more sustainable (e.g. maximising opportunities to leverage external funding);
- Sharing and making sense of data and information (especially related to the city council's policy and service development affecting the Voluntary and Community Sector);
- Information about setting up and running a VCS group or organisation;
- Developing funding applications;
- Sharing good practice in effective governance;
- Sharing good practice in financial management;
- Information about funding opportunities;
- Marketing and communications;
- News and information from the city council (especially related to policy and service development affecting the Voluntary and Community Sector);
- Raised issues of shared concern and received tailored support to address these concerns;
- Information about good practice of other VCS groups and organisations;
- Advice and support to change working / operational arrangements so that your group or organisations might be better equipped to meet current challenges;
- Advice, assistance and support to help your group or organisation become more self-sufficient and sustainable;
- Support for your group or organisation to reach potential clients or service

- users considered "underserved", "difficult to reach" or "hard to engage";
- Information, advice and support about changes to national legislation and local policies and practices affecting the Voluntary and Community Sector;
- Recruiting and retaining volunteers;
- Marketing volunteering opportunities;
- Sharing good practice regarding volunteering;
- Training for volunteers and managers of volunteers;
- Support to develop volunteering opportunities; and
- Recruiting and assisting volunteers to serve as board members, directors and/or trustees.

#### 4.13 **Future proposals**

- 4.14 The Council recognises the vital role that the city's many voluntary and community organisations play in supporting positive work and providing a wide range of services in the city, and remains committed to supporting a vibrant, wide-ranging and effective voluntary sector in the city. This commitment is clearly outlined within the 2015 'Labour in Leicester' Local Government Manifesto.
- 4.15 We are currently considering the extent of any future support to the VCS and are seeking people's views now through the 'Voluntary and Community Sector Support Services' consultation (open from 18 Nov 2016 to 3 Feb 2017).
- 4.16 People can take part in this survey in one of three ways: on behalf of a local VCS group or organisation; as someone who uses services provided by a VCS group or organisation; or as a member of the public with an interest in how the city council supports the Voluntary and Community Sector in Leicester.
- 4.17 As part of this consultation exercise we are particularly interested in finding out:
- How often the support services available have been accessed
  - Whether they are considered useful
  - Which of those services are most valued
  - What outcomes, if any, have been achieved as a result of the support
  - How the Council can continue to support VCS organisations
- 4.18 The intention is to develop, where possible, a better understanding of the support services that are considered most valuable and therefore an indication of those that we should consider retaining within any future arrangements. Once this is completed and if it is decided to go to the market once again for services similar to those currently provided a formal procurement process will be undertaken.
- 4.19 The Neighbourhood Services & Community Involvement Scrutiny Commission is invited to consider the current arrangements and the services that have been provided to date.
- 4.20 Any views that the Commission may wish to make about the value of these services, what services (if any) should be considered for retention, and finally what other types of support should be considered for inclusion in any future

arrangements will be considered as we look

#### 4.21 **Timeline**

4.22 In order to identify a set of new priorities and (if necessary) to commission a new provider/providers the following timeline is proposed:

<b>Activity</b>	<b>Date</b>
Report to Neighbourhood Services & Community Involvement Scrutiny Commission	25th January 2017
Consultation ends	3 <sup>rd</sup> February 2017
CM/Executive update and draft proposals	February 2017
Neighbourhood Scrutiny update and draft proposals	March 2017
Executive decision re future contract etc.	April 2017





## ***Response to the Leicester Advice Sector: A report outlining the risk and demands in the city***

Briefing for: Neighbourhood Scrutiny & Community  
Involvement Commission

To be taken on: 25<sup>th</sup> January 2017

Lead director: Alison Greenhill

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## Useful information

- Ward(s) affected: All
- Report author: Caroline Jackson
- Author contact details: 0116 454 2501 and [Caroline.Jackson@leicester.gov.uk](mailto:Caroline.Jackson@leicester.gov.uk)
- Report Version: 1.4

### 1. Purpose of report

1.1 This report responds to the issues raised in the annual Social Welfare Advice Partnership (SWAP) Report. (Appendix 1)

### 2. Summary

2.1 Members of the NSCI Scrutiny Commission received a report from the SWAP in July 2016 which provided information on the advice sector and the challenges and risks they face. This report forms the Council response to the SWAP report.

### 3. Main report

3.1 The second annual SWAP report offers valuable insight into operational issues the city's advice agencies face and also provides example case studies to illustrate the impact on city households.

3.2 The issues raised have been responded to in turn, along with some broader analysis and potential ways to mitigate these issues.

#### 3.3 Welfare Rights Service (WRS) Report

##### a) Employment & Support Allowance (ESA) reassessment

The report highlights that 16,000 claimants could face reassessment<sup>1</sup> however whilst the number of ESA claimants is at an all-time high, DWP statistics appear to demonstrate that the number of claimants facing imminent reassessment has declined. As of February 2016<sup>2</sup>, 3,800 claimants (23.3%) in Leicester were due for reassessment, compared to 4,300 (27.6%) at the same time last year. Clearance times and the number of people waiting for their first medical assessment have fallen considerably and the DWP anticipate this will continue.

Concerns with the suitability and capacity of the existing provider have been raised locally through the SWAP forum with the DWP liaison officer particularly in relation to accessibility and appointments for highly disabled customers. The DWP are responding to these issues and undertaking home visits, where required, as per their contract. Analysis of local statistics relating to benefit sanctions and caseloads can be found in Appendix 2.

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<sup>1</sup> ESA assessments are now conducted by the private contractor, Maximus, following the termination of the previous government appointed provider, Atos.

<sup>2</sup> This is latest data available.

## **b) Disability Living Allowance (DLA) transition to Personal Independence Payments (PIP)**

PIP is a non-means-tested, non-taxable cash benefit that clients can choose how to spend. It is assessed on a different set of criteria to DLA, where people need to score a certain number of points in relation to 12 everyday activities. PIP is made up of two components, compared to DLA having three.

Approximately 2.3% (360) of current DLA claimants, in Leicester, are due to be reassessed in the next 12 months as their DLA award is ending. In addition, new claimants or current DLA recipients, who have experienced a change in their circumstances, will move onto PIP.

The Advice Sector has advised that clients tend to receive a lower award where there has been a change of circumstances. SWAP is monitoring this to establish if the anticipated income reduction differs from the policy projection.

Since July 2015, long-term working-age claimants have also been contacted to re-apply. The latest data demonstrates that over 3,000 had already made this transition by February 2015. Also, that over 5,500 had been assessed as eligible for PIP in the two years to February 2016.

If the transition to PIP is to be completed by 2018, the rollout will need to continue at a similar pace (250-350 per month) and will therefore remain a high-priority.

## **c) New rules for European Nationals**

The high level of 'right to reside' appeals indicates a continued impact on European Nationals, claiming Job Seekers Allowance. The Government's response focuses on repatriating over-stayers.

There are a number of policies and initiatives in place to reduce and support individuals and families facing this issue. These include:

- No Second Night Out - endeavours to address repeat rough sleeping;
- Community Support Grant – offers emergency one-day food parcels to those struggling to access welfare benefits, together with a mandatory emergency appointment with Citizen's Advice who will meet with the customer to support, advise and collate evidence. They will also make benefit applications in order to establish a 'right to reside' for benefit purposes;
- Direct access to CSG for clients of Citizens Advice Leicestershire, Community Advice and Law Service, STAR and The Bridge Project (homeless mental health support);
- Children's Services Section 17 funding – this safeguards and promotes the welfare of children, who are in need. It provides a range of services to enable parents to raise their children in a way that meets their children's needs.

- Access to furniture and charitable assistance, provided by Leicester Charity Link.

#### **d) Sanctions and Appeals**

We concur with the SWAP comments on the introduction of Universal Credit sanctions and appeals, and we will be monitoring this situation. The number of sanctions, applied across Leicester, demonstrates a continuing downward trend.

- JSA, which is an income based benefit, has reduced by 24% (4,380) on the previous year<sup>3</sup>;
- JSA sanction rates have reduced at a higher rate than the reduction in caseload, from 4.9% affected per month in March 2015 to 2% per month in February 2016;
- The ESA (Income related) caseload increased by 6% (16,210) in 2015/16;
- ESA sanction rates have halved to less than 5 per month during 2015/16;
- Overall, monthly sanction cases in Leicester have more than halved over the last 2 months.

Sanction rates have also declined nationally at a similar rate from a high watermark in October 2013, following responses to the Oakley Review (Work and Pensions Committee) and the trialling of a new 'yellow card' sanctions system from 2016, which allows an additional 14 days for claimants to give reasons for failing to meet commitments. SWAP has worked closely with the Jobcentre Plus Liaison Manager to minimise the impact this policy had on residents in the city.

The monitoring undertaken by SWAP provides an insight into why sanctions are being applied and over one third of those presenting for advice, where a sanction applies, are classified as disabled. SWAP will continue to monitor this and will liaise with Jobcentre Plus, in order to mitigate any impact.

#### **3.4 Advice Leicester Partnership (ALP) Report**

The 'Advice Leicester' project was funded through the Big Lottery's Advice Services Transition Fund which established a common, web-based referral system. Although this funding has now ended, the organisations within the partnership continue to work together to ensure customers are accessing services most appropriate for their needs.

The ALP outreach advice provision in schools and GP surgeries has provided additional local access to advice. This service has now ceased however ALP are currently looking for alternative funding sources to continue this work. ALP members also attend and contribute to the work of the Social Welfare Advice Partnership (SWAP).

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<sup>3</sup> February 2016



We note the comments in relation to the loss of face to face services and this will be considered during the re-procurement exercise.

### **3.5 Universal Credit – Citizen’s Advice LeicesterShire Report**

On 25<sup>th</sup> January 2016, Universal Credit (UC) began its gradual introduction in Leicester for single, childless JSA (IB) claimants through the ‘live service’.

Everyone who receives Universal Credit will be placed in a conditionality group based on their circumstances and work capability. This will determine what is expected of people during their claim.

- Group 1 - No work related requirements
- Group 2 - Work-focused interview only requirement
- Group 3 - Work preparation requirement
- Group 4 - All work-related requirements

Thought it might be useful to set the context above but sure what to put here about the impact on single parents.

From 25 January 2016 to 31st March 2016, there were 388 Universal Credit claimants in Leicester, with only five Housing Benefit claims closed. This indicates the vast majority of UC claimants have either no rental liability, were new claimants without a Housing Benefit live claim or adult children in a household without a liability.

The current caseload is expected to increase slowly until the ‘digital full service’ is introduced, replacing all new claims for housing benefit, tax credits, jobseekers allowance, income support and employment & support allowance from late 2018. Migration of long-term claims will then continue until 2022.

The authority has signed up to a DWP-funded year and two month contract to provide Universal Support to customers in order to help them access the internet and provide personal budgeting support facilitated by Citizen’s Advice LeicesterShire to Universal Credit claimants. Revenues & Customer Support continue to work in partnership with the DWP and third sector organisations to mitigate the barriers identified in developing our Universal Support offer in the following areas:

### **3.6 Universal support**

#### **a) Internet access**

- Expanded computer and wireless access available at the Customer Service Centre, Libraries and JobCentre Plus. City locations have been mapped and promoted on LCC website at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit);
- Development of a user-friendly kiosk digital offer rolled out across outreach hub locations across the city, now available in Pork Pie Library and St Matthews;

- Mapping of digital assistance sites through the third sector promoted through the DWP in partnership with SWAP at [www.ukonlinecentres.com](http://www.ukonlinecentres.com). Further work to map the availability and expertise of IT skills workshops and training. This will be done in partnership with SWAP.

**b) Client capacity (Literacy, language and IT skills)**

- A referral system has been established, which operates from the Customer Service Centre and is also available at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit), enabling customers and support workers to self-serve. Library staff provide assistance to customers to enable them to use the Council's computers to access application routes easily. IT skills workshops, on an intensive one-on-one or group basis, and additional qualifications are encouraged through referrals to the Adult Education College.
- More intensive support is provided through a referral to Citizens Advice where Universal Credit customers are treated as priority cases and seen within an hour.
- Online supported access is available through triage floorwalkers at both CSC and Libraries, enabling assistance with accessing the UC claim website, determining what evidence is required to complete a claim, and UKONLINE modules explaining UC and the claim process. To date, fifty Universal Credit claimants have received support from the CSC or Libraries to complete their claim;
- For customers with no IT skills, for example those customers with severe literacy/language/disability issues, referrals are made to Citizens Advice LeicesterShire (CAL) for electronic form filling services. Staff have received additional training and materials to facilitate this. The CAL volunteer base covers all the main languages spoken in the City including those of emerging Arabic communities; and an additional translation service is booked where the customer identifies a specific need. CAL also encourages family member support and translation where appropriate and available.

**c) Client knowledge (financial capability)**

- Contracted service through Delivery Partnership with the DWP – financially vulnerable UC claimants will be identified from their initial work coach appointment and referred for Personal Budgeting Support to the Local Authority.

Contract variation was agreed with CAL to deliver a tailored service to improve financial capability, including managing on a monthly payment, priority debts and budgeting, setting up a bank account and accessing appropriate financial support.

Monitoring and reporting arrangements will ensure that where Alternative Payment Arrangements (APAs) are appropriate (for example managed payments to landlords) these will be requested at an early stage. Only three referrals to date have been received from the DWP and therefore further

awareness training has been completed, in partnership with their staff, to highlight this issue. Thirteen appointments with UC customers have been successfully completed by CAL;

- Those missed in the initial interview process on UC are able to self-refer for support, either directly with CAL or through self-referral, or a support worker, at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit). Feedback to the DWP will then lead to APAs being put in place and allowances are made towards their job search conditionality requirements, where time for budgeting assistance has been necessary. To date, 39 referrals have been received through this route, with particularly successful joint working established with the Housing Income Management Team.
- Continued promotion of assistive services, including debt and specialist benefit advice available through CAL, Welfare Rights and other SWAP partners such as Community Advice and Law Service (CALS). The service has developed a new Financial and Debt Advice Booklet signposting all appropriate statutory and discretionary support for UC claimants. This booklet has been advertised and distributed to all the city's jobcentres, emailed to all new UC claimants and published on the advice pages of the Council's website.

#### **d) Client behaviour**

The Council has introduced the following measures:

- Targeted Communications Plan focusing on advice agencies and frontline services explaining Universal Credit operationally, how to access relevant financial support through DWP and Council, and referrals for additional support through [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit);
- Increased awareness through a variety of communications media including: new debt advice booklet, change in circumstances leaflets, advice booklet, PFA guide, EEA guide, travel aid pass leaflet, Jobcentre Plus banners for use in their offices, awareness training delivered to Jobcentre Plus frontline staff on Alternative Payment Arrangements, Universal Support and Leicester City Council discretionary funding, social media, website updates. All were distributed and communicated to advice agencies and frontline services. Posters were placed in libraries and community centres, and briefings were given to councillors, landlords and other stakeholders;
- Continued development, in partnership working between the DWP, Local Authority and the voluntary sector, to promote coordinated sharing of information and timely, appropriate support to influence client long-term behaviour;
- The developments of closer partnership working, as evidenced by the recently redeveloped Leicester Emergency Food Network (LEFP) and improved engagement through the Community Support Grant Crisis Support Scheme have already demonstrated the benefits of this approach.

#### **4. Summary**

- 4.1 The Local Authority values the contribution and commitment SWAP makes to the city's advice provision. We welcome their continued contribution to the partnership and recognise the valuable part they play informing the Local Authority's strategic planning for Social Welfare Advice.
- 4.2 The Council has developed a targeted communications plan focusing on advice agencies and frontline services which provides details about:
- Universal Credit from an operational perspective
  - How customers can access relevant Universal Support, including digital and financial support through the DWP and the Council;
  - Referrals for additional support through [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit)
- 4.3 A Mystery Shopping exercise has tested the training given to front line staff in Universal Credit services at the main Customer Service Centre at 91 Granby Street and libraries, since implementation. The overall result has demonstrated a high level of Universal Credit awareness and basic 'problem-solving'. Areas for improvement include signposting to the currently commissioned services and a programme of improvement has been developed where needed.
- 4.4 Increased awareness through social media, leaflets and guides were distributed through advice agencies and frontline services, posters in libraries and community centres, and briefings to councillors on welfare reform; universal credit; briefing notes and FAQs on a number of relevant subjects. Welfare Rights have also briefed councillors on PIP and EEA Nationals. In addition, landlords and other stakeholders.
- 4.5 Continued development in partnership working between the DWP, Local Authority and the SWAP partnership to promote coordinated sharing of information and timely, appropriate support to influence client behaviour.
- 4.6 The Local Authority values the contribution and commitment the SWAP make to the City's advice provision. We welcome their continued contribution to the partnership and recognise the valuable part they play informing the Local Authority's strategic planning for Social Welfare Advice to ensure we meet the advice needs of those who most need it in Leicester.

#### **4. Details of Scrutiny**

This is the second annual report of the Social Welfare Advice Partnership to scrutiny.

## 5. Financial, legal and other implications

### 5.1 Financial implications

There are no financial implications for the City Council arising directly from this report. However, any specific proposed initiatives that might arise would need to be properly costed and resourced.

Colin Sharpe, Head of Finance, ext. 37 4081

### 5.2 Legal implications

There are no legal implications arising directly from this report as it is for information only.

Emma Horton, Head of Law (Commercial, Property & Planning) ext. 37 1426

### 5.3 Climate Change and Carbon Reduction implications

There are no climate change implications arising from this report.

Mark Jeffcote, Senior Environmental Consultant, ext. 37 2293

### 5.4 Equalities Implications

The SWAP report on the experiences of benefit claimants in the city, particularly in response to sanctions, and the Council's report responding to the issues identified by SWAP provide an excellent overview of the operational issues in the delivery of benefits locally that have in the past given rise to negative impacts on recipients.

Changes being made by DWP and the effectiveness of challenging DWP decisions, demonstrate that there is scope to improve outcomes for recipients through partnership action.

Page 9 of Appendix 2 provides an analysis of the profile of JSA caseloads and those receiving sanctions, by disability and ethnicity. The following protected groups are over-represented in terms of their proportion of the city's population as cited in the 2011 census: disabled (30% sanctioned compared to their being 13.3% of the population); Black ethnic background (13% sanctioned compared to their being 6.2% of the population); White ethnic background (55% sanctioned compared to their being 50.6% of the population). The proportion of Asians sanctioned (25%) is significantly under-represented in terms of their being 37.1% of the City's population.

Irene Kszyk, Corporate Equalities Lead, ext. 37 4147.

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

None.

## 6. Background information and other papers:

- SWAP response paper presented July 2016:  
<http://www.cabinet.leicester.gov.uk:8071/documents/g7521/Public%20reports%20pack%20Wednesday%2006-Jul-2016%2017.30%20Neighbourhood%20Services%20and%20Community%20Involvement%20.pdf?T=10>
- SWAP paper presented January 2016:  
<http://www.cabinet.leicester.gov.uk:8071/documents/g6965/Public%20reports%20pack%20Thursday%2007-Jan-2016%2017.30%20Neighbourhood%20Services%20and%20Community%20Involvement%20S.pdf?T=10>
- DCLG Homelessness Prevention and Relief Statistical Release January to March 2016:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/533099/Statutory\\_Homelessness\\_and\\_Prevention\\_and\\_Relief\\_Statistical\\_Release\\_January\\_to\\_March\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/533099/Statutory_Homelessness_and_Prevention_and_Relief_Statistical_Release_January_to_March_2016.pdf)
- Communities and Local Government Homelessness Inquiry 2015:  
<http://www.publications.parliament.uk/pa/cm201617/cmselect/cmcomloc/40/4002.htm>
- Benefit Sanctions: Beyond the Oakley Review, Work & Pensions Committee October 2015:  
<http://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/news-parliament-2015/benefit-sanctions-committee-report-15-16/>

## 7. Summary of appendices:

1. Appendix 1: Leicester Advice Sector: A report outlining the risks and demands faced in the City of Leicester based on data for the year to 31 August 2016.
2. Appendix 2: Analysis of local welfare reform data 2015/16

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

No

9. Is this a “key decision”?

No



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## ***Social Welfare Advice Partnership report year to 31 August 2016***

September 2016

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# Leicester Advice Sector

A report outlining the risks and demands faced in the City of Leicester

Based on data for the year to 31 August 2016

Social Welfare Advice Partnership





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## **1. Introduction**

This is the second report of the Social Welfare Advice Partnership (SWAP) to the Assistant City Mayor responsible for Advice and Welfare Reform at Leicester City Council. The aim is to provide information about the advice sector and the risks that could threaten advice provision in the city. The Advice sector in the City has worked collaboratively since 2010, and meets on a monthly basis to discuss and debate new reforms and issues in the city. The value of having a lot of people in the same room who are 'close to the ground' is that they can provide an invaluable 'reality check' on strategy and assist with implementation plans.

The principles of the partnership:

- Share information about advice provision issues in the city and expected future changes and issues relating to social welfare advice provision and its objectives
- Share best practice in providing advice services and solutions
- Collaborate in providing solutions to advice need and provision in Leicester through effective and supportive joint working between organisations
- Raise issues, identify risks and make suggestions to decision makers to inform the implementation of the Social Welfare Advice Strategy 2014-17 and the provision of advice services and projects in the city
- Raise awareness of advice issues in the city and the work of SWAP.

## **2. Report from Welfare Rights Service**

### **The Impact of disability benefit changes:**

#### **2.1 Employment Support Allowance (ESA)**

There are over 16,000 people on ESA in Leicester who are medically assessed by Maximus on a regular basis. As a result, a number of people lose benefit and need help to challenge the decision where it is incorrect. A current issue is backlogs and delays with reassessments, coupled with problems about the lack of suitability of the Leicester venue. It is not suitable for claimants who cannot use the stairs. Appointments are given for Nottingham and claimants are being refused home visits by Maximus, even where medical evidence is provided showing difficulty travelling.

#### **2.2 Personal Independence Payment (PIP)**

From July 2015 reassessments started on existing Disability Living Allowance claimants, to see if they are entitled to the new Personal Independence Payment. There are still over 7,000 working age DLA claimants in Leicester to be reassessed. Around 20% will lose all their benefit due to the tougher rules and others will see benefit reduced. Around 2,500 disabled city residents will lose substantial benefit income and will want to challenge their decision. Leicester City Council Welfare Rights Service identified that between January and August 2016 out of 261 appeal hearings they provided representation for, 163 (62%) were for PIP appeals and over 80% were successful.

#### **2.3 New rules for European Nationals**

From February 2015 all existing European nationals who receive income based Jobseekers Allowance (ibJSA) have been subject to the new Genuine Prospect of Work (GPOW) test. If they do not have compelling evidence such as an offer of employment their Jobseekers Allowance will stop and this will trigger Housing Benefit to stop, leaving them without disposable income and facing eviction UNLESS they have an alternative or permanent right to reside. The onus will be on individuals to provide evidence of any alternative right to reside. SWAP appeals monitoring in the 2015/16 financial year has identified 74 disputed right to reside decisions. Of the 63 challenges pursued 60 were won and only 3 lost, indicating the need for help to challenge poor quality decision making in this area. SWAP has raised this issue and delays in claims for EU nationals with local MPs. Check the factsheet on [www.leicester.gov.uk/welfarerights](http://www.leicester.gov.uk/welfarerights) for more information or email [welfare.rights@leicester.gov.uk](mailto:welfare.rights@leicester.gov.uk) for advice on an individual case.

## **2.4 Welfare Rights Service Sanction: Case Study**

There has been a reduction in sanctions reported to advice agencies in 2015/16. However with the introduction of Universal Credit sanctions can be extended to those claimants working part time who do not make enough effort to find more hours.

### **Case Study**

Mr W approached the Welfare Rights Service because he had nil income due to a three year sanction on his Jobseekers Allowance. In fact he had 6 separate sanctions spanning over an 11 month period for not 'actively seeking work'. None of the sanctions had been challenged or appealed despite the fact that sanctions are often applied incorrectly. Welfare Rights Service submitted late appeals for each of the sanctions and these were accepted. All the appeals were heard at the same time and all six appeals succeeded because the judge accepted Mr W had been taking at least '2 steps each week and often considerably more to actively seek work'. Mr W was finally paid £3764.80 Jobseekers arrears and his Jobseekers Allowance reinstatement prevented loss of an additional £7529.60 for the remaining period of the sanction.

## **2.5 Welfare Benefits Sanctions Monitoring Project**

During the year, members of the SWAP Forum have continued to monitor the impact of the DWP's sanctions regime. In addition to the monitoring form which is completed by advisers, we have created a form for use by clients themselves. The data is collated by the Community Advice and Law Service, with reports being presented to the SWAP forum on a quarterly basis. Fewer sanctions have been reported this year than in previous years, following the introduction of the "yellow card" warning system, but our data indicates that a sanction often has a devastating effect on the ability of the individual and their family to manage their finances and to meet essential living costs. We have found for example that:

- In 17% of cases, the person sanctioned had dependent children
- 33% of those sanctioned stated that they had a mental or physical disability or a learning disability
- Only 50% of those sanctioned stated that they were advised by the DWP that they could apply for a hardship payment
- 50% of those sanctioned were referred to a food bank as they could not afford adequate food
- 100% of those sanctioned stated that the reduction in income left them unable to meet the cost of food, rent and utilities

Case studies for individuals who have experienced a sanction are included at appendix A (Case Studies).

## **2.6 Appeals Monitoring Project**

Darren Moore from the City Council's Welfare Rights Service collates data on appeals conducted by members of the SWAP Forum, and these reports are presented at the monthly SWAP meetings. Appeals monitoring from April 2015 to March 2016 identified 509 appeals or mandatory reconsiderations that raised almost £2.5 million in income for Leicester residents. Information gathered shows:

- 352 (69%) appeals are for benefits related to ill health or disability (PIP, ESA)
- 74 (15%) appeals concern "right to reside"
- Excluding withdrawals, the success rate for PIP appeals and reconsiderations is 86%, for ESA its 88% and for right to reside, 97%.
- Income generated as a result of successful appeals and considerations amounts to £2.47 million in the course of a year – a large proportion of which is likely to be spent locally

The high success rate of appeals indicates that decision-making is often poor. For example a claimant approached LCC Welfare Rights Service after losing his PIP appeal. A Housing Association worker had attended as representative but had not prepared the case. This decision was overturned by WRS and after seeking medical evidence and preparing a submission his case was eventually successful and he received an extra £138 per week and £12k arrears. Clients' stories illustrate the consequences for individuals and families of the refusal or termination of a claim: for example: a lone parent with 2 children had her tax credits terminated (losing over £100 per week) because her ex- partner had not changed his address details. This took 6 months to resolve and in the meantime she accrued gas and electric arrears leading to the installation of a prepayment meter and the need to ask for food parcels to feed her children. Her mandatory reconsideration was finally successful and over £2.6k arrears were paid.

Further examples of successful appeal cases are given at the end of this report at Appendix A (Case Studies)

### **3. The Advice Leicester Partnership (ALP)**

#### **3.1 Background**

Advice Leicester is a partnership of 10 not-for-profit advice agencies in the city, which provide advice on a range of social welfare law matters, principally welfare benefits, debt, housing, immigration and community care. The partnership is led by the Community Advice and Law Service (CALs) and includes both community-based and city-centre organisations.

#### **3.2 “Advice Leicester”**

This collaborative project was funded through the Big Lottery’s Advice Services Transition Fund from August 2013 to July 2015. The funding enabled us to establish a common, web-based referral system, enabling clients to be referred promptly to the appropriate source of help. All members (other than the CAB and AgeUK which have their own case management systems) used the AdvicePro web-based case management system and most have retained this following the ending of the project. AdvicePro includes the facility for group reporting, which has enabled us to gather and analyse data from all our members about demand for advice services.

Towards the end of the Advice Leicester project, all members conducted a survey with clients in order to assess the impact of the project, particularly with regard to the aim of improving access to advice services. A survey of 108 clients indicated that 87% had found it easy or very easy to gain access to advice services.

Our conference “Breaking Leicester’s Poverty Cycle: can advice help?” held on 11 March 2015 was one of the highlights of the Advice Leicester project and enabled us, in collaboration with colleagues from the VCS and statutory sectors, to identify strategies for developing client-centred services which aim to address a range of problems linked to poverty and disadvantage. Despite the ending of the funding for “Advice Leicester”, we have sought to maintain the momentum generated by the conference, and to continue the initiatives implemented through that project.

#### **3.3 Summary of activities for 2015/16**

During the year to April, 2016, ALP has undertaken the following principal activities:

**(1) Advice Service in schools:** we have continued to provide weekly advice sessions at Sparkenhoe Primary School in Highfields and Barley Croft Primary School in Beaumont Leys. The services are co-ordinated by CALs and delivered by advisers from CALs, the Race Equality Centre (TREC) and the Bangladeshi Youth and Cultural Shomiti (BYCS). We have obtained funding from Beaumont Leys, Spinney Hills and Stoneygate wards to support the continuation of the advice sessions and at the time of writing are continuing to pursue other sources of funding, from charities and trusts, to enable us to expand the project to include

other schools. There is significant demand for the service, particularly at Sparkenhoe School, where we work in close co-operation with family support staff. Approximately 75% of the enquiries presented concern welfare benefits entitlements, appeals against refusal/withdrawal of benefits and matters related to obtaining or retaining housing.

- (2) Advice Service in GPs' Surgeries:** we resumed our advice sessions at the Saffron Group Practice in collaboration with Mosaic Shaping Disabilities and Saffron Resource Centre. A proposal was submitted to the Leicester CCG to deliver advice sessions at the 4 "health hubs" planned for the city. Although this was met with enthusiasm initially by the officers concerned, we have had no further response and consideration of the proposal appears now to have lapsed pending plans for the re-organisation of health services in the city.
- (3) A whole systems approach to meeting the needs of vulnerable clients:** we have held further discussions about a "systems change" project with members of ALP and of the Reaching People consortium and with the AdviceUK network. We have heard recently that an application to the Lankelly Chase Foundation has been successful and we expect to begin work on an initial pilot project later this year.
- (4) Assessment of the need for face-to-face advice:** the implementation of the Transforming Neighbourhood Services plans in certain areas of the city, in particular the loss of face-to-face services, has increased pressure on neighbourhood-based VCS advice services. ALP members have raised concerns about the impact of the TNS programme upon vulnerable clients who are least able to use telephone or internet-based methods of access to advice services. A survey was conducted during April 2016 and the findings were reported to the SWAP Forum. Of 87 clients surveyed during April, 38% stated that they had previously used Leicester City Council Services (the local Housing Office, Income Management Team, STAR); 9% said that the service they had previously used had closed; 22% said that they were unable to use telephone or on-line advice and information services.

## **4. Partnership Working**

### **4.1 Emergency Food Network**

50 agencies attended the event Addressing Food Poverty in Leicester City, with speakers and round table working to discuss food poverty and emergency food provision in the city.

The recommendations from this event have helped establish the Emergency Food Partnership, which is beginning to develop an effective partnership between a group of food providers and partners within the city.

### **4.2 Crisis Support**

As part of the support provided to clients who are referred to the city food bank, an appointment is arranged with Citizens Advice LeicesterShire to provide additional and ongoing support. This work involves immigration support, benefits eligibility and applications, income maximisation, financial capability and debt advice.

### **4.3 Partnership working: a case study**

A 23yr old male client was referred to Citizens Advice LeicesterShire through the local authority for assistance with benefit eligibility. The client was being supported through Social Services due to being granted emergency custody of their child, an infant aged 9 months old, provided that he gave up employment to care for the child. This left the client needing emergency accommodation and benefits information. The client was supported with accommodation through the local authority and was then referred to us for an emergency appointment to clarify their benefit eligibility and to make urgent applications. The client was seen several times by Citizens Advice advisors, and communication was ongoing between Citizens Advice, Social Services and Housing Options to ensure effective partnership working. The client was allocated urgent housing, financial crisis support through Social Services and was supported to apply for housing benefit, council tax reduction, child benefit, child tax credit and income support with Citizens Advice LeicesterShire.



## **5. Universal Credit: Citizens Advice LeicesterShire Update**

Leicester City began its first Universal Credit claims from January 2016. Universal Credit (UC) will continue to be rolled-out gradually by the Department of Work and Pensions and it replaces six benefits. New claimants to Universal Credit may be in work on low pay or out of work.

In 2014/15, households in the East Midlands received an average of £5,683 in cash benefits – approximately 16% of their total income. Citizens Advice has estimated the loss in benefits from welfare reforms from 2010 to 2015 as £563 per year; this is likely to reach £1,612 per year by 2020/21.

Benefits that UC will replace:

- Housing Benefit
- Child Tax Credit
- income-related Employment and Support Allowance
- Income-based Jobseekers Allowance
- Income Support
- Working Tax Credit

Initially, Universal Credit applications will only be taken from new claimants who are single and aged 18 to 60 and 6 months. The full eligibility criteria for new claimants to UC can be found here: [https://about.universalcredit.service.gov.uk/kms/Pages/Eligibility\\_for\\_Universal\\_Credit.htm](https://about.universalcredit.service.gov.uk/kms/Pages/Eligibility_for_Universal_Credit.htm)

The positive impact for working claimants, particularly those in part-time work with irregular hours should will that they are financially 'better off', although this has been reduced by the reduction in work allowances from 2016. The aggregation of benefit awards into a single claim may also mitigate some of the loss of income from unclaimed benefits, which according to the DWP in 2013/14 amounted to between 55% and 88% of all benefit entitlement.

The perceived negative impacts are that the claim has to be made online and may create a problem for those who do not have access to a computer or are unable to use one. Universal Credit will be paid monthly and this will raise budgeting issues for some claimants.

Key findings on the barriers around the transition to Universal Credit include:

- 95 per cent agree they would benefit from having a choice to be paid fortnightly;
- 80 per cent agree they would benefit from having rent paid directly to their landlord;
- 21 per cent would struggle having their benefit paid to one bank account in the household.

As reported previously, research conducted by Citizens Advice where 950 clients were interviewed about Universal Credit highlighted capability concerns in the following areas:

- Monthly Payments
- Budgeting
- Banking
- Staying Informed
- Getting Online

Locally, Citizens Advice LeicesterShire has developed a suitable advice framework to support clients who could be affected by capability issues. Citizens Advice LeicesterShire is contracted to deliver the Local Authority's Personal Budgeting Support (PBS) service, setting up a referrals network with the Department of Work and Pensions and the Local Authority to deliver advice and support. These appointments offer clients budgeting tips, keep them informed of the changes happening to their benefits, for example payment in arrears and implications associated in paying landlords directly, understanding priority debts and where to access online support.

As a part of Citizens Advice LeicesterShire commitment to research and campaigns, it has also conducted Basic Bank Account research within the city, to ascertain how well informed frontline banking staff supports clients who need to open or access bank accounts. This report has now been made available to the Local Authorities Anti-Poverty Initiatives Project. Representatives from the organisation also took part in the Leicester City Council Landlords Forum.

Citizens Advice has identified the barriers that exist around successful transition to Universal Credit. 9 out of 10 clients will need support to manage the transition in one or more of the following capability areas (as above).

Citizens Advice acknowledges that these barriers can be caused because of:

- External factors, such as lack of access to the internet;
- Client capacity such as literacy,
- Client knowledge including financial capability; and
- Client behaviour, for example how a client responds to the change.

Since undertaking Personal Budgeting Support in January 2016, Leicester City has seen clients failing to engage due to the barriers listed above. To mitigate these factors the service has formulated a robust framework with the local authority and

other referral partners. It has initiated training a DWP job centre staff meetings on problem noticing training to support those who may experience barriers in applying for Universal Credit.

Although take-up has been lower than predicted, Citizens Advice LeicesterShire is confident that the framework in place will provide timely and practical support once rollout is increases to include families and other legacy benefits.

## **6. Universal Support**

Building on the valuable findings established by SWAP as outlined above, Revenues & Customer Support are working in partnership with the DWP and third sector organisations to mitigate the barriers identified above in developing our Universal Support offer in the following areas:

### **6.1 Internet access**

- Expanded computer and wireless access available at the Customer Service Centre, Libraries and JobCentre Plus across the city, mapped and promoted on LCC website at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit);
- Development of user-friendly kiosk digital offer rolled out across outreach hub locations across the city, starting with Pork Pie Library;
- Mapping of digital assistance sites through the third sector promoted through the DWP in partnership with SWAP at [www.ukonlinecentres.com](http://www.ukonlinecentres.com)

### **6.2 Client Capacity (literacy/language/IT skills)**

- Referral system established operating from CSC and [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit) enabling customers or support workers to attend a form completion appointment at their nearest library, followed by IT skills workshops on an intensive one-on-one or group basis, and additional qualifications available through referrals to Adult Education;
- Online supported access available through triage floorwalkers at both CSC and Libraries, enabling assistance with accessing the UC claim website, what evidence is required to complete a claim, and UKONLINE modules explaining UC and the claim process;
- For customers with no IT skills, i.e. severe literacy/language/disability issues, referrals to Citizens Advice for electronic form filling services – CA staff have received additional training and materials to facilitate this.

### **6.3 Client Knowledge (financial capability)**

- Contracted service through Delivery Partnership with the DWP – financially vulnerable UC claimants will be identified from their initial work coach appointment and referred for Personal Budgeting Support to the local authority. Contract variation agreed with CA to deliver a tailored service to improve financial capability including managing on a monthly payment, priority debts and budgeting, setting up a bank account and accessing appropriate financial support. Monitoring and reporting arrangements will ensure that where Alternative Payment Arrangements are appropriate (for example managed payments to landlords) these will be requested at an early stage;
- Those missed in the initial interview process on UC are able to self-refer for support, either directly with CA or referred by themselves or a support worker at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit). Feedback to the DWP will then lead to APAs where appropriate and allowances towards their job search requirements where budgeting assistance has been necessary;
- Continued promotion of assistive services, including debt and specialist benefit advice available through Citizens Advice, Welfare Rights and other SWAP partners such as CALS.

### **6.4 Client behaviour**

- Targeted Communications Plan focusing on advice agencies and frontline services explaining Universal Credit operationally, how to access relevant financial support through DWP and Council, and referrals for additional support through [leicester.gov.uk/universalcredit](http://leicester.gov.uk/universalcredit);
- Increased awareness through social media, leaflets and guides to be distributed through advice agencies and frontline services, posters in libraries and community centres, and briefings to councillors, landlords and other stakeholders;
- Continued development in partnership working between the DWP, local authority and the voluntary sector to promote coordinated sharing of information and timely, appropriate support to influence client behaviour long-term.

**SWAP Report Editors:**

Dawn Mason, Citizens Advice LeicesterShire

Darren Moore, Welfare Rights Service, LCC

Glenda Terry , CALS

**31 August 2016**

## **Appendix A**

### **Case Studies**

#### **Sanctions Monitoring**

- “the sanction is causing me distress. I feel that I was wrongly sanctioned because I informed the Job Centre of my health condition...”
- “the client has been struggling financially and has been reliant on food banks and family for food parcels”
- “I have been unable to pay my utility bills during the period of the sanction...”
- “Luckily Housing Benefit will cover my rent, but I will be unable to pay my other bills and will have to try to catch up when my pay starts again...”

#### **Appeals Monitoring**

- Ms A was responsible for 3 children and her tax credit was stopped due to a dispute as to whether her work was genuine. There were delays of over 5 months sorting out a new claim and this led to a summons for eviction. Her appeal succeeded and the overpayment of £26k was written off.
- Right to reside case client was unable to buy food, cooked on a camping stove and was unable to get maintenance repairs completed. The reconsideration failed despite strong evidence but the appeal was successful after specialist intervention with an award of £139 per week and £12k arrears.
- Community Psychiatric Nurse referral for a paranoid schizophrenic who was refused PIP leading to loss of £110 per week at reassessment, causing financial hardship. Following a successful appeal his award increased to an additional £143 per week

## **Appendix B**

### **Membership of the Social Welfare Advice Partnership, Leicester.**

<b>Organisation</b>	<b>Representative's Job Title</b>
Citizens Advice Leicestershire	Branch Manager
Age UK Leicestershire and Rutland	Head of Information & Advice
Somali Development Services	Founder & Chief Executive Officer
Asra	Bids & Fundraising Manager and also Moneywise manager
DWP	DWP Relationship Manager
The Race Equality Centre	Senior Race Equality Officer
Zinthiya Trust	Founding Trustee
ALP at Highfields Centre	Advice Leicester Development Worker
Community Advice and Law Service(CALS)	Advice Services Manager
Community Advice Law Service	Advice Services Development Deputy Chair (1)
Leicester City Council (LCC)	Head of Revenues & Customer Support
LCC Revenues & Customer Support	Revenues & Benefits Manager
CYPS	CYPS Cluster Manager
LCC Welfare Rights service	Team Leader Deputy Chair (2)
LCC Estate management and tenancy Support	STAR Senior Manager
LCC Homelessness Prevention & Support	STAR Private Sector Team Leader
LCC Housing services	Income Collection Manager







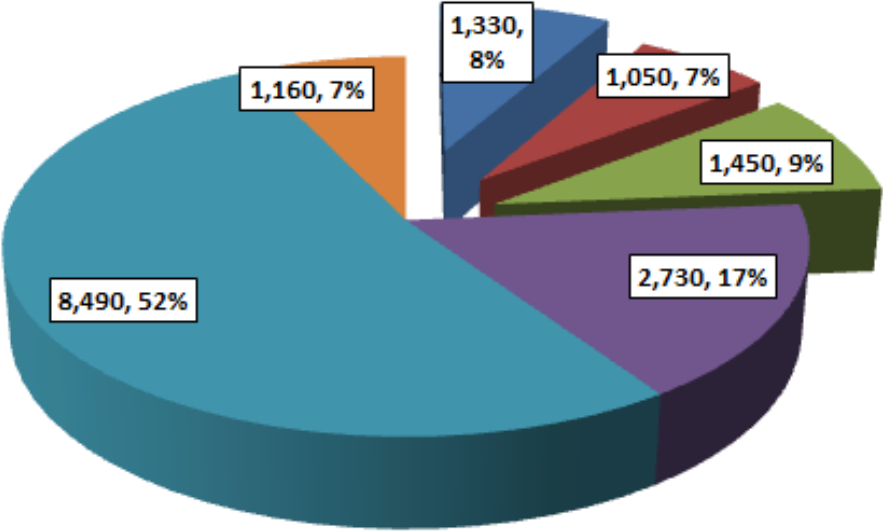
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## ***Analysis of local welfare reform data 2015/16***

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ESA reassessment date	Up to 3 months	3 to 6 months	6 to 12 months	12 to 24 months	2 to 5 years	5 years +	Total ESA caseload
Claim volume	1,330	1,050	1,450	2,730	8,490	1,160	16,210
% of caseload	8.20%	6.48%	8.95%	16.84%	52.38%	7.16%	100.00%

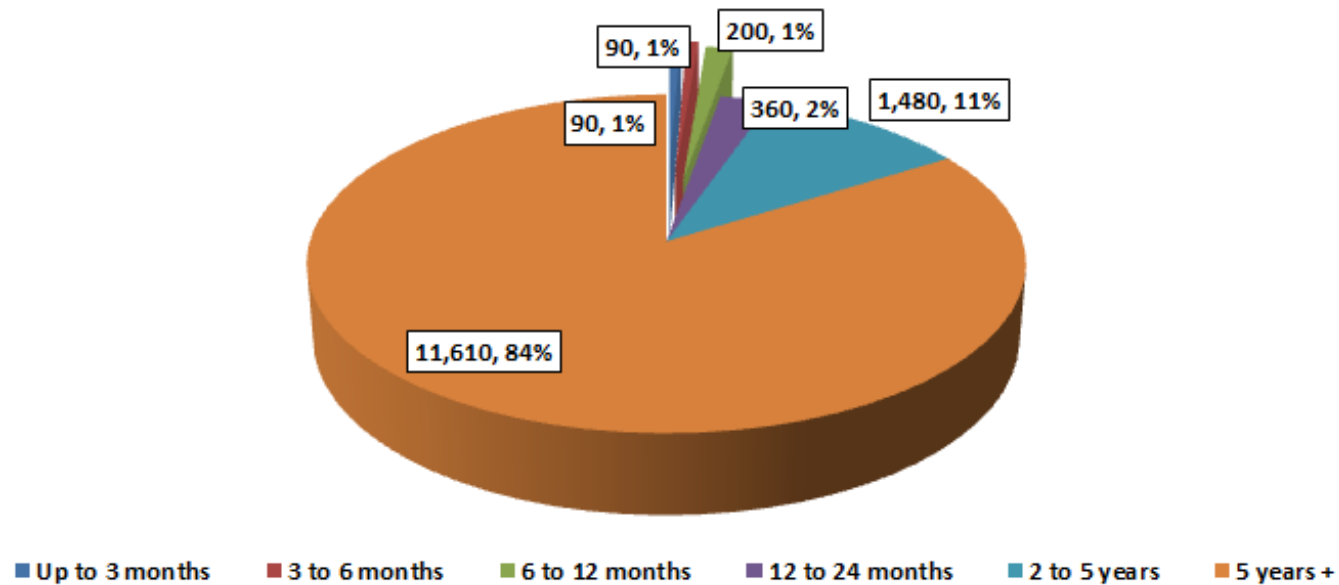
**ESA caseload in Leicester by reassessment date as of February 2016**



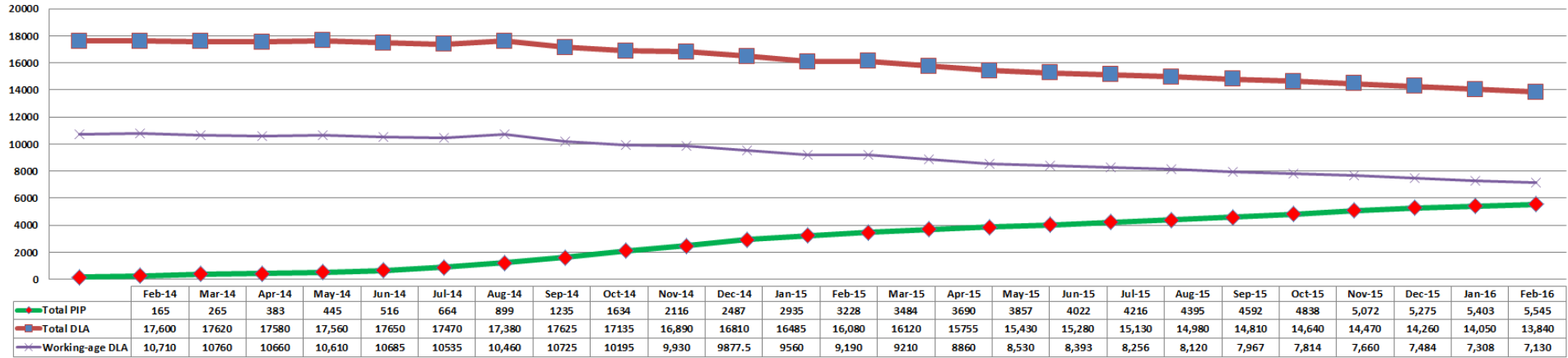
■ Up to 3 months   ■ 3 to 6 months   ■ 6 to 12 months   ■ 12 to 24 months   ■ 2 to 5 years   ■ 5 years +

DLA reassessment date	Up to 3 months	3 to 6 months	6 to 12 months	12 to 24 months	2 to 5 years	5 years +	Total DLA caseload
Claim volume	100	80	180	360	2040	12,660	15,430
% of caseload	0.65%	0.52%	1.17%	2.33%	13.22%	82.05%	100.00%

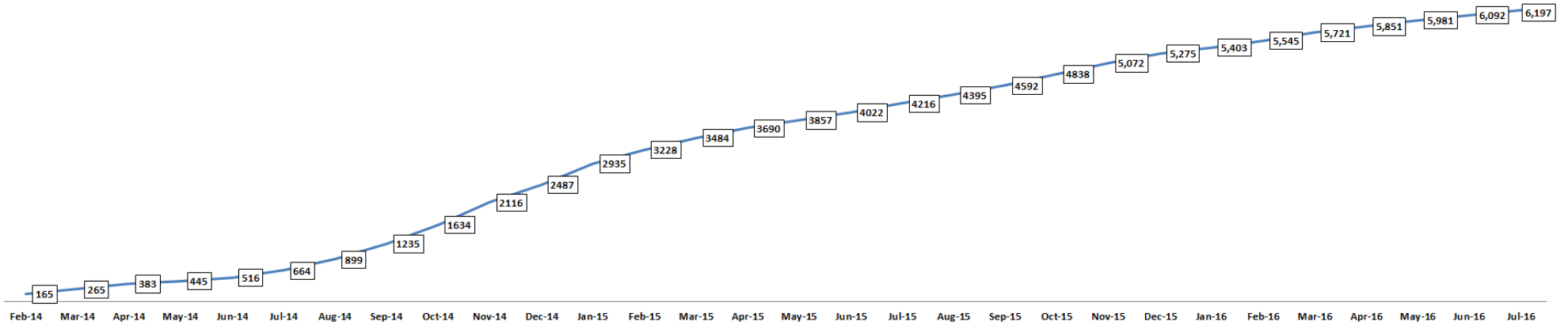
### DLA caseload in Leicester by reassessment date as of February 2016



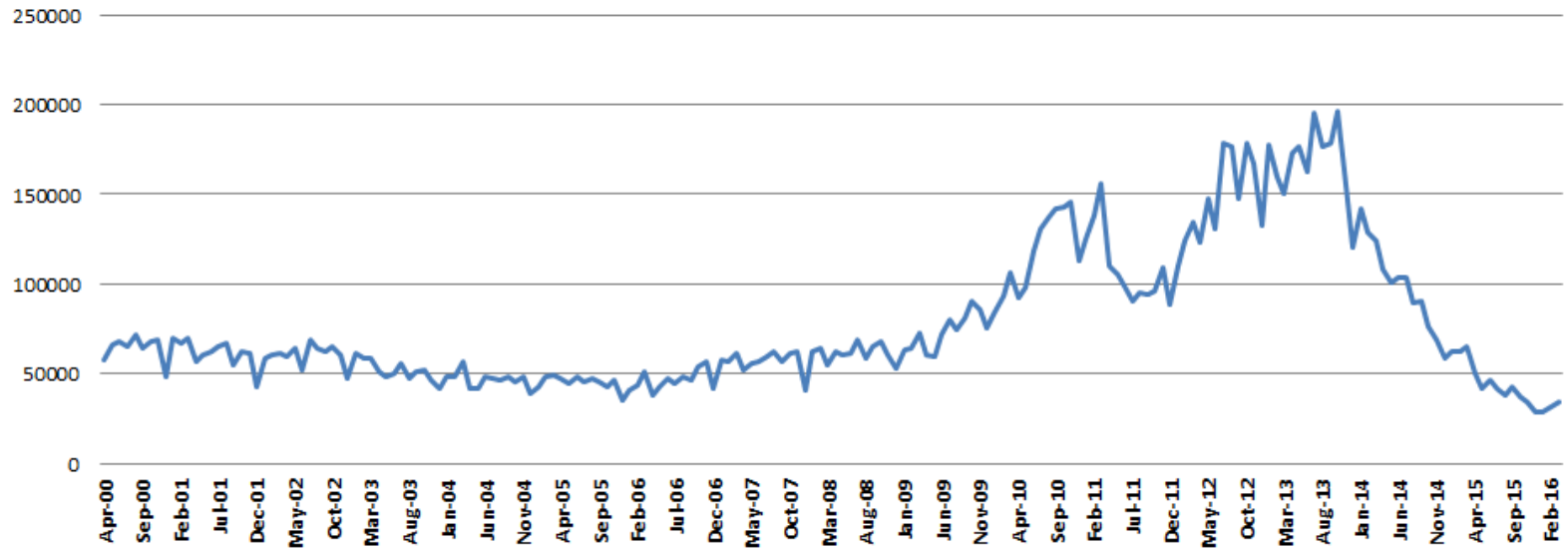
PIP & DLA caseloads in Leicester 2014 - 2016



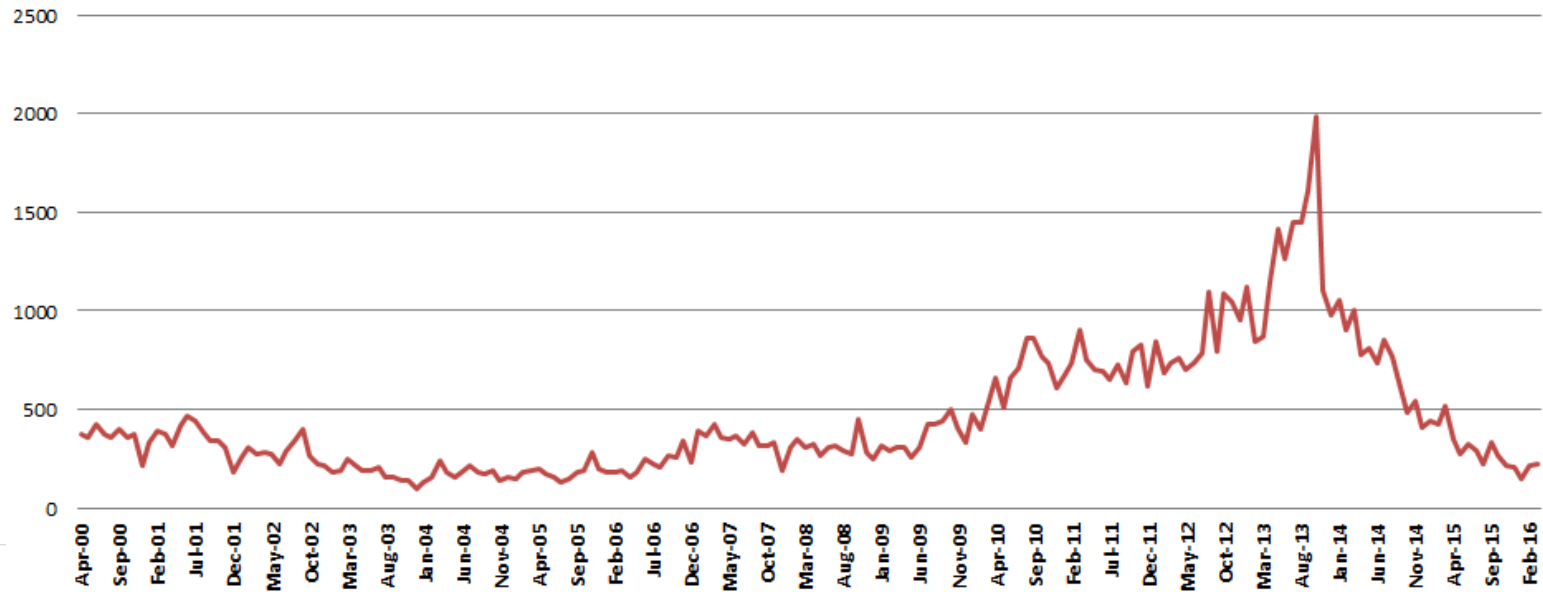
PIP caseload in Leicester 2014 - 2016



JSA sanctions applied monthly in Great Britain 00/01 to 15/16

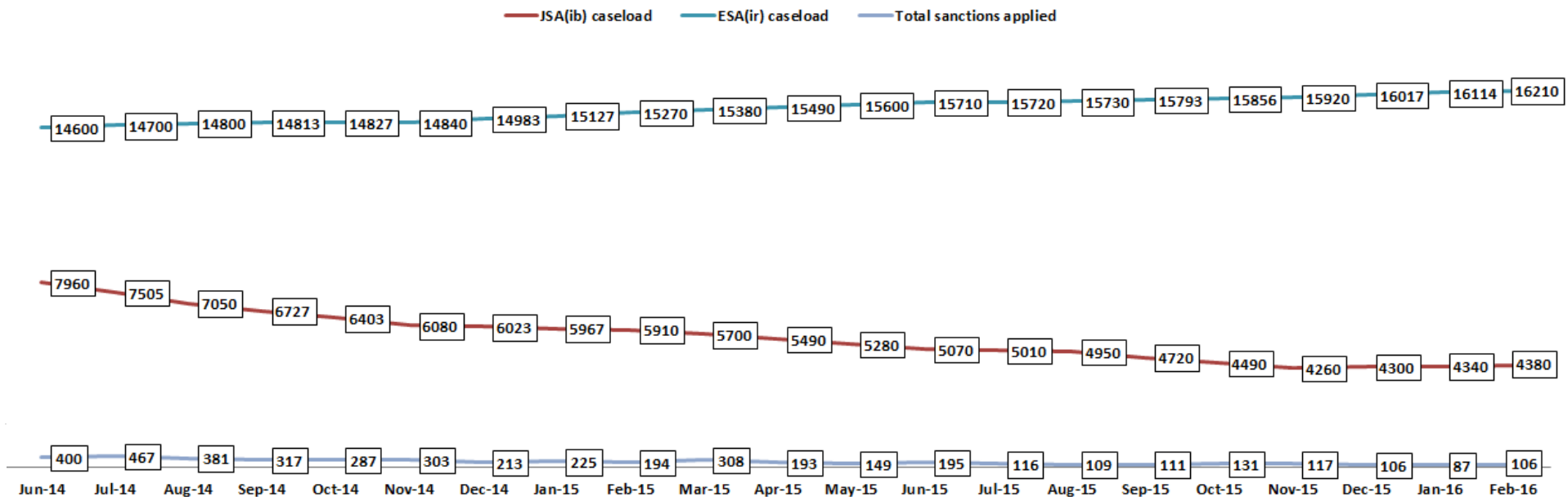


JSA sanctions applied monthly in Leicester 00/01 to 15/16



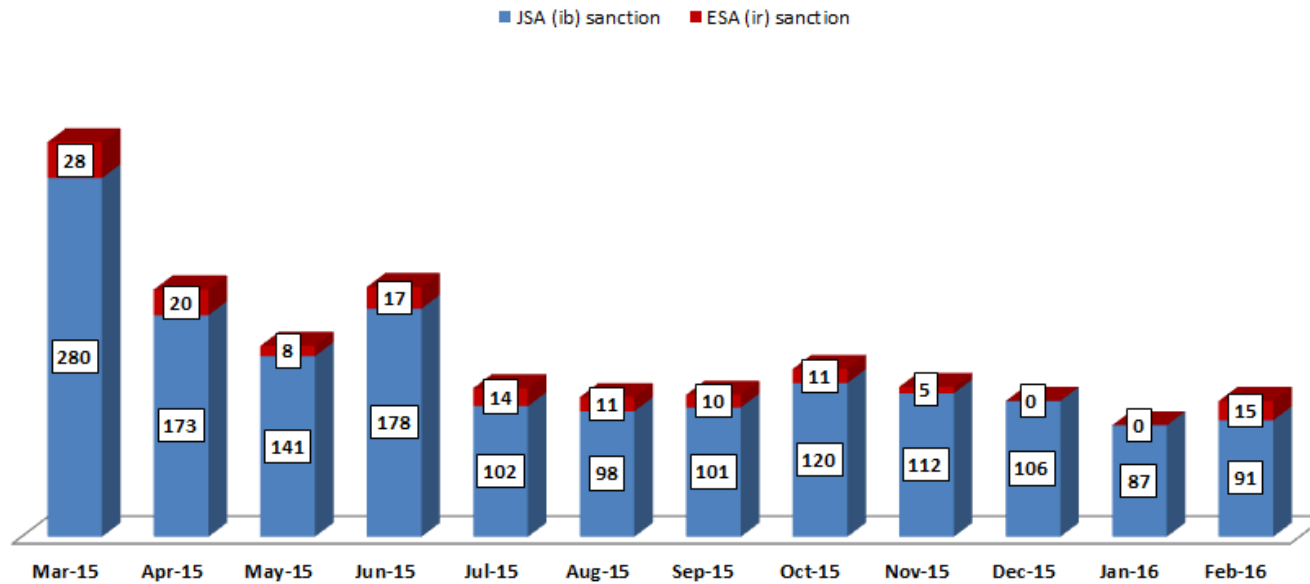
Month Decision Made	Adverse JSA(ib) sanction applied	JSA(ib) caseload	% of JSA(ib) caseload sanctioned	Adverse ESA(ir) sanction applied	ESA(ir) caseload	% of ESA(ir) caseload sanctioned	Total sanctions applied
Mar-15	280	5700	4.91%	28	15380	0.18%	308
Apr-15	173	5490	3.15%	20	15490	0.13%	193
May-15	141	5280	2.67%	8	15600	0.05%	149
Jun-15	178	5070	3.51%	17	15710	0.11%	195
Jul-15	102	5010	2.04%	14	15720	0.09%	116
Aug-15	98	4950	1.98%	11	15730	0.07%	109
Sep-15	101	4720	2.14%	10	15793	0.06%	111
Oct-15	120	4490	2.67%	11	15856	0.07%	131
Nov-15	112	4260	2.63%	5	15920	0.03%	117
Dec-15	106	4300	2.47%	0	16017	0.00%	106
Jan-16	87	4340	2.00%	0	16114	0.00%	87
Feb-16	91	4380	2.08%	15	16210	0.09%	106

### JSA(ib) & ESA(ir) caseloads versus sanctions applied 2014-2016

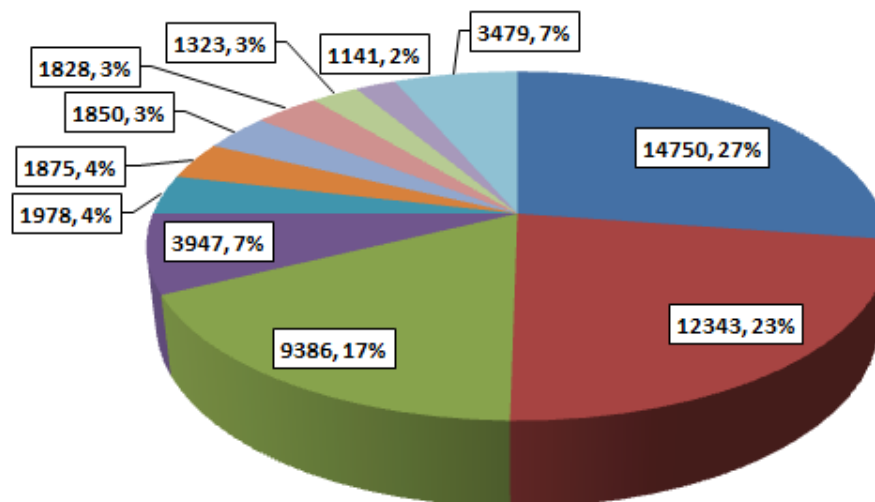


Month Decision Made	JSA(ib) caseload	ESA(ir) caseload	Total sanctions applied
Mar-15	280	28	308
Apr-15	173	20	193
May-15	141	8	149
Jun-15	178	17	195
Jul-15	102	14	116
Aug-15	98	11	109
Sep-15	101	10	111
Oct-15	120	11	131
Nov-15	112	5	117
Dec-15	106	0	106
Jan-16	87	0	87
Feb-16	91	15	106
Mar-15	280	28	308

### Total sanctions applied in Leicester 2015/16



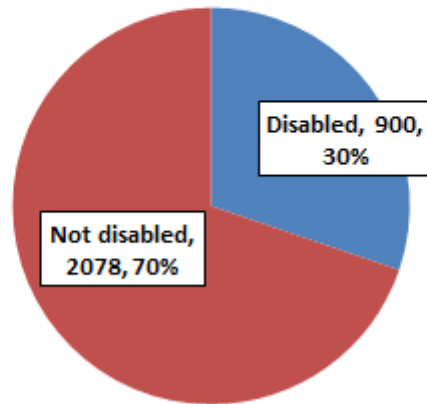
Reasons JSA sanctions applied in Leicester	April 2015 - Mar 2016	
Failing to participate in the Work Programme	926	31.14%
Failing to participate in any other training scheme	621	20.88%
Not actively seeking employment	497	16.75%
Failing to attend/participate in Advisor interview	338	11.37%
Failing to participate in Mandatory Work Activity	161	5.42%
Left employment voluntarily	136	4.57%
Refusal/failure to comply with Jobseekers Direction	108	3.63%
Failing to participate in Skills Conditionality programme	62	2.08%
Not being available for work	39	1.31%
Refusal/failure to apply for/accept job offer	37	1.24%
Other (15 x reasons)	49	1.61%



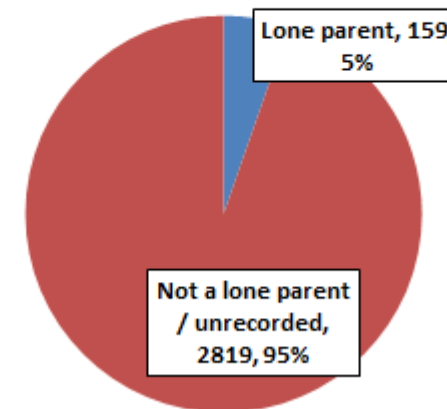
- Failing to participate in the Work Programme
- Not actively seeking employment
- Failing to attend/participate in Advisor interview
- Left employment voluntarily
- Refusal/failure to apply for/accept job offer
- Left employment due to misconduct
- Failure to attend training/employment programme
- Refusal/failure to comply with Jobseekers Direction
- Failing to participate in any other training scheme
- Failing to participate in Skills Conditionality programme
- Other (15 x reasons)



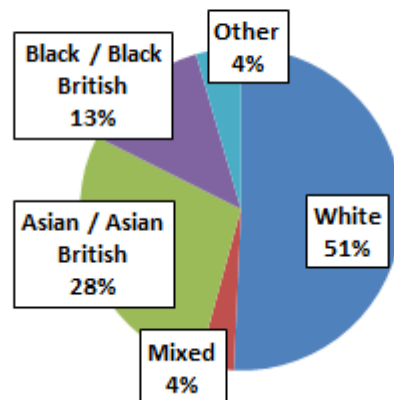
**JSA sanctions in Leicester by disability status 2015/16**



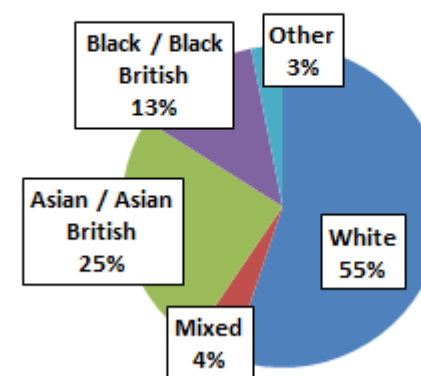
**JSA sanctions in Leicester by lone parent status 2015/16**



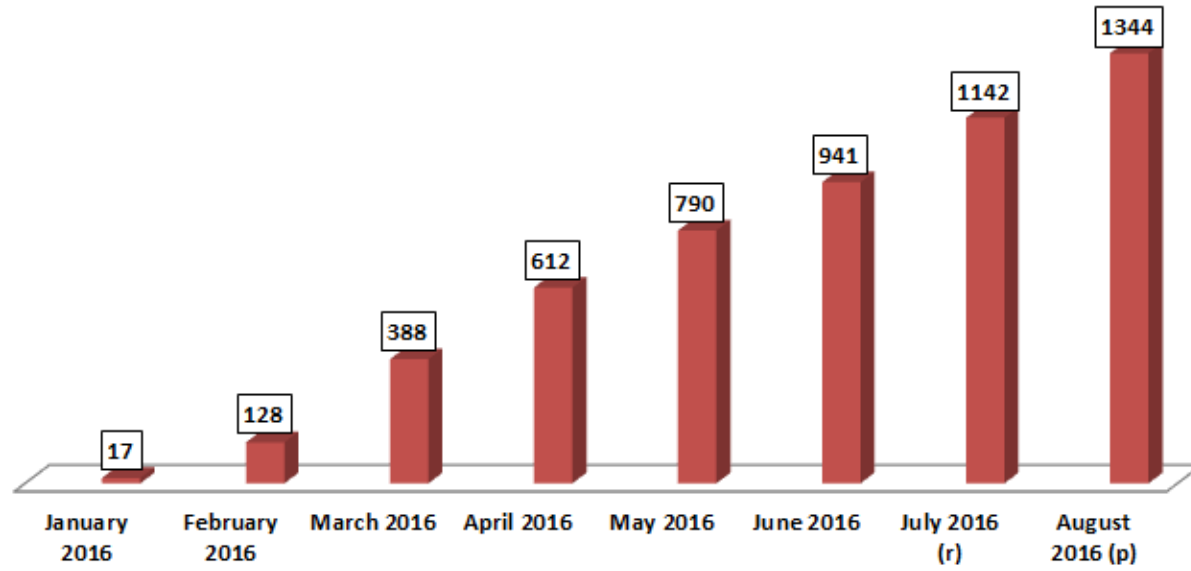
**JSA caseload in Leicester by ethnicity 2015/16**



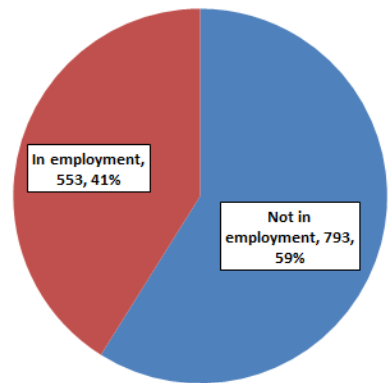
**JSA sanctions in Leicester by ethnicity 2015/16**



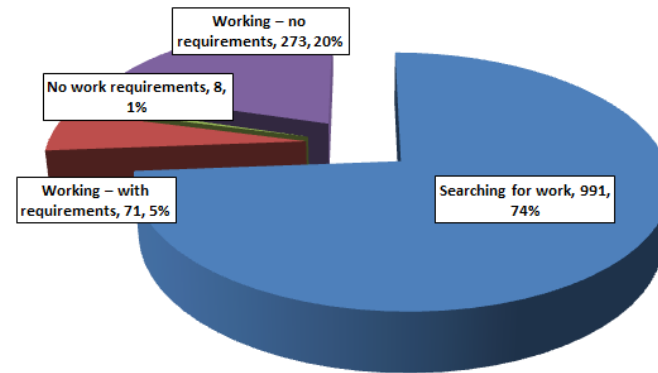
### Universal Credit caseload in Leicester 2016



Universal Credit caseload in Lester by employment status - August 2016

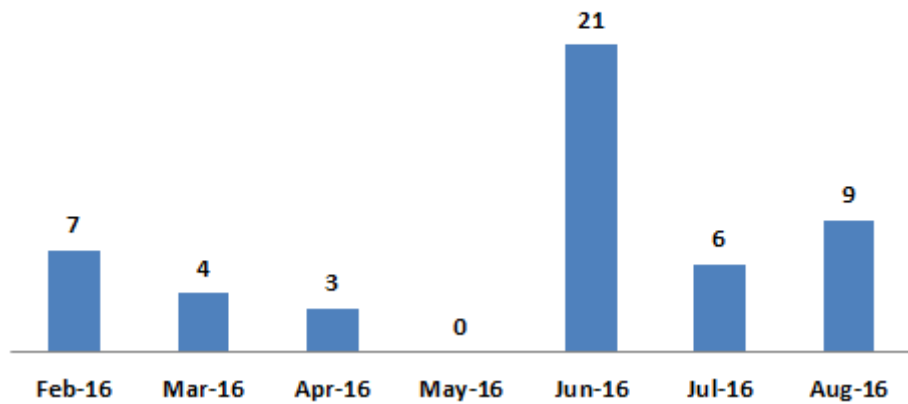


Universal Credit caseload in Leicester by conditionality August 2016

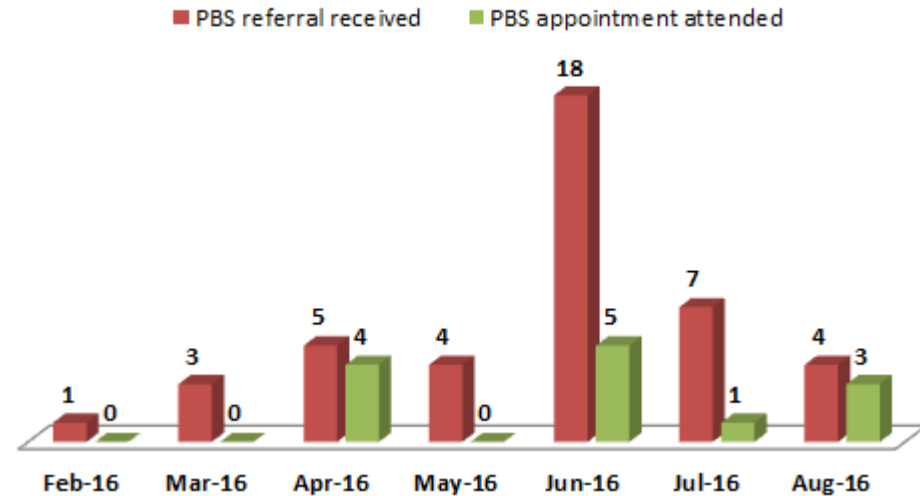


<b>Leicester City Council</b>	<b>Feb-16</b>	<b>Mar-16</b>	<b>Apr-16</b>	<b>May-16</b>	<b>Jun-16</b>	<b>Jul-16</b>	<b>Aug-16</b>	<b>Totals</b>
Online Supported Access	7	4	3	0	21	6	9	<b>50</b>
Personal Budgeting Support referrals	1	3	5	4	18	7	4	<b>42</b>
PBS advice provided	0	0	4	0	5	1	3	<b>13</b>
Manual Applications Processed	2	7	22	255	393	344	290	<b>1313</b>

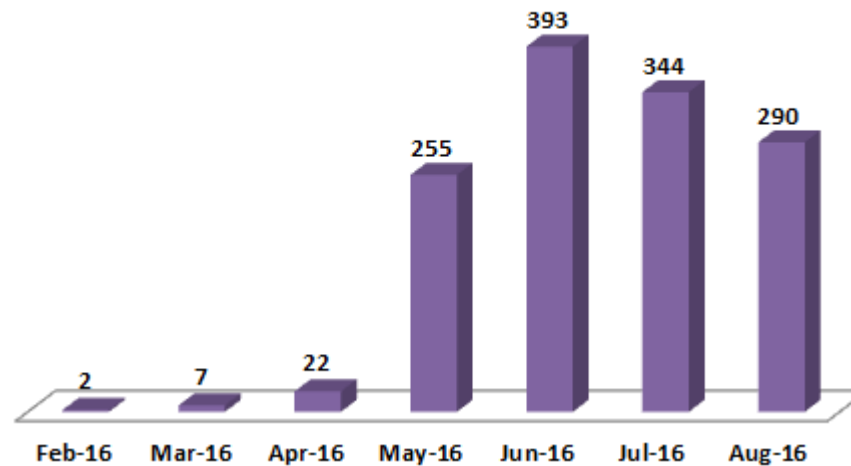
**Assistance provided with UC online applications at Customer Service Centre & libraries**



**PBS referrals received and appointments attended**



**UC Council Tax Reduction notifications received**





# Appendix F



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## **General Fund Revenue Budget 2017/18 to 2019/20**

For consideration by:  
Neighbourhood Services & Community Involvement  
Scrutiny Commission

Date: 25 January 2017

Lead director: Director of Finance

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## Useful information

■ Ward(s) affected: All

■ Report author: Mark Noble, Head of Financial Strategy

■ Author contact details:

Email: [Mark.Noble@leicester.gov.uk](mailto:Mark.Noble@leicester.gov.uk)

Telephone: 0116 454 4041

### 1. Summary

- 1.1 The report attached at Appendix 1 sets out the City Mayor's proposed budget for 2017/18 to 2019/20.
- 1.2 This version of the report is a draft for consultation and will be considered by the Overview Select Committee at its meeting on 2 February 2017, prior to the budget being presented to the meeting of Council on 22 February 2017.

### 2. Recommendations

- 2.1 The Commission is recommended to consider the proposed budget and pass any comments to the Overview Select Committee for its consideration of the report before it is presented to the Council meeting on 22 February 2017.

### 3. Main report:

- 3.1 The report, attached as Appendix 1, provides details of the proposed budget.

### 4. Financial and legal implications

#### 4.1 Financial implications

Set out in the report attached at Appendix 1

#### 4.2 Legal implications

Set out in the report attached at Appendix 1

### 5. Background information and other papers:

See below

## **6. Summary of appendices:**

Appendix 1: Consultation version of report to Council 22 February 2017 “General Fund Revenue Budget 2017/18 to 2019/20”







Council

Date: 22<sup>nd</sup> February 2017

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## General Fund Revenue Budget 2017/18 to 2019/20

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### Report of the Director of Finance

#### 1. Purpose

- 1.1 The purpose of this report is to ask the Council to consider the City Mayor's proposed budget for 2017/18 to 2019/20.
- 1.2 The proposed budget is described in this report, subject to any amendments the City Mayor may wish to recommend when he makes a firm proposal to the Council.
- 1.3 This version of the report is a draft for consultation, and will be updated to reflect the local government finance settlement, any further information and comments from partners.

#### 2. Summary

- 2.1 The Council is in the middle of the most severe period of spending cuts we have ever experienced.
- 2.2 The independent Institute for Fiscal Studies has recently (October 2016) reported that local authority budgets have fallen by 26% in real terms since 2009/10. The 10% of authorities most dependent on grant (generally, the least affluent areas) have cut spending by an average of 33% in real terms. The 10% least dependent on grant have cut spending by only 9%. Our own estimates, comparing cuts to the Index of Multiple Deprivation, point very strongly to the same conclusions.
- 2.3 Our government grant has fallen, on a like for like basis, from £289m in 2010/11 to £174m in 2017/18; and is projected to fall further, to £166m by 2019/20. Grant will have fallen by over 50%, after allowing for inflation, over ten years.
- 2.4 This has resulted in the Council's budget, again on a like for like basis, falling from £358m to an equivalent £277m by 2019/20. These figures, however, mask the fact that additional funding has been required to manage pressures

in statutory social care (both for adults and children). The amount available for all other services has consequently fallen by around 70% in real terms over the same period.

- 2.5 The Council's approach to achieving these substantial budget reductions is based on the following approach:-
- (a) An in-depth review of discrete service areas (the "Spending Review Programme");
  - (b) The building up of reserves, in order to "buy time" to avoid crisis cuts and to manage the spending review programme effectively. This is termed the "Managed Reserves Strategy".
- 2.6 The spending review programme is a continuous process. When individual reviews conclude, an Executive decision is taken and the budget is reduced in-year, without waiting for the next annual budget report. Executive decisions are informed by consultation with the public (where appropriate) and the scrutiny function.
- 2.7 Since the 2016/17 budget was approved last February, a number of spending reviews have reported and budget reductions consequently made. Some of these have saved money in 2016/17 as well as later years.
- 2.8 Last February, it was anticipated that all reserves set aside for the managed reserves strategy would be used by 2017/18. However, additional reserves have become available, enabling the strategy to be extended:-
- (a) Savings in 2016/17 arising from spending reviews approved after February have become available to support subsequent budgets;
  - (b) A review of earmarked reserves held by departments has taken place, with the result that £5m has become available for general purposes.
- 2.9 These measures, plus reductions in the annual budget, mean that a very limited level of reserves have now become available to support the 2018/19 budget. Spending reviews approved from now on will extend the strategy further.
- 2.10 Nonetheless, it is abundantly clear that the amount of work still required to achieve estimated savings of £41m by 2019/20 is enormous, notwithstanding the progress that has been made since last year. Even when the full spending review programme is complete, a gap will remain, and work will take place during early 2017 to bridge this. Some extremely difficult decisions will inevitably be required.
- 2.11 The budget provides for a council tax increase of 4%, which is the maximum available to us without a referendum. Half of this increase is for the "social care levy" – the Government has permitted social care authorities to increase tax by more than the 2% available to other authorities, in order to help meet

social care pressures. In practice, increasing our tax by 4% for 4 years will only meet a small proportion of the extra costs we are incurring.

- 2.12 In the exercise of its functions, the City Council (or City Mayor) must have due regard to the Council's duty to eliminate discrimination, to advance equality of opportunity for protected groups and to foster good relations between protected groups and others. The budget is, in effect, a snap-shot of the Council's current commitments and decisions taken during the course of 2016/17. There are no proposals for decisions on specific courses of action that could have an impact on different groups of people. Therefore, there are no proposals to carry out an equality impact assessment on the budget itself, apart from the proposed council tax increase (this is further explained in paragraph 11 and the legal implications at paragraph 21). Where required, the City Mayor has considered the equalities implications of decisions when they have been taken and will continue to do so for future spending review decisions.

### 3. **Recommendations**

- 3.1 Subject to any amendments recommended by the Mayor, the Council will be asked to:-

- (a) approve the budget strategy described in this report, and the formal budget resolution for 2017/18 which will be circulated separately;
- (b) note the outcome of the local government finance settlement for 2017/18 (once received);
- (c) note any comments received on the draft budget from scrutiny committees, trade unions and other partners (once received);
- (d) approve the budget ceilings for each service, as shown at Appendix One to this report;
- (e) approve the scheme of virement described in Appendix Two to this report;
- (f) note my view that reserves will be adequate during 2017/18, and that estimates used to prepare the budget are robust;
- (g) note the equality implications arising from the proposed tax increase, as described in paragraph 11;
- (h) approve the prudential indicators described in paragraph 18 of this report and Appendix Three;
- (i) approve the proposed policy on minimum revenue provision described in paragraph 19 of this report and Appendix Four;

- (j) agree that finance procedure rules applicable to trading organisations (4.9 to 4.14) shall be applicable only to City Catering, operational transport and highway maintenance.

DRAFT

#### 4. Budget Overview

4.1 The table below summarises the proposed budget, and shows the forecast position for the following three years:-

	<u>2017/18</u> £m	<u>2018/19</u> £m	<u>2019/20</u> £m
<b><u>Service budget ceilings</u></b>	262.9	258.7	260.6
<b><u>Sums to be Allocated to Services</u></b>			
Apprentice Levy	0.6	0.6	0.6
<b><u>Corporate Budgets</u></b>			
Capital Financing	13.8	13.7	13.4
Miscellaneous Central Budgets	(2.7)	(2.5)	(2.3)
<b><u>Future Provisions</u></b>			
Inflation		3.9	7.9
Education Funding Reform	3.0	3.0	3.0
Planning provision		3.0	6.0
<b><u>Managed reserves Strategy</u></b>	(20.7)	(4.6)	
<b>TOTAL SPENDING</b>	<b>256.9</b>	<b>275.8</b>	<b>289.1</b>
<b><u>Resources – Grant</u></b>			
Revenue Support Grant	48.1	38.4	28.4
*Business rates top-up grant	45.7	47.2	48.8
New Homes Bonus	9.2	5.8	5.5
<b><u>Resources – Local Taxation</u></b>			
Council Tax	99.5	104.2	109.1
*Business Rates	53.5	55.1	56.5
Collection Fund Surplus – Council Tax	0.8		
<b>TOTAL RESOURCES</b>	<b>256.9</b>	<b>250.6</b>	<b>248.3</b>
Projected tax increase	4.0%	4.0%	4.0%
Gap in resources		25.2	40.8
Underlying gap in resources	20.7	29.8	40.8

These figures will be revised following the local government finance settlement, once received.

\*A revaluation of business rates will take effect from 2017/18. This will increase the amount of rates expected, but lead to a reduction in top-up grant (in theory, to ensure the effects of the revaluation are financially neutral but this is currently a risk). These figures will be revised once the settlement has been received.

- 4.2 Future forecasts are of course volatile and will change.
- 4.3 The forecast gap in 2019/20 makes no allowance for most inflation (other than for pay awards). In real terms, the gap for that year is some £5m higher.

5. **Council Tax**

- 5.1 The City Council’s proposed tax for 2017/18 is £1,408.15 an increase of just below 4% compared to 2016/17.
- 5.2 The tax levied by the City Council constitutes only part of the tax Leicester citizens have to pay (albeit the major part). Separate taxes are raised by the police authority and the fire authority. These are added to the Council’s tax, to constitute the total tax charged.
- 5.3 The total tax bill in 2016/17 for a Band D property was as follows:-

	£
City Council	1,354.01
Police	183.58
Fire	61.62
<b>Total tax</b>	<b>1,599.21</b>

- 5.4 The actual amounts people are paying in 2016/17, however, depend upon the valuation band their property is in and their entitlement to any discounts, exemptions or benefit. 80% of properties in the city are in band A or band B.
- 5.5 The formal resolution will set out the precepts issued for 2017/18 by the Police and Crime Commissioner and the fire authority, together with the total tax payable in the city.

6. **Construction of the Budget**

- 6.1 By law, the role of budget setting is for the Council to determine:-
- (a) The level of council tax;
  - (b) The limits on the amount the City Mayor is entitled to spend on any service (“budget ceilings”).
- 6.2 The proposed budget ceilings are shown at Appendix One to this report.
- 6.3 The ceilings for each service have been calculated as follows:-
- (a) The starting point is last year’s budget, subject to any changes made since then which are permitted by the constitution (e.g. virement);

- (b) Decisions taken by the Executive in respect of spending reviews which are now being implemented have been deducted from the ceilings;
- (c) Increases in pay costs, arising from the two year pay increase awarded in June 2016 (1% in each of 16/17 and 17/18).

6.4 Apart from the above, no inflation has been added to departments' budgets for running costs or income, except for an allowance for:-

- (a) Independent sector adult care (1.5%);
- (b) Foster care (1.5%);
- (c) Costs arising from the waste PFI contract (2% - RPI).

6.5 The following spending review decisions have been formally taken since February 2016, and budgets reduced accordingly:-

	<u>17/18</u> <u>£000</u>	<u>18/19</u> <u>£000</u>	<u>19/20</u> <u>£000</u>
Parks and Open Spaces	1,200	1,350	1,500
Substance Misuse	1,000	1,000	1,000
Transforming Neighbourhoods	486	647	647
Technical Services	3,407	5,870	6,970
Regulatory Services	150	150	150
	6,243	9,017	10,267

[This list will be added to as new reviews conclude before the budget is approved].

- 6.6 Additionally, management savings of £400,000 per year have arisen from a review of management in City Development and Neighbourhoods, and have been built into the budget.
- 6.7 A full schedule of reviews included in the programme is provided at Appendix Eight.
- 6.8 The budget ceiling of the Health and Wellbeing Division has been reduced to reflect Government cuts to the public health grant, amounting to £0.7m in 2017/18, and an estimated additional £0.7m in each of 2018/19 and 2019/20.

## 7. How Departments will live within their Budgets

7.1 The role of the Council is to determine the financial envelopes within which the City Mayor has authority to act. In some cases, changes to past spending patterns are required to enable departments to live within their budgets. Actions taken, or proposed by the City Mayor, to live within these budgets is described below.

### Adult Social Care

7.2 In common with adult care services across the country, the department faces significant cost pressures. These principally arise from:-

- (a) Demographic growth – an ageing population means the number of older people requiring care is increasing (which has been the pattern for many years);
- (b) Increasing frailty and the impact of people having multiple health conditions that increase the level of care and support required (not just in older people, but also for adults of working age who are supported by the Department);
- (c) The National Living Wage – this was introduced by the Government in April 2016, and is due to increase in stages to around £9 by 2020/21. These increases are creating substantial pressures for independent sector care providers, who are heavily dependent on a minimum wage workforce; and they will seek to pass on additional costs to local authorities.

7.3 The Government has partially recognised the difficulties facing adult social care, and has:-

- (a) Permitted social care authorities to increase council tax by 2% per year over and above the referendum limit. This will raise around £1.9m per year, and will increase our total income by some £8m by 2019/20. This is well short of the sums required (as will be seen from the table below);
- (b) Announced a further tranche of Better Care Fund monies, which will amount to £1.5bn nationally by 2020. However, the amount available will be minimal in 2017/18. This is discussed further at paragraph 12 below.

7.4 When the Council set the budget in February 2016, the budget for Adult Social Care had to be increased substantially to meet the cost of the living wage and increased need. Since then, in order to reduce the overall pressures facing the Council, the department has reviewed its budgets. The current position is shown below (which slightly reduces the growth previously approved). Estimates of the cost of the living wage have also been revised since 2016/17:-



	<u>2016/17</u> <u>£000</u>	<u>2017/18</u> <u>£000</u>	<u>2018/19</u> <u>£000</u>	<u>2019/20</u> <u>£000</u>
National living wage	4,935	7,630	10,921	14,469
Other pressures	9,067	7,950	4,200	3,500
<b>Net increase</b>	<b>14,002</b>	<b>15,580</b>	<b>15,121</b>	<b>17,969</b>

7.5 Whilst the department believes it can live within these sums, the position is volatile. Key challenges facing the department are:-

- (a) Managing demand for the service;
- (b) The significant increase in costs of existing service users as their circumstances or conditions change. This is currently being analysed and monitored by the department.

7.6 The service also has to respond to a comparatively high level of working age adults requiring care due to problems of poor health, which have often built up over many years. The potential for prevention work in this area is being addressed by the Public Health Service (see below) and in joint working with the NHS, but the fruits of such work will not be seen for a considerable period of time.

7.7 Actions the department is taking to live within its resources include:-

- (a) On-going review of the cost of existing user packages;
- (b) Ensuring access to service is restricted to those with statutory entitlement;
- (c) Transferring service users from residential care to supported living where possible, which is both cost effective and more popular than residential care. However, the Government has placed the future of Supported Living schemes in jeopardy by the proposed implementation of a housing benefit cap: such a cap would make schemes financially unviable. The Government has recently announced that the cap will not apply to supported living schemes until 2019/20. From this date, additional ringfenced grant funding will be provided to local authorities to address the shortfall between the rent cap and the actual rent (and service charges) paid. It is unclear whether the level of funding will be sufficient. A consultation paper was received on 21<sup>st</sup> November and is currently being studied.
- (d) Substantial staffing savings which are designed to reduce our staffing complement to a level closer to that of comparative authorities (currently, our care staffing levels exceed those of similar authorities).

## Education and Children's Services

7.8 Like adult care, the budget for Education and Children's Services was increased in 2016/17. This reflected substantial cost increases arising from:-

- (a) Numbers of looked after children, where we had experienced significant growth in line with national trends;
- (b) Extra staffing, arising from a national shortage of qualified social workers (and consequent reliance on more expensive agency staff).

7.9 However, measures to address these problems ("growing our own" social workers, and intensive family intervention to divert children from care) were expected to reduce these pressures over time. Consequently, unlike adult social care, the additional money required by the department was expected to reduce in years subsequent to 2016/17. The table below shows the position:-

	<u>16/17</u> <u>£000</u>	<u>17/18</u> <u>£000</u>	<u>18/19</u> <u>£000</u>	<u>19/20</u> <u>£000</u>
New monies	10,170	7,900	6,300	6,300
Less use of reserves	(6,962)			
	<u>3,208</u>			

7.10 All the department's services (other than social care) are subject to review as part of the Council's Spending Review Programme. Proposals have been made to save £4m per annum from Early Help, children's centres and adventure playgrounds. This includes reducing numbers of children's centres from 23 to 12.

7.11 The department is planning the following actions, to ensure it can live within its resources:-

- (a) Continuing and expanding its new approach to preventing children being taken into care. There are currently 2 "Multi Systemic Therapy" (MST) teams – one predominantly for older children (11-17 years) with behavioural difficulties, and one for children aged 6-17 years who have suffered abuse and neglect. The former team has capacity to deal with 40-48 children per year, and the latter around 30 children per year. Subject to evaluation, it is planned to increase the size of the Child Abuse and Neglect Team. The department is also evaluating whether or not to expand the multi-systemic therapy interventions to include a team which will tackle those children already in care and try to return them to their parents. Additional resources are being provided to support a range of pre-proceedings work which will reduce the number of children aged 0-5 coming into care (the MST approach is not suitable for this age range). Funding to implement these measures has

been provided from the DfE, and the Council's own transformation fund;

- (b) Results so far suggest that the strategy to “grow our own” social workers (which involves supporting and training them through their first years of work) is succeeding, and reliance on agency staffing can therefore decline in the coming years;
  - (c) Other areas of service are being considered in order to secure spending review savings of £5m in total (as the early help/children's centres/adventure playgrounds review is only targeting £4m);
  - (d) It is not clear yet how many of the 3,000 unaccompanied children who are being allowed to enter the UK under the “Dubs amendment” will ultimately need to be placed by the Council, and at what cost. This is a critical issue given the potential costs involved: the Government is being asked to ensure these costs are fully funded.
- 7.12 As members will be aware, schools' funding is provided by the Dedicated Schools Grant (DSG), and is outside the scope of the general fund. Funding for individual schools is calculated by reference to a locally determined formula, which is approved by the Schools' Forum. There is also scope to provide some (tightly prescribed) services which support schools from DSG.
- 7.13 The Government has consulted on sweeping changes to the arrangements for schools' funding. This will include replacement of the local funding formula with a national funding formula, and overhaul of the arrangements for using DSG on anything other than schools' individual budgets.
- 7.14 In addition to these proposals, the Government proposes to substantially reduce the amount of Education Services Grant paid to local authorities. This change will take effect in 2017/18. The reduction will be accompanied by certain changes in LEA duties.
- 7.15 No Government response to the consultation has yet been published, although the bulk of the changes have now been deferred until 2018/19.
- 7.16 Taken together, these changes will have knock-on implications for the general fund, and for the time being a provision has been made in corporate budgets (see paragraph 9 below).

#### City Development and Neighbourhoods

- 7.17 The department provides a wide range of statutory and non-statutory services which contribute to the well-being and civic life of the city. It brings together divisions responsible for local services in neighbourhoods and communities, economic strategy, tourism, regeneration, the environment, culture, heritage, sport, libraries, housing and property management.

7.18 The department is able to live within its budget for 2017/18. It is also contributing to the savings required by the Council from the Spending Review Programme (in fact, the majority of reviews in the programme are the responsibility of this department). Projects include:-

- (a) Transforming Neighbourhood Services (TNS), which is reviewing local services in the city area by area. In the areas that have been reviewed to date, this has resulted in the relocation of services into a reduced number of buildings, thus saving money on maintaining facilities. Community engagement has been paramount throughout. TNS has also enabled staffing savings to be made, through our organisational review process;
- (b) A review of technical services (facilities management, operational property services, traffic and transport, buildings repairs and maintenance, fleet, stores, energy and environment services). Savings of £10m per annum have been identified and approved, and are in the process of implementation;
- (c) Using Buildings Better, which is an extension of TNS and is reviewing building use throughout the city. In addition to customer facing buildings reviewed by TNS, this programme is looking at operational buildings such as offices and depots, and seeking to reduce the cost of customer contact by means of “channel shift”;
- (d) A review of sports and leisure provision, which is examining how these services can best be run in the future;
- (e) Reviews of Cleansing, Regulatory Services, Arts, Festivals and Museums.

7.19 The main budget pressures facing the department are:-

- (a) Delivering the savings arising from the Technical Services Review, which is a substantial remodelling exercise involving the rationalisation of both staffing structures and occupation of buildings. The savings from this review have already been built into the budget, but close monitoring will be required to ensure it achieves its aims and makes the intended savings;
- (b) Additional landfill tax, arising from a change in legislation relating to the organic content of sand;
- (c) Loss of car park income, arising from sale of the former Granby Halls site.

7.20 These pressures are being addressed through management action.

## Corporate Resources and Support

- 7.21 The key challenge facing the department is to be as cost effective as possible, in order to maximise the amount of money available to run public facing services.
- 7.22 Two substantial spending reviews were completed prior to approval of the 2016/17 budget. These were:-
- (a) A review of support services, which is now saving £3.9m per year. Savings have principally come from the Finance Division; and the Delivery, Communications and Political Governance Division;
  - (b) A review of IT, which has saved £1.2m in 2016/17. Further work is taking place to ensure the full savings of £2.4m per year will be achieved, on time, by 2017/18.
- 7.23 The department is able to manage within its budget ceilings for 2016/17, having absorbed new spending pressures. These pressures include reductions in the housing benefit administration grant, which now amount to £2m per year compared to 2010/11, despite a largely similar caseload.
- 7.24 The main budget pressures facing the department are:-
- (a) Pressures in the Revenues and Benefits Service, as benefit claimants are gradually transferred to Universal Credit. Universal Credit will replace a number of current benefits with a single monthly payment. The new payment will be administered by the DWP, who have different systems to us, and transitional problems (and workload) are envisaged. The transfer is also likely to adversely affect our ability to collect overpaid housing benefit, as DWP will prioritise other debts when making deductions from continuing benefit;
  - (b) Pressures arising from welfare reform, and an expected increase in numbers of residents requiring emergency support (this used to be funded by a DWP grant, which has now ceased);
  - (c) Difficulties in recruiting and retaining qualified legal staff, in the face of additional workload arising from spending reviews and regeneration projects. In particular, there are concerns about our ability to recruit and retain experienced childcare lawyers;
  - (d) An increasing number of cyber-attacks are being experienced by our IT network, requiring additional expenditure to safeguard our systems and data.
- 7.25 These pressures are being addressed through management action.

## Public Health

- 7.26 The budget ceiling of the Health and Well Being Division has been reduced to reflect government cuts to specific grant (the Public Health Grant), as described at paragraph 6 above. A reduction of £0.7m is expected in 2017/18, followed by an estimated £0.7m per year in each of 2018/19 and 2019/20.
- 7.27 Spending reductions will be achieved by:-
- (a) Consolidation of a range of children's public health services (school nurses, health visiting and healthy child programme) into a single contract, which will save an estimated £1.3m per year;
  - (b) A review of lifestyle services to develop a single integrated service, focussing predominantly on high risk working age adults. NHS monies to co-fund this service are being sought.

## **8. Sums to be Allocated to Services**

- 8.1 The budget for the **apprentice levy** will meet the cost of a new tax imposed on large employers, which the Government will ringfence for apprentice training. Precise sums will be allocated to departments in due course. This tax amounts to 0.5% of pay costs; sums will also be required from the HRA and individual schools. The Council will have a digital account, out of which we can pay for any training we provide for our apprentices. Work is taking place to establish how we can best utilise this account to help move towards the Government's apprenticeship targets, and to offset the costs of the levy.

## **9. Corporately held Budgets**

- 9.1 In addition to the service budget ceilings, some budgets are held corporately. These are described below (and shown in the table at paragraph 4).
- 9.2 The budget for **capital financing** represents the cost of interest and debt repayment on past years' capital spending. This budget is not controlled to a cash ceiling, and is managed by the Director of Finance. Costs which fall to be met by this budget are driven by the Council's approved treasury management strategy, which will be approved by the Council in January. This budget is declining over time, as the Government now provides grant in support of capital expenditure instead of its previous practice of providing revenue funding to service debt.
- 9.3 **Miscellaneous central budgets** include external audit fees, pensions costs of some former staff, levy payments to the Environment Agency, bank charges, the carbon reduction levy, monies set aside to assist council taxpayers suffering hardship and other sums it is not appropriate to include in service budgets. These budgets are offset by the effect of charges from the general fund to other statutory accounts of the Council.

## 10. **Future Provisions**

- 10.1 This section of the report describes the future provisions shown in the table at paragraph 4 above. These are all indicative figures – budgets for these years will be set in February prior to the year in question.
- 10.2 The provision for **inflation** includes money for:-
- (a) An assumed 1% pay award each year in 2018/19 and 19/20;
  - (b) A contingency for inflation on running costs for services unable to bear the costs themselves. These are: waste disposal, independent sector residential and domiciliary care, and foster payments.
- 10.3 Paragraph 7 above describes the Government's proposals for **education funding reform**. Whilst details remain unclear, and the major aspects will not be implemented until 2018/19, there will be knock on implications for general fund services: cuts will be made to Education Services Grant (ESG) and some services currently paid for by Dedicated Schools Grant will need to be traded with schools or cease altogether. The ESG cuts will take effect in 2017/18. Whilst the Education and Children's Services Department will make some cuts to mitigate these changes, there will be some resultant cost – the Government is unwinding the current framework which enables us to share some school support costs with the schools themselves. A provision has thus been made for any funding reductions which the department will be unable to mitigate.
- 10.4 A **planning provision** has been set aside to manage uncertainty. Our general policy is to set aside a cumulative £3m per year, each year for the duration of the strategy. This can then be removed in subsequent budget reports, to the extent that it has not been utilised elsewhere (the sum set aside in the 16/17 budget, for instance, has now been used as a provision for the costs of education funding reform).

## 11. **Budget and Equalities (Irene Kszyk)**

- 11.1 The Council is committed to promoting equality of opportunity for its local residents; both through its policies aimed at reducing inequality of outcomes, and through its practices aimed at ensuring fair treatment for all and the provision of appropriate and culturally sensitive services that meet local people's needs.
- 11.2 In accordance with section 149 of the Equality Act, the Council must "have due regard", when making decisions, to the need to meet the following aims of our Public Sector Equality Duty:-
- (a) eliminate discrimination;
  - (b) advance equality of opportunity between protected groups and others;

- (c) foster good relations between protected groups and others.
- 11.3 Protected groups under the public sector equality duty are characterised by age, disability, gender re-assignment, pregnancy/maternity, race, religion or belief, sex and sexual orientation.
- 11.4 When making decisions, the Council (or City Mayor) must be clear about any equalities implications of the course of action proposed. In doing so, it must consider the likely impact on those likely to be affected by the recommendation; their protected characteristics; and (where negative impacts are anticipated) mitigating actions that can be taken to reduce or remove that negative impact.
- 11.5 This report seeks the Council's approval to the proposed budget strategy. The report sets out financial ceilings for each service which act as maxima above which the City Mayor cannot spend (subject to his power of virement). However, decisions on services to be provided within the budget ceilings are taken by managers or the City Mayor separately from the decision regarding the budget strategy. Therefore, the report does not contain details of specific service proposals. However, the budget strategy does recommend a proposed council tax increase for the city's residents. As the recommended increase could have an impact on those required to pay it, an assessment has been carried out to inform decision makers of the potential equalities implications. This is provided at Appendix Five.
- 11.6 In a nutshell, the likely impact on a household depends on whether or not the household is reliant on social security benefits.
- 11.7 The assessment suggests a very limited impact on the household finances of council tax payers who are not dependent on social security benefits: the increase will be readily mitigated by increased levels of household discretionary income which have been seen nationally (assuming these levels continue). However, the country may face a more uncertain economic future as a result of the referendum to leave the European Union. Future negative impacts on household incomes could undermine the premise this equality impact assessment is based on. However, these are as yet unknown, and the EIA sets out the known potential impacts and the sources used to identify these.
- 11.8 Some households reliant on social security benefits are likely to be adversely affected. This follows from a forecast increase in inflation (2.7% according to the Bank of England) and further implementation of the Government's welfare reforms. That said, the increase in tax alone contributes only a small increase in weekly costs for many benefit dependent households. The Council also has a number of mitigating actions in place to provide support in instances of short term financial crisis.
- 11.9 Locally, Council services provide (or fund) a holistic safety net including the provision of advice, personal budgeting support, and signposting provision of necessary household items. It is important to note that these mitigating



actions are now the sole form of safety net support available to households in the city. A House of Commons Works and Pensions Committee report in January ('The local welfare safety net') describes this devolution of discretionary support to those in short term financial crisis to local government. There is now no other source of Government support available.

- 11.10 Leicester is ranked as the 21<sup>st</sup> most deprived local authority in the country. In addition to provision of a 'local welfare safety net', council services seek to address inequalities of opportunity that contribute to this deprivation. They do this by seeking to improve equality of outcomes for those residents that we can directly support. The role of Adult Social Care is crucial in this context, and the approval of the additional 2% of council tax to maintain this service provision for a growing number of elderly people will directly contribute to improved outcomes related to health; personal safety; and personal identity, independence and participation in community life.
- 11.11 Our public sector equality duty is a continuing duty, even after decisions have been made and proposals have been implemented. Periodically we review the outcomes of earlier decisions to establish whether mitigating actions have been carried out and the impact they have had. The spending review programme enables us to assess our service provision from the perspective of the needs of individual residents. This "person centred" approach to our decision making ensures that the way we meet residents' needs with reducing resources can be kept under continuous review – in keeping with our Public Sector Equality Duty.

## 12. **Government Grant**

- 12.1 As can be seen from the table at paragraph 4, Government grant is a major component of the Council's budget.
- 12.2 Funding of local authorities changed in 2013/14, when we started to keep 50% of business rates. (Prior to 2013/14, business rates were handed over in their entirety to the Government, and recycled to local authorities on the basis of a formula). Government grant support now principally consists of:-
- (a) **Revenue Support Grant (RSG)**. This is the main grant which the Government has available to allocate at its own discretion. Consequently, cuts to local authority funding are substantially delivered through reductions in RSG (and the methodology for doing this has disproportionately disadvantaged deprived authorities). The impact on the city has been dramatic (RSG is reducing from £133m in 2013/14, to an estimated £28m in 2019/20). In 2016/17, the Government offered, and we accepted, a four year certainty deal which means the grant figures for 2017/18 to 2019/20 are fixed, "barring exceptional circumstances." As part of the four year certainty offer, the Council published an efficiency plan which can be found on the City Mayor's website;

- (b) A **top-up to local business rates**. The local authority sector keeps 50% of business rates collected, with the balance paid to the Government. In recognition of the fact that different authorities' ability to raise rates does not correspond to needs, a top-up is paid to less affluent authorities (authorities with substantial numbers of highly rated businesses pay a tariff into the system, which funds these top-ups). The amount of our top-up grant was first calculated in 2013/14, and has not changed since, except for inflation. The grant will, however, be re-calculated as part of the 2017/18 settlement. As part of a regular cycle of revaluations, the rates of individual businesses have been re-assessed and will change with effect from April. The Government's intention is that local authorities should neither lose nor gain from the revaluation, and the top-up will be re-calculated as a consequence (the revaluation will see rates in Leicester increase by more than the national average, so our top-up grant will be reduced). [Once we have the final settlement, this report will be amended accordingly.] It should be added that the Government lacks the data to properly calculate the impact of the revaluation on top-up grant, so proxies will be used – we do not yet know how much difference this will make. More importantly, however, the calculation of the top-up grant needs to allow for an expected substantial number of appeals by businesses against the new values. Whether this allowance is adequate or not also remains to be seen, but will be a significant risk for the future (in the first two years of business rates retention, appeals cost local authorities almost twice the amount Government had assumed);
- (c) **New Homes Bonus (NHB)**. This is a grant paid to authorities which roughly matches the council tax payable on new homes, and homes which have ceased to be empty on a long term basis. The system of New Homes Bonus is expected to change, and the Government wishes to reduce the amount it pays by £800m per year. Until now, the grant for each new house has been paid for six years, and the Government has proposed to reduce this to four. More detail about this may be available as part of the local government finance settlement.

12.3 The Government also controls **specific grants** which are given for specific rather than general purposes. These grants are not shown in the table at paragraph 4.1, as they are treated as income to departments (departmental budgets are consequently lower than they would have been).

12.4 Some specific grants are subject to change:-

- (a) The **Education Services Grant** is being cut as part of education funding reforms, as described at paragraphs 7 and 10 above;
- (b) The **Better Care Fund** is being increased by £1.5bn per year. This increase is not new money: around half the cost is being met from the proposed cuts to New Homes Bonus (described above); the remainder is reflected in the amount available for Revenue Support Grant. Only £100m of this money is expected to be made available in 2017/18.

Details of how much Leicester will receive are not yet known, although the Government intends to skew distribution towards deprived authorities (recognising that the extra 2% tax rise skews resources towards affluent authorities). Notwithstanding this, the total BCF on offer is insufficient to fully redress the imbalance of additional social care support in favour of more affluent authorities. Unlike previous rounds of BCF, the new tranche will be made available as a grant to local government. It is vital that the full amount is made available for adult social care, which we believe is the Government's intent (previous rounds have involved projects sponsored by both local authorities and the NHS).

- 12.5 The Institute for Fiscal Studies (IfS) has calculated the disproportionate impact of funding cuts on deprived authorities. Since 2009/10, the 10% of authorities most reliant on grant have seen budget cuts averaging 33% in real terms. The 10% of authorities least reliant on grant have seen cuts averaging 9%. This is a consequence of various changes in the funding regime which have had different impacts, and (to some extent) contravened the Government's stated intentions. The IfS states that "the overall impression is of rather confused, inconsistent and opaque policymaking."
- 12.6 Paradoxically, the local government finance settlement for 2016/17 provided some extra, transitional money to authorities who unexpectedly lost out from a change to the way RSG cuts were calculated in 2016/17. This transitional money has generally been made available to more affluent authorities, and the final payment will be made in 2017/18. The Government has refused requests for information on how these allocations have been calculated.

### 13. **Local Taxation Income**

13.1 Local tax income consists of three elements:-

- (a) The retained proportion of business rates;
- (b) Council tax;
- (c) Surpluses or deficits arising from previous collection of council tax and business rates (collection fund surpluses/deficits).

#### Business Rates

- 13.2 Local government retains 50% of the rates collected locally, with the other 50% being paid to central government. In Leicester, 1% is paid to the fire authority, and 49% is retained by the Council. This is known as the "Business Rate Retention Scheme".
- 13.3 Rates due from individual businesses are calculated with reference to "rateable value" (RV). This is a sum calculated for each business by the Valuation Office Agency (a government agency), and for most properties the main driver of RV is rental values. Rateable value is multiplied by a nationally

set “multiplier”, to calculate gross rates due from which any exemptions or reliefs are deducted.

- 13.4 The Government asks the Valuation Office Agency to recalculate RVs every five years (although the revaluation due in 2015 was deferred). The next revaluation will take effect in 2017/18, and provisional lists of values are available now. Total RV in Leicester will increase by 17%, considerably higher than the national average of 10% and the East Midlands average of 7%. To a large extent, this reflects changes in rental values arising from successful regeneration of the city – we are by this measure a victim of our own success.
- 13.5 Business rates payable by Leicester businesses will be based on the new rateable values, although the multiplier will be lower than it otherwise would have been (the Government seeks to ensure that the total national yield does not increase as a result of revaluation). There will also be a transitional scheme which will phase in increases and decreases over time. Nonetheless, many Leicester businesses will see substantial increases in due course.
- 13.6 In advance of the local government finance settlement, we have estimated rates income based on the old rateable values. These will be reviewed prior to the final report being presented to Council, although (as discussed at paragraph 12 above) we would expect any increase in rates to be offset by reductions in top-up grant.
- 13.7 Our estimates of rates income will also require us to forecast the amount of income we will lose as a consequence of successful appeals: this is likely to be significant, and difficult to estimate (particularly given the scale of increases in RV). The cost ought to be allowed for in our top-up grant, but there is a real risk that this will be insufficient. This has been reflected in current estimates.
- 13.8 The Council is part of a “business rates pool” with other authorities in Leicestershire. Pools are beneficial in cases where shire district councils’ rates are expected to grow, as pooling increases the amount of rates which can be retained in those areas. Conversely, if district councils’ rates decline, this transfers risk to the pool authorities. (Oddly, our own rates do not affect the pool). In 2015/16, the pool made a substantial surplus of £2.7m: £0.7m of this was retained as a contingency, and £2m was paid to the LEP for area wide regeneration projects. A surplus of £4m is also forecast for 2016/17. Forecasting the pool surplus in 2017/18 is extremely difficult, given the impact of revaluation, and the impact of future appeals adds a new level of risk. A decision can be taken to disband the pool if the finance settlement suggests that the risk in 2017/18 would be too great.
- 13.9 The Government is planning to introduce 100% business rates “by 2020” (which could be 19/20 or 20/21). 100% business rates retention means local government will keep 100% of rates, not just the current 50%. As a consequence, RSG will cease. By 2019/20, 50% of national rates will exceed forecast RSG. This does not, however, mean that authorities will be better

off. The Government will ensure that the changes are “fiscally neutral” at national level by adding to the responsibilities which authorities must pay for. How the change will affect us locally is not known – the Government plans to carry out a re-assessment of need which may be to our benefit (depending on how it is done). The City Mayor has responded to a consultation on 100% business rates retention, which took place over the summer. The table at paragraph 4.1 shows forecast RSG in 2019/20, thereby assuming that 100% business rates retention (if implemented) will be neutral.

### Council Tax

- 13.10 Council tax income is estimated at £99.5m in 2017/18, based on a tax increase of just below 4%. For planning purposes, a tax increase of just below 4% has also been assumed in 2018/19 and 2019/20.
- 13.11 The Council is unable to increase tax by 4% or more without first seeking endorsement by means of a local referendum. The “referendum limit” is 2% higher than it is for authorities generally: this concession is only available to social care authorities, and is designed to help mitigate the growing costs of social care (including the national living wage). Over 4 years, the extra income amounts to some £8m, which (as can be seen from paragraph 7 above) falls well short of meeting the estimated additional costs. The policy of allowing increases in council tax, as opposed to providing more central funding, also exacerbates the disproportionate impact Government policy has had on deprived authorities. The Government will partially address this in the way it distributes the proposed additional BCF monies. However, a comparison of the amount the Council will receive over 3 years from the combined 2% and additional BCF has been carried out by Sigoma. This suggests the Council will receive £1.7m less than it would have done compared to the needs formula for adult social care. Deprived authorities generally are in the same position. Surrey, by contrast, will be £18m better off.

### Collection Fund Surpluses/Deficits

- 13.12 Collection fund surpluses arise when more tax is collected than assumed in previous budgets. Deficits arise when the converse is true.
- 13.13 The Council has a **council tax collection fund surplus** of £0.8m, after allowing for shares paid to the police and fire authorities.
- 13.14 No surplus or deficit is currently forecast in respect of business rates.

## 14. General Reserves and the Managed Reserves Strategy

- 14.1 In the current climate, it is essential that the Council maintains reserves to deal with the unexpected. This might include continued spending pressures in demand led services, or further unexpected Government grant cuts.

14.2 The Council has agreed to maintain a minimum balance of £15m of reserves. The Council also has a number of earmarked reserves, which are further discussed in section 15 below.

14.3 In the 2013/14 budget strategy, the Council approved the adoption of a managed reserves strategy. This involved contributing money to reserves in 2013/14 to 2015/16, and drawing down reserves in later years. This policy has bought time to more fully consider how to make the substantial cuts which are necessary. The 2016/17 budget was heavily dependent on the use of reserves, although some remain to support 2017/18 and 2018/19.

14.4 The managed reserves strategy will be extended as far as we can:-

- (a) Following a review of earmarked reserves during 2016/17, £4.9m has been identified as no longer required and added to the monies set aside for the managed reserves strategy;
- (b) The rolling programme of spending reviews enables any in-year savings to extend the strategy. Additional money has been made available since the 2016/17 budget was set, and future reviews should enable further contributions to be made.

14.5 The table below shows the forecast reserves available to support the managed reserves strategy:-

	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Brought forward	40.9	25.2	4.6
Additional spending review savings	3.3		
Earmarked reserves review	4.9		
Planned use	(23.9)	(20.7)	(4.6)
<b>Carried forward</b>	<b>25.2</b>	<b>4.6</b>	<b>NIL</b>

## 15. Earmarked Reserves

15.1 Appendix Six shows the Council's earmarked revenue reserves. These are set aside for specific purposes.

15.2 As stated above, departmental earmarked reserves have been reviewed; the purposes for which each was held have been challenged, and consequently £4.9m has been made available to support the managed reserves strategy. Appendix Six shows the estimated year end balances of departmental reserves as at period 6 in 2016/17.

15.3 Appendix Six also shows the Council's non-departmental earmarked reserves, and reserves which are ringfenced by law.

15.4 The appendix repeats the information shown in the Revenue Monitoring report for period 6, considered by Overview Select Committee in December, 2016.

16. **Risk Assessment and Adequacy of Estimates**

16.1 Best practice requires me to identify any risks associated with the budget, and section 25 of the Local Government Act 2003 requires me to report on the adequacy of reserves and the robustness of estimates.

16.2 In the current climate, it is inevitable that the budget carries significant risk.

16.3 In my view, although very difficult, the budget for 2017/18 is achievable subject to the risks and issues described below.

16.4 The most substantial risks are in social care, specifically the risks of further growth in the cost of care packages, and inability to contain the costs of looked after children. These risks are the ones which will require the most focussed management attention in 2017/18.

16.5 There are also risks in the 2017/18 budget arising from:-

(a) Ensuring spending reviews which have already been approved, but not yet implemented, deliver the required savings. The most significant of these is the Technical Services review, which is discussed further at paragraph 7 above;

(b) Achievability of estimated rates income (although technically any shortfall will appear as a collection fund deficit in the 2018/19 budget). The key concern is the extent to which ratepayers will successfully appeal their new valuations, although there are still appeals outstanding from the previous revaluation which would result in backdated reductions if successful.

16.6 In the longer term, the risks to the budget strategy arise from:-

(a) Non-achievement, or delayed achievement, of the remaining spending review savings;

(b) Failure to achieve sufficient savings over and above the spending review programme;

(c) Loss of future resources, particularly in the transition to 100% business rates retention;

(d) Costs arising from the education funding reforms, over and above those for which provision has already been made.

16.7 A further risk arises from the implementation of the National Living Wage. This has effectively removed bands 1 and 2 from our pay structure, meaning differentials have ceased to be meaningful at the lower ends of the pay scale.

The LGA is currently reviewing the pay spine, with a view to making it fit for purpose again: recommendations have not yet been made, although it is hard to see what could be recommended other than wage increases to pay bands just above the national living wage.

16.8 Further risk is economic downturn, nationally or locally. This could result in new cuts to Revenue Support Grant (the Government has reserved its position over 4 year certainty, in the event of a substantial downturn); falling business rate income; and increased cost of council tax reductions for taxpayers on low incomes. It could also lead to a growing need for council services and an increase in bad debts. The decision to leave the EU may have increased this risk.

16.9 The budget seeks to manage these risks as follows:-

- (a) A minimum balance of £15m reserves will be maintained;
- (b) A planning contingency is included in the budget from 2018/19 onwards (£3m per annum accumulating);
- (c) Savings from the Council's minimum revenue provision policy are being saved until they are required (see paragraph 19).

16.10 Subject to the above comments, I believe the Council's general and earmarked reserves to be adequate. I also believe estimates made in preparing the budget are robust. (Whilst no inflation is provided for the generality of running costs in 2017/18, some exceptions are made, and it is believed that services will be able to manage without an allocation).

## 17. **Consultation on the Draft Budget**

17.1 Comments on the draft budget will be sought from:-

- (a) Business community representatives (a statutory consultee);
- (b) The Council's scrutiny function;
- (c) The Council's trade unions;
- (d) Key partners and other representatives of communities of interest.

17.2 Comments received will be included in the final version of this report.

## 18. **Borrowing**

18.1 Local authority capital expenditure is self-regulated, based upon a code of practice (the "prudential code").

18.2 The Council complies with the code of practice, which requires us to demonstrate that any borrowing is affordable, sustainable and prudent. To



comply with the code, the Council must approve a set of indicators at the same time as it agrees the budget. The substance of the code pre-dates the recent huge cutbacks in public spending, and the indicators are of limited value.

- 18.3 Since 2011/12, the Government has been supporting all new general fund capital schemes by grant. Consequently, any new borrowing has to be paid for ourselves and is therefore minimal.
- 18.4 Attached at Appendix Three are the prudential indicators which would result from the proposed budget. A limit on total borrowing, which the Council is required to set by law, is approved separately as part of the Council's treasury strategy.
- 18.5 The Council will continue to use borrowing for "spend to save" investment which generates savings to meet borrowing costs.

## 19. **Minimum Revenue Provision**

- 19.1 By law, the Council is required to charge to its budget each year an amount for the repayment of debt. This is known as "minimum revenue provision" (MRP). The Council approved a new approach in November, 2015, and the proposed policy for 2017/18 is shown at Appendix Four.
- 19.2 The proposed MRP policy results in revenue account savings when compared to the old approach, although these are paper rather than real savings – they result from a slower repayment of historic debt.
- 19.3 The proposed budget for 2017/18 would use the savings made in that year to set aside additional monies for debt repayment (voluntarily). This creates a "virtuous circle", i.e. it increases the savings in later years when we will need them more.
- 19.4 The approach to savings in 2018/19 and later years will be considered when the budgets for those years are prepared. At present, the capital financing estimates assume that the previous policy continues to apply.
- 19.5 Members are asked to note that the extent of savings available from the policy change will tail off in the years after they are fully brought into account.

## 20. **Financial Implications**

- 20.1 This report is exclusively concerned with financial issues.
- 20.2 Section 106 of the Local Government Finance Act 1992 makes it a criminal offence for any member with arrears of council tax which have been outstanding for two months or more to attend any meeting at which a decision affecting the budget is to be made unless the member concerned declares the arrears at the outset of the meeting and that as a result s/he will not be voting. The member can, however, still speak. The rules are more circumscribed for

the City Mayor and Executive. Any executive member who has arrears outstanding for 2 months or more cannot take part at all.

**21. Legal Implications (Kamal Adatia/Emma Horton)**

- 21.1 The budget preparations have been in accordance with the Council's Budget and Policy Framework Procedure Rules – Council's Constitution – Part 4C. The decision with regard to the setting of the Council's budget is a function under the constitution which is the responsibility of the full Council.
- 21.2 At the budget-setting stage, Council is estimating, not determining, what will happen as a means to the end of setting the budget and therefore the council tax. Setting a budget is not the same as deciding what expenditure will be incurred. The Local Government Finance Act, 1992, requires an authority, through the full Council, to calculate the aggregate of various estimated amounts, in order to find the shortfall to which its council tax base has to be applied. The Council can allocate more or less funds than are requested by the Mayor in his proposed budget.
- 21.3 As well as detailing the recommended council tax increase for 2017/18, the report also complies with the following statutory requirements:-
- (a) Robustness of the estimates made for the purposes of the calculations;
  - (b) Adequacy of reserves;
  - (c) The requirement to set a balanced budget.
- 21.4 Section 65 of the Local Government Finance Act, 1992, places upon local authorities a duty to consult representatives of non-domestic ratepayers before setting a budget. There are no specific statutory requirements to consult residents, although in the preparation of this budget the Council will undertake tailored consultation exercises with wider stakeholders.
- 21.5 As set out at paragraph 2.12, the discharge of the 'function' of setting a budget triggers the duty in s.149 of the Equality Act, 2010, for the Council to have "due regard" to its public sector equality duties. These are set out in paragraph 11. There are considered to be no specific proposals within this year's budget that could result in new changes of provision that could affect different groups of people sharing protected characteristics. As a consequence, there are no service-specific 'impact assessments' that accompany the budget. There is no requirement in law to undertake equality impact assessments as the only means to discharge the s.149 duty to have "due regard". The discharge of the duty is not achieved by pointing to one document looking at a snapshot in time, and the report evidences that the Council treats the duty as a live and enduring one. Indeed case law is clear that undertaking an EIA on an 'envelope-setting' budget is of limited value, and that it is at the point in time when policies are developed which reconfigure services to live within the budgetary constraint when impact is best assessed. However, an analysis of equality impacts has been prepared

in respect of the proposed increase in council tax, and this is set out in Appendix Five.

- 21.6 Judicial review is the mechanism by which the lawfulness of Council budget-setting exercises are most likely to be challenged. There is no sensible way to provide an assurance that a process of budget setting has been undertaken in a manner which is immune from challenge. Nevertheless the approach taken with regard to due process and equality impacts is regarded by the City Barrister to be robust in law.

22. **Other Implications**

<b>Other Implications</b>	<b>Yes/ No</b>	<b>Paragraph References within the report</b>
Equal Opportunities	Y	Paragraph 11
Policy	Y	The budget sets financial envelopes within which Council policy is delivered
Sustainable and Environmental	N	The budget is a set of financial envelopes within which service policy decisions are taken. The proposed 2016/17 budget reflects existing service policy.
Crime & Disorder	N	
Human Rights Act	N	
Elderly People/People on Low Income	N	

23. **Report Author**

Mark Noble  
Head of Financial Strategy

30<sup>th</sup> November 2016

**Budget Ceilings****1. City Development & Neighbourhoods****1.1 Local Services and Enforcement**

Divisional Management	202.7	0.0	1.7	204.4
Regulatory Services	4,398.5	(50.0)	55.2	4,403.7
Waste Management	15,248.4	0.0	285.9	15,534.3
Parks & Open Spaces	4,122.9	(430.0)	102.4	3,795.3
Neighbourhood Services	5,910.5	(111.0)	40.4	5,839.9
Standards & Development	715.9	0.0	11.3	727.2
<b>Divisional sub-total</b>	<b>30,598.9</b>	<b>(591.0)</b>	<b>0.0</b>	<b>496.9</b>

**1.2 Tourism, Culture & Inward Investment**

Arts & Museums	4,985.0	0.0	25.9	5,010.9
De Montfort Hall	969.7	0.0	18.9	988.6
City Centre	324.5	0.0	1.8	326.3
Inward Investment	192.7	0.0	1.9	194.6
Economic Development	457.2	0.0	10.5	467.7
Markets	(388.1)	0.0	6.6	(381.5)
Management - TCII	55.0	0.0	1.8	56.8
<b>Divisional sub-total</b>	<b>6,596.0</b>	<b>0.0</b>	<b>0.0</b>	<b>67.4</b>

**1.3 Planning, Transportation & Economic Development**

Transport Strategy	8,403.5	0.0	29.6	8,433.1
Traffic Management	1,526.4	0.0	35.2	1,561.6
Highways Design & Maintenance	6,199.5	(50.0)	2.2	6,151.7
Planning	1,057.1	0.0	21.5	1,078.6
Divisional Management	194.5	0.0	2.0	196.5
<b>Divisional sub-total</b>	<b>17,381.0</b>	<b>(50.0)</b>	<b>0.0</b>	<b>90.5</b>

**1.5 Investment**

Property Management	6,813.5	0.0	68.6	6,882.1
Environment team	329.4	0.0	3.0	332.4
Energy Management	635.9	0.0	7.0	642.9
<b>Divisional sub-total</b>	<b>7,778.8</b>	<b>0.0</b>	<b>0.0</b>	<b>78.6</b>

**1.6 Housing Services**

	<b>4,414.7</b>	<b>0.0</b>	<b>0.0</b>	<b>61.2</b>
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**1.7 Departmental Overheads**

	<b>657.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1.6</b>
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**1.8 Fleet Management**

	<b>111.8</b>	<b>(103.0)</b>	<b>0.0</b>	<b>1.8</b>
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<b>Savings to be allocated</b>	<b>0.0</b>	<b>(1,816.5)</b>	<b>0.0</b>	<b>0.0</b>
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<b>DEPARTMENTAL TOTAL</b>	<b>67,538.2</b>	<b>(2,560.5)</b>	<b>0.0</b>	<b>798.0</b>
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	2016/17 budget £'000s	Spending Review savings £'000s	Social care pressures £'000s	Inflation £'000s	Budget 2017/18 £'000s
<b>2. Adults</b>					
<b>2.1 Adult Social Care &amp; Safeguarding</b>					
Other Management & support	1,752.7	0.0		13.9	1,766.6
Safeguarding	543.0	0.0		6.9	549.9
Preventative Services	7,914.0	0.0		72.6	7,986.6
Independent Sector Care Package Costs	75,522.0	0.0		1,179.8	76,701.8
Care Management (Localities)	7,274.2	0.0		74.7	7,348.9
<b>Divisional sub-total</b>	<b>93,005.9</b>	<b>0.0</b>	<b>0.0</b>	<b>1,347.9</b>	<b>94,353.8</b>
<b>2.2 Adult Social Care &amp; Commissioning</b>					
Enablement & Day Care	4,723.7	0.0		48.2	4,771.9
Care Management (LD & AMH)	5,426.0	0.0		53.7	5,479.7
Preventative Services	3,746.3	0.0		2.1	3,748.4
Contracts, Commissioning & Other Support	2,695.3	0.0		30.0	2,725.3
Substance Misuse	5,282.7	0.0		0.0	5,282.7
Departmental	(12,396.0)	0.0	1,578.0	4.8	(10,813.2)
<b>Divisional sub-total</b>	<b>9,478.0</b>	<b>0.0</b>	<b>1,578.0</b>	<b>138.8</b>	<b>11,194.8</b>
<b>2.3 City Public Health &amp; Health Improvement</b>					
Sexual Health	4,390.6	0.0		0.0	4,390.6
NHS Health Checks	521.0	0.0		0.0	521.0
Children 0-19	10,367.5	0.0		0.0	10,367.5
Smoking & Tobacco	972.0	0.0		0.0	972.0
Substance Misuse	327.0	0.0		0.0	327.0
Physical Activity	1,623.2	0.0		0.0	1,623.2
Health Protection	55.0	0.0		0.0	55.0
Public Mental Health	234.0	0.0		0.0	234.0
Public Health Advice & Intelligence	90.0	0.0		0.0	90.0
Staffing & Infrastructure	1,288.7	0.0		0.0	1,288.7
Sports Services	3,491.8	0.0		54.0	3,545.8
<b>Divisional sub-total</b>	<b>23,360.8</b>	<b>0.0</b>	<b>0.0</b>	<b>54.0</b>	<b>23,414.8</b>
<b>2.4 Public Health grant income</b>	<b>(28,214.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(28,214.0)</b>
<b>DEPARTMENT TOTAL</b>	<b>97,630.7</b>	<b>0.0</b>	<b>1,578.0</b>	<b>1,540.7</b>	<b>100,749.4</b>

	2016/17 budget £'000s	Spending Review savings £'000s	Social care pressures £'000s	Inflation £'000s	Budget 2017/18 £'000s
<b>3. Education &amp; Children's Services</b>					
<b>3.1 Strategic Commissioning &amp; Business Support</b>					
Divisional Budgets	640.9	0.0		7.3	648.2
Operational Transport	(111.6)	0.0		0.0	(111.6)
<b>Divisional sub-total</b>	<b>529.3</b>	<b>0.0</b>	<b>0.0</b>	<b>7.3</b>	<b>536.6</b>
<b>3.2 Learning Quality &amp; Performance</b>					
Raising Achievement	1,872.4	0.0		17.8	1,890.2
Adult Skills	(870.4)	0.0		0.0	(870.4)
School Organisation & Admissions	794.8	0.0		5.0	799.8
Special Education Needs and Disabilities	6,783.5	0.0		27.2	6,810.7
<b>Divisional sub-total</b>	<b>8,580.3</b>	<b>0.0</b>	<b>0.0</b>	<b>50.0</b>	<b>8,630.3</b>
<b>3.3 Children, Young People and Families</b>					
Children In Need	9,490.1	0.0		58.9	9,549.0
Looked After Children	33,448.7	0.0	4,692.0	221.1	38,361.8
Safeguarding & QA	2,128.5	0.0		21.0	2,149.5
Early Help Targeted Services	8,948.7	0.0		86.5	9,035.2
Early Help Specialist Services	5,266.4	0.0		56.6	5,323.0
<b>Divisional sub-total</b>	<b>59,282.4</b>	<b>0.0</b>	<b>4,692.0</b>	<b>444.1</b>	<b>64,418.5</b>
<b>3.4 Departmental Resources</b>					
Departmental Resources	(5,677.7)	0.0		6.7	(5,671.0)
Education Services Grant	(4,468.1)	0.0		0.0	(4,468.1)
<b>Divisional sub-total</b>	<b>(10,145.8)</b>	<b>0.0</b>	<b>0.0</b>	<b>6.7</b>	<b>(10,139.1)</b>
<b>DEPARTMENTAL TOTAL</b>	<b>58,246.2</b>	<b>0.0</b>	<b>4,692.0</b>	<b>508.1</b>	<b>63,446.3</b>
<b>4. Corporate Resources Department</b>					
<b>4.1 Delivery, Communications &amp; Political Gover</b>	<b>5,685.6</b>	<b>0.0</b>	<b>0.0</b>	<b>33.8</b>	<b>5,719.4</b>
<b>4.2 Financial Services</b>					
Financial Support	6,218.9	0.0		70.6	6,289.5
Revenues & Benefits	5,767.9	0.0		81.1	5,849.0
<b>Divisional sub-total</b>	<b>11,986.8</b>	<b>0.0</b>	<b>0.0</b>	<b>151.7</b>	<b>12,138.5</b>
<b>4.3 Human Resources</b>	<b>3,963.2</b>	<b>0.0</b>	<b>0.0</b>	<b>42.2</b>	<b>4,005.4</b>
<b>4.4 Information Services</b>	<b>10,084.6</b>	<b>(1,200.0)</b>	<b>0.0</b>	<b>64.0</b>	<b>8,948.6</b>
<b>4.5 Legal Services</b>	<b>2,017.1</b>	<b>0.0</b>	<b>0.0</b>	<b>38.0</b>	<b>2,055.1</b>
<b>DEPARTMENTAL TOTAL</b>	<b>33,737.3</b>	<b>(1,200.0)</b>	<b>0.0</b>	<b>329.7</b>	<b>32,867.0</b>
<b>GRAND TOTAL -Service Budget Ceilings</b>	<b>257,152.4</b>	<b>(3,760.5)</b>	<b>6,270.0</b>	<b>3,176.5</b>	<b>262,838.4</b>

**Scheme of Virement**

1. This appendix explains the scheme of virement which will apply to the budget, if it is approved by the Council.

**Budget Ceilings**

2. Strategic directors are authorised to vire sums within budget ceilings without limit, providing such virement does not give rise to a change of Council policy.
3. Strategic directors are authorised to vire money between any two budget ceilings within their departmental budgets, provided such virement does not give rise to a change of Council policy. The maximum amount by which any budget ceiling can be increased or reduced during the course of a year is £500,000. This money can be vired on a one-off or permanent basis.
4. Strategic directors are responsible, in consultation with the appropriate Assistant Mayor if necessary, for determining whether a proposed virement would give rise to a change of Council policy.
5. Movement of money between budget ceilings is not virement to the extent that it reflects changes in management responsibility for the delivery of services.
6. The City Mayor is authorised to increase or reduce any budget ceiling. The maximum amount by which any budget ceiling can be increased during the course of a year is £5m. Increases or reductions can be carried out on a one-off or permanent basis.
7. The Director of Finance may vire money between budget ceilings where such movements represent changes in accounting policy, or other changes which do not affect the amounts available for service provision.
8. Nothing above requires the City Mayor or any director to spend up to the budget ceiling for any service.

**Corporate Budgets**

9. The following authorities are granted in respect of corporate budgets:
  - (a) the Director of Finance may incur costs for which there is provision in miscellaneous corporate budgets, except that any policy decision requires the approval of the City Mayor;
  - (b) the City Mayor may determine the use of the provision for Education Funding reform.

### Earmarked Reserves

10. Earmarked reserves may be created or dissolved by the City Mayor. In creating a reserve, the purpose of the reserve must be clear.
11. Strategic directors may add sums to an earmarked reserve, from:
  - (a) a budget ceiling, if the purposes of the reserve are within the scope of the service budget;
  - (b) a carry forward reserve, subject to the usual requirement for a business case.
12. Strategic directors may spend earmarked reserves on the purpose for which they have been created.
13. When an earmarked reserve is dissolved, the City Mayor shall determine the use of any remaining balance.

DRAFT



**Recommended Prudential Indicators**

**1. Introduction**

1.1 This appendix details the recommended prudential indicators for general fund borrowing and HRA borrowing.

**2. Proposed Indicators of Affordability**

2.1 The ratio of financing costs to net revenue budget:

	<b>2017/18 Estimate %</b>	<b>2018/19 Estimate %</b>	<b>2019/20 Estimate %</b>
General Fund	5.4	5.5	5.4
HRA	11.4	11.9	12.3

2.2 The estimated incremental impact on council tax and average weekly rents of capital investment decisions proposed in the general fund budget and HRA budget reports over and above capital investment decisions that have previously been taken by the Council are:

	<b>2017/18 Estimate £</b>	<b>2018/19 Estimate £</b>
Band D council tax	0.0	0.0
HRA rent	0.0	0.0

### 3. Indicators of Prudence

- 3.1 The forecast level of capital expenditure to be incurred for the years 2016/17 and 2017/18 (based upon the Council capital programme, and the proposed budget and estimates for 2017/18) are:

Area of expenditure	2016/17 Estimate £000s	2017/18 Estimate £000s
Children's services	20,467	41,310
Young People	438	1,097
Resources ICT	951	1,880
Transport	15,271	45,333
Cultural & Neighbourhood Services	7,350	1,298
Environmental Services	2,375	284
Economic Regeneration	41,679	28,864
Adult Care	934	15,571
Public Health	390	120
Property	7,769	2,715
Vehicles	501	3,100
Housing Strategy & Options	2,121	3,600
Corporate Loans	1,000	-
<b>Total General Fund</b>	<b>101,246</b>	<b>145,172</b>
Housing Revenue Account	22,080	17,130
<b>Total</b>	<b>123,326</b>	<b>162,302</b>

- 3.2 The capital financing requirement measures the authority's underlying need to borrow for a capital purpose is shown below. This includes PFI recognised on the balance sheet.

	2016/17 Estimate £m	2017/18 Estimate £m	2018/19 Estimate £m	2019/20 Estimate £m
General Fund	364	347	330	313
HRA	213	212	211	211

### 4. Treasury Limits for 2017/2018

- 4.1 The Treasury Strategy which includes a number of prudential indicators required by CIPFA's prudential code for capital finance has been included as part of a separate report to Council.

**Minimum Revenue Provision Policy**

**1. Introduction**

- 1.1 This policy sets out how the Council will calculate the minimum revenue provision chargeable to the General Fund in respect of previous years' capital expenditure, where such expenditure has been financed by borrowing.

**2. Basis of Charge**

- 2.1 Where borrowing pays for an asset, the debt repayment calculation will be based on the life of the asset.
- 2.2 Where borrowing funds a grant or investment, the debt repayment will be based upon the length of the Council's interest in the asset financed (which may be the asset life, or may be lower if the grantee's interest is subject to time limited restrictions).
- 2.3 Where borrowing funds a loan to a third party, the basis of charge will normally be the period of the loan (and will never exceed this). The charge would normally be based on an equal instalment of principal, but could be set on an annuity basis where the Director of Finance deems appropriate.

**3. Commencement of Charge**

- 3.1 Debt repayment will normally commence in the year following the year in which the expenditure was incurred. However, in the case of expenditure relating to the construction of an asset, the charge will commence in the year in which the asset becomes operational. Where expenditure will be recouped from future income, and the receipt of that income can be forecast with reasonable certainty, the charge may commence when the income streams arise.

**4. Asset Lives**

- 4.1 The following maximum asset lives are proposed:-
- Land – 50 years;
  - Buildings – 50 years;
  - Infrastructure – 40 years;
  - Plant and equipment – 20 years;
  - Vehicles – 10 years;
  - Loan premia – the higher of the residual period of loan repaid and the period of the replacement loan;

5. **Voluntary Set Aside**

- 5.1 Authority is given to the Director of Finance to set aside sums voluntarily for debt repayment, where she believes the standard depreciation charge to be insufficient, or in order to reduce the future debt burden to the authority.

6. **Other**

- 6.1 In circumstances where the treasury strategy permits use of investment balances to support investment projects which achieve a return, the Director of Finance may adopt a different approach to reflect the financing costs of such schemes. A different approach may also be adopted for other projects which aim to achieve a return.

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**Equality Impact Assessment**

1. The purpose of this appendix is to present the equalities impact of the proposed 3.99% council tax increase.
2. **Purpose of the increase**
  - 2.1 There are two elements to the proposed tax increase:
    - (a) A 2% increase to address Adult Social Care funding needs outlined in the budget strategy;
    - (b) A 1.99% increase in council tax to enable the council to maintain its budgeted policy commitments.
3. **Who is affected by the proposal?**
  - 3.1 Since April 2013, as a consequence of the Government's welfare reforms, all working age households in Leicester have been required to contribute towards their council tax bill. Our current council tax reduction scheme (CTRS) requires working age households to pay at least 20% of their council tax bill, and sets out to ensure that the most vulnerable householders are given some relief in response to financial hardship they may experience.
  - 3.2 NOMIS<sup>1</sup> figures for the city's working age population (June 2016) indicated that there are 159,000 economically active residents in the city, of whom 6.6% are unemployed. As of February 2016, there were 32,000 working age benefit claimants (14.0% of the city's working age population of 229,000), with 25,000 of these in receipt of out of work benefits. The working age population is inclusive of all protected characteristics.
4. **How are they affected?**
  - 4.1 The chart below sets out the financial impact of the proposed council tax increase on different properties, before any discounts or reliefs are applied. It shows the weekly increase in each band, and the minimum weekly increase for those in receipt of a reduction under the CTRS.
  - 4.2 For band B properties (80% of the city's properties are in bands A or B), the proposed annual increase in council tax is £42.11; the minimum annual increase for households eligible under the CTRS would be £8.42.

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<sup>1</sup> NOMIS is an Office for National Statistics web based service that provides free UK labour market statistics from official sources.

<b>Band</b>	<b>No. of Households</b>	<b>Weekly Increase</b>	<b>Maximum Relief (80%)</b>	<b>Minimum Weekly Increase</b>
A-	243	£0.58	£0.46	£0.12
A	80066	£0.69	£0.55	£0.14
B	26153	£0.81	£0.65	£0.16
C	15485	£0.92	£0.65	£0.27
D	6732	£1.04	£0.65	£0.39
E	3279	£1.27	£0.65	£0.62
F	1459	£1.50	£0.65	£0.85
G	597	£1.73	£0.65	£1.08
H	39	£2.08	£0.65	£1.43
<b>Total</b>	<b>134053</b>			

## 5. Risks over the coming year:

- 5.1 One of the main risks to household income over the coming year is increased inflation. The November 2016 forecast by the Bank of England anticipates a CPI inflation rate of 2.7% in the third quarter of 2018, arising from the drop in value of the pound. Some industry sources expect an increase of up to 5% in food prices over the next year. Because food takes up a larger proportion of low income household expenditure, and their income levels have been squeezed by the Government's welfare reforms (ASDA tracker, June 2016), increases in food prices will have the most significant impact on these households.
- 5.2 Another area of cost increase could be fuel and oil, as a result of the decision by OPEC to reduce its supplies to the energy markets. Costs rose by 6% in September 2016 as result of this decision alone. It is likely we will see increases in fuel and energy costs over time as a result of this OPEC decision.
- 5.3 Incomes of households reliant on social security benefits continue to be squeezed with the Government's continued implementation of the welfare reform programme. There are a range of specific reductions alongside the far ranging freeze in the level of benefits until 2020. This will reduce the ability of low income households to respond to the above anticipated inflationary

pressures, particularly in regard to the cost of food. The chart below gives an indication of anticipated decreases in household incomes by 2020/21, as a consequence of post 2015 welfare reforms:-

Couple – one dependent child	£900 p.a.
Couple – two or more dependent children	£1,450 p.a.
Lone parent – one dependent child	£1,400 p.a.
Lone parent – two or more dependent children	£1,750 p.a.
Single person working age household	£250 p.a.

*Source: Centre for Regional Economic and Social Research/Sheffield Hallam University report: “The uneven impact of welfare reform – the financial losses to places and people” (March 2016).*

## 6. **Offset by current trends:**

- 6.1 There has been a continuing decrease in the percentage of the working age population unemployed in Leicester (NOMIS): June 2016, 6.6%, (down from June 2015, 7.7%; June 2014, 11.8%; and June 2013, 13.9%).
- 6.2 The supermarket ASDA tracks household expenditure. The tracker for June 2016 indicated that the national increase in average household discretionary income was £10 per week compared to June 2015. However, the level of increase is starting to be affected by inflationary rises for essential household items. The tracker nonetheless found that wage growth remains well about the inflation rate.
- 6.3 The Joseph Rowntree Foundation’s annual “Minimum Income Standard” for 2016 highlighted the emerging trend of families seeking more economical ways of maintaining their standard of living, by shopping around and using the internet for price comparisons. They cited weekly savings of £7 in fuel costs for a family with children by switching suppliers. The Minimum Income Standard also observed that a significant proportion of childcare costs for families in receipt of Universal Credit and tax credits were being covered for them (by 85% and 70% respectively); and that the introduction by the Government of free childcare for 3 and 4 year olds will further ease pressures on household incomes for those with young children.

## 7. **Overall impact:**

- 7.1 Any increased costs will be a problem for some households with limited incomes, as they will be squeezed by the next round of welfare reforms alongside anticipated inflationary increases of many basic household items such as food and fuel.
- 7.2 The weekly increase in council tax, however, is small for many of these households, as can be seen from the table above.

**8. Mitigating actions:**

- 8.1 For residents likely to experience short term financial crises as a result of the cumulative impacts of the above risks, the Council has a range of mitigating actions. These include: funding through Discretionary Housing Payments; the council's work with voluntary and community sector organisations to provide food to local people where it is required – through the council's or partners' food banks; and through schemes which support people getting into work (and include cost reducing initiatives that address high transport costs such as providing recycled bicycles).

**9. What protected characteristics are affected?**

- 9.1 The chart below, describes how each protected characteristic is likely to be affected by the proposed council tax increase. The chart sets out known trends, anticipated impacts and risks; along with mitigating actions available to reduce negative impacts.
- 9.2 Some protected characteristics are not (as far as we can tell) disproportionately affected (as will be seen from the table) because there is no evidence to suggest they are affected differently from the population at large. They may, of course, be disadvantaged if they also have other protected characteristics that are likely to be affected, as indicated in the following analysis of impact based on protected characteristic.



## Analysis of impact based on protected characteristic

Protected characteristic	Impact of proposal:	Risk of negative impact:	Mitigating actions:
<b>Age</b>	<p>Older people are least affected – they receive protection from inflation in the uprating of state pensions; and 100% reductions are available under the CTRS.</p> <p>Working age people bear the impacts of welfare reform reductions – particularly those with children. Whilst an increasing proportion of working age residents are in work, national research indicates that those on low wages are failing to get the anticipated uplift of the National Living Wage. The tax increase could have an impact on such household incomes.</p>	<p>Working age households – incomes squeezed through low wages and reducing levels of benefit income, along with anticipated inflation.</p>	<p>Access to council discretionary funds for individual financial crises; access to council and partner support for food; and advice on better managing household budgets.</p>
<b>Disability</b>	<p>Disability benefits have been reduced over time as thresholds for support have increased. The tax increase could have an impact on such household incomes.</p>	<p>Further erode quality of life being experienced by disabled people as their household incomes are squeezed further by anticipated inflation.</p>	<p>Disability benefits are disregarded in the assessment of need for CTRS purposes. Access to council discretionary funds for individual financial crises; access to council and partner support for food; and advice on better managing budgets.</p>

Protected characteristic	Impact of proposal:	Risk of negative impact:	Mitigating actions:
<b>Gender Reassignment</b>	No disproportionate impact is attributable specifically to this characteristic.		
<b>Marriage and Civil Partnership</b>	Couples receive benefits if in need, irrespective of their legal marriage or civil partnership status. No disproportionate impact is attributable specifically to this characteristic.		
<b>Pregnancy and Maternity</b>	Maternity benefits will not be frozen and therefore kept in line with inflation. However, other social security benefits will be frozen, but without disproportionate impact arising for this protected characteristic.		
<b>Race</b>	Those with white backgrounds are disproportionately on low incomes (indices of multiple deprivation) and in receipt of social security benefits. Some BME are also low income and on benefits. The tax increase could have an impact on such household incomes.	Household income being further squeezed through low wages and reducing levels of benefit income, along with anticipated inflation.	Access to council discretionary funds for individual financial crises; access to council and partner support for food; and advice on better managing household budgets.

Protected characteristic	Impact of proposal:	Risk of negative impact:	Mitigating actions:
<b>Religion or Belief</b>	No disproportionate impact is attributable specifically to this characteristic.		
<b>Sex</b>	Disproportionate impact on women who tend to manage household budgets and are responsible for childcare costs. Women are disproportionately lone parents.	Incomes squeezed through low wages and reducing levels of benefit income, along with anticipated inflation.	If in receipt of Universal Credit or tax credits, a significant proportion of childcare costs are met by these sources. Access to council discretionary funds for individual financial crises; access to council and partner support for food; and advice on better managing household budgets.
<b>Sexual Orientation</b>	No disproportionate impact is attributable specifically to this characteristic.		

<b>Earmarked Reserves</b>		<b>Appendix Six</b>
<b>Earmarked Revenue Reserves-Departmental</b>	<b>Balance at 1st April 2016</b>	<b>Forecast Balance 31-3-2017</b>
	<i>{£000}</i>	<i>{£000}</i>
<b><u>Adult Care</u></b>		
Adult and Children's Social Care IT System (Liquidlogic)	354	193
Amount required to balance 16/17 budget	331	-
<b><u>Children's</u></b>		
Amount required to balance 16/17 budget	5,005	-
<b><u>City Development (excluding Housing)</u></b>		
Strategic Reserve	1,139	954
Central Maintenance Fund	436	-
On Street Parking - commitments	432	-
Other CDN	1,078	637
<b><u>Housing</u></b>		
Provision for Bed & Breakfast Costs	400	400
Other Housing	966	829
<b><u>Public Health</u></b>		
Outdoor Gyms Reserve	727	-
Provision for Severance Costs	910	410
Food Growing Hubs Initiative (17/18)	93	93
<b><u>Corporate Resources</u></b>		
Replacement of Finance System	1,250	1,250
Service Analysis Team	624	624
Channel Shift Reserve	1,702	1,702
ICT Development Fund	2,156	2,156
PC Replacement Fund	939	939
Surplus Property Disposal Costs	1,000	1,000
Electoral Services	619	619
Legal Services Divisional Reserve	521	521
Election Fund	1,020	1,020
Strategic Initiatives	500	500
Other Corporate Resources	2,339	1,800
<b>TOTAL DEPARTMENTAL RESERVES</b>	<b>24,541</b>	<b>15,647</b>

	<b>Balance at 1st April 2016</b> <i>{£000}</i>
<b>Corporate Reserves</b>	
Earmarked Reserves Declared Surplus	4,914
Managed Reserves Strategy	40,936
BSF Financing	24,812
Capital Programme Reserve	17,125
Severance Fund	8,094
Insurance Fund	11,121
Service Transformation Fund	6,135
Welfare Reform Reserve	4,533
Other Corporate Reserves	2,249
<b>Total Corporate Reserves</b>	<b>119,919</b>
<b>Ringfenced Monies</b>	
NHS Joint Working Projects	5,275
DSG not delegated to schools	16,705
School Capital Fund	2,829
Schools Buy Back	923
Primary PRU Year-End Balance	71
Secondary PRU Year-End Balance	175
Schools' Balances	19,583
<b>Total Ringfenced Monies</b>	<b>45,561</b>

Comments from Partners

[To complete later]

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**Spending Review Programme**

	<b>Review</b>	<b>Summary</b>	<b>Savings Reported (£m)</b>	<b>Outstanding Savings (£m)</b>
1.	Corporate Resources	In implementation.	3.9	Nil
2.	Transforming Neighbourhood Services	Reviewing community use buildings on an area by area basis (libraries, community centres, adult skills, customer service centres).	0.9	0.8
3.	Voluntary and Community Services	Complete.	0.1	Nil
4.	HRA Charging	Complete (decisions taken).	4.0	Nil
5.	Sports and Leisure	Review of Council's direct sports provision and sports development.		2.0
6.	Parks and Open Spaces	In implementation.	1.5	Nil
7.	Park and Ride	Service expected to become self-financing.		0.2
8.	External Communications	Complete.	0.1	Nil
9.	Substance Misuse	Complete.	1.0	Nil
10.	Welfare Advice	Decision taken.	0.2	Nil
11.	Investment Property.	Review of property assets held for investment income.		0.6
12.	IT	Complete, in implementation.	2.4	Nil
13.	Homelessness Services	Review of services to prevent homelessness. Service already restructured to focus on prevention; savings of £0.8m achieved.	0.8	0.7
14.	Technical Services	Covers facilities management, operational property services, traffic and transport, repairs and maintenance of all buildings (including housing), fleet management, stores, energy, environment team. In implementation.	10.1	0
16.	Children's Services	All services provided by Education and Children's Services, other than schools and social care.		5.0
17.	Regulatory Services	Protective services including neighbourhood protection, business regulation, pest control, licensing and community safety.	0.2	0.8
18.	Cleansing and Waste	City and neighbourhood cleansing, litter disposal, waste collection and disposal (including PFI arrangements).		2.5
19.	City Centre	Services provided by City Centre Division, including tourism.	0.1	

	<b>Review</b>	<b>Summary</b>	<b>Savings Reported £m</b>	<b>Savings Outstanding (£m)</b>
20.	Using Buildings Better	Extends scope of Transforming Neighbourhoods to review other neighbourhood buildings (depots and local non-customer facing offices). Revenue savings will arise from channel shift and staff accommodation.		2.0
21.	Arts Organisations	De Montfort Hall and grants to Curve/Phoenix.		0.7
22.	Museums	Cost of managing and running buildings and collections. Scope does not include removal of free admission.		0.7
23.	Car Parking and Highways Maintenance	Maximise net income and reduce cost of operating car parks; and increase available surplus from on-street parking. Review options for savings in highways division.		0.7
24.	Festivals	Review of Council support to festivals.		0.1
25.	Community and Voluntary Organisations	Review support to a number of VCS bodies supported by Community Services.		TBD
26.	Parks standards and development	Efficiency savings.		0.2
27.	Community Capacity Building	Revisit current arrangements with Voluntary Action Leicester and other projects.		0.2
28.	Civic and Democratic Services	Democratic and civic functions.		0.2
29.	Departmental Administration	Review of departmental administrative services with view to rationalisation, automation, management of admin and removal of duplication.		1.0
30.	Adult Learning	Aim to increase the £0.8m currently contributing to Council support. Service is entirely grant funded, and finance input will be required to ensure grant conditions are complied with.		0.4
31.	Advice Services (follow up)	Review of internal and external advice services provided by internal Welfare Rights Service, STAR service and external organisations. Aims to eliminate duplicate provision.		0.5



	<b>Review</b>	<b>Summary</b>	<b><u>Savings Reported</u></b> <b><u>£m</u></b>	<b><u>Savings Outstanding</u></b> <b><u>(£m)</u></b>
32.	Health Services	Ongoing review of services promoting health, including Health and Wellbeing Division; and services contributing to healthy lifestyles. Savings cannot be made to extent that service is funded by ringfenced public health grant.		TBD

**Total**

**25.2**

**19.4**

NB: This appendix will be brought up to date for any new approvals between now and February 2017.

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# Appendix G

## Neighbourhood Services & Community Involvement

### Spending Review Programme

	<u>Review</u>	<u>Summary</u>	<u>Saving Reports (£m)</u>	<u>Outstanding Savings (£m)</u>	<u>Update including timeline and scrutiny involvement</u>
2	Transforming Neighbourhood Services	Reviewing community use buildings on an area by area basis (libraries, community centres, adult skills, customer service centres).	0.9	0.8	North East area awaiting decision. Went to Scrutiny on 30 Nov 2016.  Final area – East and Central – initial engagement due to commence in January 2017. Will report to scrutiny in due course.
17	Regulatory Services	Protective services including neighbourhood protection, business regulation, pest control, licensing and community safety.	0.2	0.8	Reported to Scrutiny on 30 <sup>th</sup> November. Initial savings achieved through a reduction in Heads of Service from three to one. A draft business case for consultation with staff and the unions is being developed for discussion to commence by Spring 2017. Scrutiny will be updated as appropriate in the new municipal year.
18	Cleansing and Waste	City and neighbourhood cleansing, litter disposal, waste collection and disposal (including PFI arrangements).		2.5	Scrutiny was updated regarding the Cleansing aspect of this review on 30 <sup>th</sup> November, 2016.  The Council is in a contract with Biffa regarding waste collection/disposal. Should proposals in relation to this emerge in the

					future, they would require careful consideration/ contract negotiation along with consultation, as appropriate, with the public and Scrutiny. To date Scrutiny has been engaged in terms of consultation on the potential for charging for bulky waste and DIY waste – 5 <sup>th</sup> October, 2016.
20	Using Buildings Better (UBB)	Extends scope of Transforming Neighbourhood Services to review other neighbourhood buildings (depots and local non-customer facing offices). Revenue savings will arise from channel shift and staff accommodation. <i>Specific to Neighbourhood Services in relation to TNS and channel shift</i>		2.0	Overview of UBB went to Scrutiny in July 2016.  For TNS – see above.  Channel shift – update proposed for 22 March scrutiny meeting.
25	Community and Voluntary Organisations	Review support to a number of VCS bodies supported by Community Services.		TBD	The Council's Service Analysis Team is currently supporting the review in this area and their feedback is awaited. For Neighbourhood Services these savings relate in the first instance to TNS and are to be incorporated in the £1.7 Million indicative savings target. TNS is due to conclude in 2018 and a report to Scrutiny will be available prior to

					this.
26	Standards and Development	Efficiency savings. Specific to Neighbourhood Services in relation to CCTV operation.		0.2	Back-office changes are being put in place with the one public facing change in how the service carries out the maintenance of Local Nature Reserves. This saving has been reported on in the period six report to Overview Select and Scrutiny Committee on 13 <sup>th</sup> December 2016.
27	Community Capacity Building	Revisit current arrangements with Voluntary Action Leicester and other projects.		0.2	Consultation currently underway and closes on 3 February. Update to scrutiny planned for 23 January meeting followed by a further update on proposals prior to Executive decision.
31	Advice Services (follow up)	Review of internal and external advice services provided by internal Welfare Rights Service, STAR service and external organisations. Aims to eliminate duplicate provision.		0.5	The re-procurement of externally provided advice services is underway with new contracts expected to start 1.11.17. STAR is being reviewed separately by Housing. The review of internally provided welfare rights services although formally approved, has paused pending concerns raised by staff and the potential integration with the procurement of external contracts.



**Neighbourhood Service and Community Involvement Scrutiny Commission**

**Work Programme 2016-17**

Meeting date	Meeting items	Actions Arising	Progress
<p><b>6<sup>th</sup> July 2016</b></p>	<ol style="list-style-type: none"> <li>1. Portfolio overview</li> <li>2. Using Buildings Better overview</li> <li>3. Response to the Leicester Advice Sector: A report outlining the risk and demands in the city</li> <li>4. The City's Emergency Food Bank Briefing Report</li> </ol>	<ol style="list-style-type: none"> <li>1. That work to combat fly-tipping and that undertaken by the City Warden's service, be included in the forward plan and come as a report at a later meeting.</li> <li>2. That the Director of Delivery, Communications and Political Governance continue to provide reports on Channel Shift and the UBB programme to the commission; that the legacy of TNS come to the commission after the programme has been rolled out; and for the UBB programme to be included in the OSC's work programme.</li> <li>3. That the next report from the Social Welfare Advice Partnership and the Councils response to this consider including a SWAP representative; and that the CAB report comes to the commission later this year.</li> <li>4. That a feasibility study in the introduction of community supermarket provision in the city is supported; That the Head of Revenues and Customer Support identify ways to address concerns for providers of food and fuel crisis; to invite Action homeless to contact faith communities to be included in the Councils emergency food provision; and to liaise with Voluntary Action LeicesterShire about the provision of volunteers in relation to the</li> </ol>	<p align="center">Complete</p>

## Neighbourhood Service and Community Involvement Scrutiny Commission

### Work Programme 2016-17

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		Braunstone area. The Director of Delivery, Communication and Political Governance is asked to liaise with the Chair about offering a standing invitation to representatives of Voluntary Action LeicesterShire to attend meetings of the Commission.	
<b>24<sup>th</sup> August 2016</b>	<ol style="list-style-type: none"> <li>1. The Furniture Bank Pilot Scheme</li> <li>2. Social Welfare Advice procurement paper</li> <li>3. Scoping document: 'Getting the best out of our neighbourhood services'</li> </ol>	<ol style="list-style-type: none"> <li>1. For an update report to come back to the commission in a years' time on the schemes future arrangements and operation.</li> <li>2. The Commission endorsed option 2 to go to the Executive; procurement to include organisations which have local knowledge, contacts and addresses the needs of a multicultural city in respect to language translations; for there to be a clear framework for monitoring of the contract and advice services in the city under the new arrangement; and for an update on social welfare advice to come back to the commission in the future.</li> <li>3. Scoping document was endorsed by members of the commission.</li> </ol>	
<b>5<sup>th</sup> October 2016</b>	<ol style="list-style-type: none"> <li>1. Consideration of charging for Bulky waste collections</li> <li>2. Consideration of charging for DIY waste at household waste recycling centres</li> <li>3. Welfare Reform</li> <li>4. Citizens Advice Leicestershire: City advice services contract performance 2015-16</li> <li>5. Update on Spending reviews</li> </ol>	<ol style="list-style-type: none"> <li>1. That the executive consider delaying consultation until evidence has been received of the impact of the charges introduced by Leicestershire County Council for the disposal of waste at household recycling centres, with particular attention paid to city wards that are on the boundary with the county; that before the consultation is carried out that the Director of</li> </ol>	



Neighbourhood Service and Community Involvement Scrutiny Commission

Work Programme 2016-17

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		<p>Neighbourhoods and Environmental Services provide the executive with more detail on the weaknesses in the currently bulky waste collection service e.g. people not using the free charge and difficulties encountered by residents in flats, terraced houses and estate; That the executive is asked to include formal engagement with partner agencies to include but not exclusively the city warden service, city council officers responsible for collecting waste from housing estates, Biffa (as the contractor) and the LRRN; That the Director of Neighbourhoods and Environmental Services is asked to consider during the consultation process a system of concessions for those on benefits or the elderly, including whether residents should “self-declare” their status and what, if any, evidence should be provided by those residents of their status; improve information on the potential environmental and social impact of an increase in backyard burning of waste; That the Director of Neighbourhoods and Environmental Services is asked to consider how residents in houses of multiple occupation and students can be better educated about waste collection and what items can be recycled; and for landlords to be encouraged to take more responsibility for waste left by their</p>	
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Neighbourhood Service and Community Involvement Scrutiny Commission

Work Programme 2016-17

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		<p>tenants.</p> <p>2. That the executive consider delaying consultation until evidence has been received of the impact of the charges introduced by Leicestershire County Council for the disposal of waste at household recycling centres, with particular attention paid to city wards that are on the boundary with the county; that before the consultation is carried out that the Director of Neighbourhoods and Environmental Services provide the executive with more detail on the weaknesses in the current DIY waste disposal service, such as fly-tipping and abuse of the system by professional builders; That the executive is asked to include formal engagement with partner agencies to include but not exclusively the city warden service, city council officers responsible for collecting waste from housing estates, Biffa (as the contractor) and the LRRN; That the Director of Neighbourhoods and Environmental Services is asked to consider during the consultation process a system of concessions for those on benefits or the elderly, including whether residents should “self-declare” their status and what, if any, evidence should be provided by those residents of their status; and improve</p>	
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Neighbourhood Service and Community Involvement Scrutiny Commission

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		<p>information on the potential environmental and social impact of an increase in backyard burning of waste.</p> <p>3. That the Head of Revenues and Customer Support is asked to supply members with copies of the leaflet advising people on how to apply for social welfare assistance and that future reports on what the Council are doing to ease the cuts from central government on welfare payments; that the Assistant City Mayor for Children's, Young People and Schools monitor to changes to welfare payments to houses with more than 2 children when the changes are introduced (April 2017) and for the Director of Finance is asked to provide a further welfare report update to scrutiny in 12 months' time.</p> <p>4. To provide information for Councillors to understand how to access and refer citizens to Citizens Advice Leicestershire by providing this information to Councillors and through members services; That CAL provide more information on outcomes for people who receives social welfare law and advice provision ; That problem notice training is provided for front line staff and to liaise wit democratic and civic support managers to determine how this is delivered; to let Councillors know about the outreach sessions /</p>	
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## Neighbourhood Service and Community Involvement Scrutiny Commission

### Work Programme 2016-17

		<p>changes to this under UBB programme; and for CAL and head of Customer Support is asked to provide future contract monitoring reports in the future.</p> <p>5. None.</p>	
<b>30<sup>th</sup> November 2016</b>	<ol style="list-style-type: none"> <li>1. North East TNS</li> <li>2. Regulatory services review</li> <li>3. Cleansing services review</li> <li>4. Fly tipping</li> <li>5. Task group update</li> <li>6. Update on spending reviews</li> </ol>	<ol style="list-style-type: none"> <li>1. For officers to continue to work with user groups to find a workable solution in respect of the lunch club held in Belgrave Neighbourhood centre; in respect of youth services to explore separate access arrangements for youth groups; the commission raised concern over the separate distinction between the youth services review and the TNS review and suggested in the future these reviews should be held at the same time; Revisit the fees and charges scheme for shared space to ensure the community have affordable and easy access.</li> <li>2. None</li> <li>3. None</li> <li>4. Report is noted and the commission endorse section 7.1 of the report detailing the areas considered and the points relating to the further development of the fly-tipping strategy.</li> <li>5. Deferred to next meeting</li> <li>6. None</li> </ol>	
<b>25<sup>th</sup> January 2017</b>	<ol style="list-style-type: none"> <li>1. Community Asset Transfer</li> <li>2. Voluntary Action Leicestershire</li> <li>3. Public Spaces Protection Order (New Psychoactive Substances &amp; Street</li> </ol>		

**Neighbourhood Service and Community Involvement Scrutiny Commission**

**Work Programme 2016-17**

	Drinking) 4. Social Welfare Advice Partnership report 5. Draft Budget report 6. Update on spending reviews		
<b>22<sup>nd</sup> March 2017</b>	1. Channel shift: The use of new technology in customer services 2. Community Involvement 3. Social welfare advice procurement options 4. Gambling impact task group report update on recommendations 5. Update on spending reviews		

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FORWARD PLAN / SUGGESTED ITEMS		
Topic	Detail	Proposed Date
Apps and digital offer	Love Leicester app and digital inclusion	
Budget		
CAB	Leicester's Welfare Advice Contract Analysis 2015/16	5 <sup>th</sup> October
Channel shift	The use of new technology in customer services	22 <sup>nd</sup> March
Children Services (TNS)	Children services (TNS and using buildings better)	
City Wardens Service	Communication of role to public	
Cleansing Services review		30 <sup>th</sup> November
Communications Strategy		
Community Asset Transfer		25 <sup>th</sup> January
Community Involvement	Detailed paper for 22 <sup>nd</sup> March	22 <sup>nd</sup> March 2017
Community Safety	Public Spaces Protection Order (New Psychoactive Substances & Street Drinking)	25 <sup>th</sup> January 2017
Council Tax Reduction Scheme	Consultation exercise Briefing session for members Special scrutiny meeting on the matter	16 <sup>th</sup> November – special meeting
Customer Services	Scrutiny review on getting the best out of our neighbourhood services Resident needs and communications <i>Task group update</i>	
DIY and Bulk	Consideration for charging for waste Consultation results may come back to scrutiny – March	5 <sup>th</sup> October
Emergency food: City's Food Banks	Overview and forthcoming developments Update report on volunteering numbers on food banks Voluntary action LeicesterShire	6 <sup>th</sup> July
Enforcement	Residents parking	

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Fly tipping	Data from each ward City Wardens service	30 <sup>th</sup> November
Food Action Plan	Emergency food survey	
Food Safety: Public protection and regulation	Update in respect of 2015. Improvement plan Quality assurance and food procurement Halal meat in schools	May 2017?
Gambling Impact Task Group report		22 <sup>nd</sup> March 2017
Libraries	Which community groups use this space?	
Lottery Fraud		
Neighbourhood Policing and Community Safety	Governments modern crime prevention strategy	Next cycle
Payday Lenders		
Private Landlords.		
Regulatory Service review	1 million saving	30 <sup>th</sup> November
Social Welfare Advice Partnership	Report on advice provision and Council's response SWAP representative to be invited Single male claimants seeking help and crisis support	25 <sup>th</sup> January
Social Welfare Advice review	Social welfare advice contract procurement – 24 <sup>th</sup> August. Briefing session for members. Item to come back to scrutiny: procurement options	22 <sup>nd</sup> March 2017
Standards review		
Taxi Drivers	Child Safety/ screening process/ air quality	
Taxi Penalty System	12 month review – recommendation from NSCI August 2015	Early 2017
The Furniture Bank Pilot Scheme: Evaluation & Future Options	Evaluation of pilot scheme and future options	24 <sup>th</sup> August
Trading Standards	Legal highs	
Transforming Neighbourhood Services	North East	30 <sup>th</sup> November
Using Buildings Better	Overview of the programme	6 <sup>th</sup> July
Voluntary and Community Sector	Voluntary Action Leicestershire	25 <sup>th</sup> January
Ward Community meetings		
Waste Management	Biffa contract 2028	

**Neighbourhood Service and Community Involvement Scrutiny Commission**

**Work Programme 2016-17**

	Recycling figures and orange bags. Flats and terraced houses. Jan / March.	
Welfare reform	Briefing Impact and roll-out.	5 <sup>th</sup> October 2016