

Leicester  
City Council

## **MEETING OF THE NEIGHBOURHOOD SERVICES SCRUTINY COMMISSION**

**DATE: WEDNESDAY, 15 JANUARY 2020**

**TIME: 5:30 pm**

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

### **Members of the Committee**

Councillor Khote (Chair)

Councillor Thalukdar (Vice-Chair)

Councillors Ali, Aqbany, Govind, Joshi and Solanki  
(1 unallocated non-grouped place)

For Monitoring Officer

#### **Officer contacts:**

**Anita Patel (Scrutiny Policy Officer)**

**Aqil Sarang (Democratic Support Officer),**

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

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

**Aqil Sarang, Democratic Support Officer on 0116 454 5591.** Alternatively, email [Aqil.Sarang@leicester.gov.uk](mailto:Aqil.Sarang@leicester.gov.uk), or call in at City Hall.

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## **PUBLIC SESSION**

### **AGENDA**

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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 Scrutiny Commission held on 30 October 2019 are attached and Members are asked to confirm them as a correct record.

#### **4. PETITIONS**

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

#### **5. 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.

#### **6. GENERAL FUND REVENUE BUDGET 2020/21 TO 2021/22**

**[Appendix B](#)**

The Director of Finance submits a report setting out the City Mayor's proposed budget for 2020/21 to 2021/22.

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 19 February 2020.

**7. COMMUNITY SAFETY PLAN**

The Director of Neighbourhoods and Environmental Services will receive a presentation updating the Commission on the Community Safety Plan and the Safer Leicester Partnership work.

Members of the Commission are recommended to receive the presentation and pass comments to the Director of Neighbourhoods and Environmental Services for consideration.

**8. PUBLIC SAFETY TEAM 2019 UPDATE AND 2020 FORWARD PLAN** [\*\*Appendix C\*\*](#)

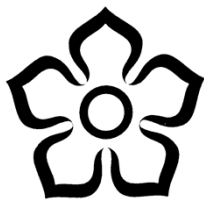
The Director of Neighbourhoods and Environmental Services will submit a report and presentation updating the Commission on the Public Safety Teams work over the past 12 months and the proposed regulatory interventions for 2020.

The Commission is recommended to receive the report and note the work undertaken by Leicester City Council's Public Safety Team and pass comments to the Director of Neighbourhoods and Environmental Services for consideration.

**9. DRAFT WORK PROGRAMME** [\*\*Appendix D\*\*](#)

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.

**10. ANY OTHER URGENT BUSINESS**



Leicester  
City Council

Minutes of the Meeting of the  
NEIGHBOURHOOD SERVICES SCRUTINY COMMISSION

Held: WEDNESDAY, 30 OCTOBER 2019 at 5:30 pm

P R E S E N T :

Councillor Khote (Chair)  
Councillor Thalukdar (Vice-Chair)

Councillor Aqbany  
Councillor Govind

Councillor Joshi  
Councillor Solanki

In Attendance:

Councillor Clarke – Deputy City Mayor (Environment and Transportation)  
Councillor Russell – Deputy City Mayor (Social Care and Anti-Poverty)

\* \* \* \* \*

**23. APOLOGIES FOR ABSENCE**

An apology for late arrival at the meeting was received in advance of the meeting from Councillor Solanki.

An apology for absence was received from Councillor Master, (Assistant City Mayor with responsibility for Neighbourhoods), as although not a member of the Commission he usually attended its meetings in his capacity of Assistant City Mayor.

**24. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**25. MINUTES OF THE PREVIOUS MEETING**

AGREED:

That the minutes of the meeting of the Neighbourhood Services Scrutiny Commission held on 4 September 2019 be confirmed as a correct record.

## **26. PETITIONS**

The Monitoring Officer reported that no petitions had been received.

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

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

## **28. FUTURE DOMESTIC AND SEXUAL VIOLENCE AND ABUSE SERVICES IN LEICESTER**

The Director of Neighbourhood and Environmental Services submitted a report and presentation on a proposed future model for a jointly commissioned Domestic and Sexual Violence and Abuse service for Leicester, Leicestershire and Rutland.

Councillor Russell (Deputy City Mayor with responsibility for Social Care and Anti-Poverty) explained that it was proposed that the services would be commissioned for three years on a fixed budget. This made it one of the few Council service areas not to be subject to a reduction in budget, reflecting the importance attached to these services.

The following points were made during discussion on this:

- Consultation on the proposed new service model would run until 24 November 2019. This would include a series of face-to-face events, as well as an opportunity to respond on-line. The cost of providing the information in community languages was being investigated, but some of the workshops would be held in community languages;
- Not all of the face-to-face events being planned would be open to the public to attend, due to the nature of the issues to be discussed. However, officers would welcome the opportunity to visit specific groups if requested as part of the consultation process;
- Since 2015 these services had been provided across Leicester, Leicestershire and Rutland and there was a commitment to continue to share knowledge and services on a cross-border basis where it was effective to do so. However, it was recognised that each area had very different needs and resources;
- Account had been taken of national expectations in the development of the proposed service model, along with data on who was using the services and who was not;
- A high volume of demand for services had led to some delays in receiving support under the current model;

- The new service system model included separate provision for domestic abuse and sexual violence, which previously had been offered as a combined service;
- Safe accommodation was often the first step towards someone feeling safe, but this needed to be flexible, due to differing needs;
- Although there was no local authority-funded counselling provision, the Police and Crime Commissioner would continue to fund some;
- Current services were provided through four specialist contracts by three specialist providers, who sub-contracted counselling work to other specialist providers;
- The Council funded services related to support, not legal processes. However, the current provider worked alongside solicitors to find people help with legal processes. This included clinics operated in conjunction with local law firms, which provided advice and access to services;
- Locally, approximately 20 – 25% of victims going to the Police were male, which was in line with national figures and was reflected in the structure of services provided;
- Over 70% of people contacting the service provider UAVA (United Against Violence and Abuse) were separated from their partner and were experiencing post-separation abuse;
- The diversity of the community in Leicester made it inappropriate to have one generic definition of black and minority ethnic service users. Care was being taken to ensure that there was no disparity between groups and/or communities and to identify if any group and/or community needed specific provision. This was reflected in the Equality Impact Assessment prepared as part of the service redesign process;
- Information on the diversity of service users and the wards they were from was available and could be provided to the Commission if wished; and
- It was hoped that people who had used the services and those who had received abuse would respond to the consultation, to advise on whether the services proposed were the right ones and would be accessible, as this would help the Council assess whether the proposed new service model was the right one.

AGREED:

- 1) That the report be received and welcomed;
- 2) That the Head of Community Safety and Protection be asked to send a reminder to all Councillors about the consultation on future domestic and sexual violence and abuse services in

Leicester and an invitation to respond to the survey at <https://consultations.leicester.gov.uk/>; and

- 3) That the Director of Neighbourhood and Environmental Services be asked to present a report to the Commission at an appropriate time on the diversity of users of domestic and sexual violence and abuse services in Leicester, including the wards and/or areas of the city service users are from and, if possible, information on identified barriers to accessing the services.

*Councillor Solanki arrived at the meeting during consideration of this item*

## **29. WASTE MANAGEMENT SERVICES OVERVIEW**

The Chair took this item and agenda item 7, “Recycling Bring Banks”, in the opposite order to that set out on the agenda, to help Members’ awareness of the services being provided.

The Director of Neighbourhood and Environmental Services submitted a report and a presentation giving an overview of the Waste Management service. These were introduced by Councillor Clarke (Deputy City Mayor with responsibility for Environment and Transportation).

The following points were made during discussion on these:

- The Council had a duty to collect and dispose of waste. This was fulfilled through a 25-year Private Finance Initiative (PFI) contract with Biffa that ran from 2003 to 2028;
- Under this contract, 13 million waste collections were made each year, with 99.6% of bins being emptied each week on average. This Council was one of the few waste collection authorities that still provided weekly collections;
- A bulky waste collection service was provided, allowing for the free collection of up to five large items every two months and up to 15 bags/bundles of garden waste every two months. Despite this, items were still fly-tipped on streets;
- The waste collection contract did not include the removal of fly tipping, which was undertaken by the Council’s Cleansing Services, but education was undertaken where possible, including at Ward Community Meetings and via the Council’s City Wardens. “Hot spots” often occurred and it could be difficult to identify the perpetrators, but over the last four years fly tipping in the city had gone down by nearly 15%, in contrast to the national situation, where it had increased by 40% over the last five years. The allocation of City Wardens within wards was being re-profiled to ensure that all wards received appropriate coverage;
- The Council’s Housing services provided resources for collecting fly tipped items from Council housing estates. They were very active in doing this,



but it could be difficult to break established patterns of behaviour. Discussions were ongoing with the Director of Housing on how this could be further improved;

- Assisted collections were available for people who had problems moving household waste to its collection point;
- The Gypsum Close Household Waste Recycling Centre opened in 2015 for household waste and recycling, and trade waste;
- The reuse shop at the Gypsum Close Household Waste Recycling Centre was very successful and provided a source of income for the Council, through rental income and a profit share. The latter was triggered when profits reached an agreed level;
- The trade waste site at Gypsum Close accepted some different materials to those accepted from householders, due to the nature of the waste disposed of by businesses;
- Two education campaigns a year were targeted at university students. The 'move in' campaign, which also was targeted at landlords and letting agents, explained what could be recycled. For the 'move out' campaign, the Council worked with the British Heart Foundation to encourage donations of unwanted items, rather than just throwing them away. Final data was awaited on the results of the 2019 'move out' campaign, but it was thought that over 23 tonnes of donations had been made;
- Schools could use a waste collection provider of their choice. Biffa offered them a comprehensive service and currently approximately 100 schools used those services. A Service Development Officer worked to promote recycling in the community, as well as schools. Waste management carried out 20 education sessions with schools in 2018/19;
- Industry funding had been obtained for the foil recycling campaign, so there had been no cost to the Council for this. The campaign had ended recently and was being evaluated;
- The contractor (Biffa) was required to achieve an agreed percentage rate of recycling in the city. Penalties were applied if this was not achieved. Promotions sometimes were carried out to encourage recycling and a new communications plan was being developed in consultation with Biffa;
- The number of residents in flats participating in recycling had increased, but more work was needed on improving the quality of what was collected;
- Social media had been used to greatly improve communication on how waste disposal services operated in the city. The 2018 Christmas recycling videos had been particularly well received;

- The forthcoming city-wide “Metal Matters” campaign would be part-funded by industry;
- Destinations for the plastic waste collected in the city changed depending on market conditions and could vary between different grades of plastic;
- A PFI Board considered performance indicators included in the contract. A relatively low number of complaints about the service was received;
- A dedicated complaints system had been established for the service. If a trend was identified, a specific area could be targeted, or a specific crew highlighted. In the case of orange bags, customers sometimes stated they had not received their orange bags from the contractor, but this could be due to a range of issues;
- Scrutiny of recycling collections was not done at a level that would identify individuals who did or did not recycle on an everyday basis, but participation was monitored for specific campaigns to identify whether communications interventions had been successful. For example, the number of properties participating in the recycling service before a campaign could be compared to that after the campaign had ended;
- Detailed waste composition analysis had been undertaken in the past, to identify what people were putting in to general waste and what they were recycling. Consent was obtained from people for this to be done; and
- The Council had responded to all four consultations on the government’s proposals for its Resources and Waste Strategy. Further consultation on this was expected.

The Commission congratulated all concerned on the success of the Clean Air Day at Catherine Junior School and expressed the hope that other such days could be held.

AGREED:

- 1) That the report be received and welcomed; and
- 2) That the Director of Neighbourhood and Environmental Services be asked to consider how engagement with schools in relation to waste management can be improved.

### **30. RECYCLING BRING BANKS**

The Chair took this item and agenda item 8, “Waste Management Services Overview”, in the opposite order to that set out on the agenda, to help Members’ awareness of the services being provided.

The Director of Neighbourhood and Environmental Services submitted a report outlining proposals to rationalise the Bring Bank network.

The Commission noted that only 300 tonnes of paper, glass and card were received per annum from recycling bring banks in the city, in contrast to 300 tonnes per week received through the kerbside recycling bag scheme. Bring banks also could encourage fly tipping, with items being left next to the bins. In addition, some of the bring bank bins needed refreshing. The opportunity therefore was being taken to consider how the service could be rationalised. Textile collection bins at bring banks were not included in this, as currently the Council did not offer a kerbside collection of textiles.

Some concern was expressed that, although 73% of respondents to the consultation exercise supported the introduction of mixed recycling bins, the number of respondents appeared to be low. However, it was noted that the response received was considered to be good for this type of consultation and matched the information obtained by the Council through its own monitoring of bring bank sites. Members were assured that responses received during the consultation, including information on which sites respondents used, were taken in to consideration in preparing the proposals being made for the rationalisation of the service.

Members suggested that promoting bring banks through local radio stations could be beneficial. Councillor Clarke (Deputy City Mayor with responsibility for Environment and Transportation) welcomed this suggestion, noting that some local radio stations had a very high number of listeners.

Members also expressed concern that some textile bins were very full and suggested that it could be beneficial to change bins currently used for the collection of other materials at bring bank sites to textile bins. It was noted that the contract required textile bins to be emptied as needed, so not all bins would be emptied with the same frequency. Officers advised that they were not aware of over-full textile banks, but the Head of Waste Services undertook to conduct a full survey of how often textile bins were being emptied and ask the Council's contractor (Biffa) to raise the matter with its sub-contractor (the Salvation Army).

In response to Members' enquiries, it was noted that it was proposed to remove the bins currently at The Triangle Public House on Coleman Road, as they were being used for a lot of trade waste. To stop the contamination of materials left in recycling bins in the future, the new bins would have a lock on either side of the lid and would have restricted openings on the top, to restrict what could be put in them.

Emptying of the bins remaining following rationalisation of the bring bank sites would be incorporated in to the collection rounds of kerbside recycling bags, but the frequency would vary by site and would be tailored as appropriate.

The Commission was advised that all of the proposed sites for the new recycling bins had been measured and could accommodate the new style. Non-Council landowners had been contacted for permission to use additional areas of land where needed and this already had been granted for most sites, should it be determined that the remodelling of the service would proceed.

AGREED:

- 1) That the Director of Neighbourhood and Environmental Services be asked to circulate details of the proposed changes to bring bank sites to all Councillors once the changes have been confirmed;
- 2) That the Head of Waste Services be asked to undertake a full survey of textile bins at bring bank sites, to ensure that they are being emptied at appropriate frequencies; and
- 3) That the Director of Neighbourhood and Environmental Services be asked to consider how recycling services can be further promoted, for example through the use of advertising on local radio stations.

### **31. WORK PROGRAMME**

The Commission noted that the first meeting of the Task Group undertaking a review of the viability of a community lottery had been held and had been attended by lead officers, who had provided evidence for this review. The Task Group also would be contacting other local authorities and key stakeholders for their views.

All members of the Commission were invited to suggest items for consideration at its next meeting.

AGREED:

- 1) That the Chair of the Task Group be asked to report to the next meeting of this Commission on progress with the review “The Viability of a Community Lottery”;
- 2) That Members of the Commission pass any suggestions for items to be considered at its next meeting to the Chair or the Scrutiny Policy Officer;
- 3) That the Scrutiny Policy Officer be asked to determine whether any matters relating to the forthcoming draft Local Plan are to be scheduled for consideration at the next meeting of this Commission; and
- 4) That the Scrutiny Policy Officer be asked to update the Commission’s work programme as appropriate in response to matters arising from points 1) – 3) above.

### **32. CLOSE OF MEETING**

The meeting closed at 7.44 pm

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**General Fund Revenue Budget 2020/21 to 2021/22**

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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 2020/21 to 2021/22.
- 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 draft budget has been prepared in advance of the finance settlement for 2020/21 (which has been delayed by the General Election, and the date is not yet known) and the final report will be updated to include any new information received.

**2. Summary**

- 2.1 Since 2010, the Council has faced the most severe period of spending cuts we have ever experienced. We know from reports of the Institute of Fiscal Studies and our own analysis that government cuts have disproportionately hit the most deprived authorities (such as Leicester).
- 2.2 The budget for this year is made more difficult because we do not know the level of funding available beyond 2020/21.
- 2.3 Since last year, the Government has made announcements about the "end of austerity" in the public finances. While there has been some additional spending announced for next year, it should be noted that this does not reverse the significant cuts since 2010, and that pressures continue in demand-led services in Children's and Adults' social care.
- 2.4 Since 2014/15, the Council's approach to achieving these substantial budget reductions has been based on the following approach:-

- (a) An in-depth review of discrete service areas (the “Spending Review Programme”);
  - (b) Building up reserves, in order to “buy time” to avoid crisis cuts and to manage the Spending Review Programme effectively. We have termed this the “managed reserves strategy”.
- 2.5 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.
- 2.6 This approach has served us well. Budgets for the period 2013/14 to 2015/16 contributed over £40m to reserves, which have been used to support budgets since 2016/17 and postpone the maximum impact of government cuts. This has been extended by regular reviews of reserves and other one-off monies available. Because of this approach, the Council has sufficient reserves available to balance the budget in 2020/21, and will have some remaining for subsequent years.
- 2.7 Funding levels beyond 2020/21 are particularly uncertain, with the planned move to 75% rates retention, the Government’s planned funding review, and the risk of a return to centrally-imposed cuts to funding overall (see paragraphs 8.5 - 8.8). There are also significant unknowns around future funding for social care services.
- 2.8 To mitigate these risks, further savings from the spending review process are being used to extend the managed reserves strategy as far as possible. However, it seems inevitable that medium term budgets cannot be balanced without additional significant cuts.
- 2.9 As a consequence, the following approach has been adopted:-
- (a) The budget for 2020/21 has been balanced using reserves, and can be adopted as the Council’s budget for that year;
  - (b) Savings from the previous rounds of spending reviews are still being sought. These will seek to minimise the call on reserves in the remainder of 2019/20 and in 2020/21, and therefore to make additional amounts available to mitigate cuts in future years. Since February 2019, savings totalling £2.7m per year have been achieved and built into budget forecasts.
- 2.10 **What this means is that, in substance, the budget proposed is a one year budget. Projections of spending and income have been made beyond 2020/21, but they are uncertain and volatile.**
- 2.11 In common with other authorities nationally, we continue to face growth in social care costs, and it is not impossible that these services will consume an ever greater proportion of the budget (squeezing out the traditional services provided to the whole community).

Government intentions for social care funding beyond 2020/21 are not known; a planned Green Paper has not materialised, and it will be some time before any new proposals have an impact on the Council's financial position.

- 2.12 It should also be noted that there are some significant risks in the budget. These are described in paragraph 12, and to help mitigate these, a contingency of £1m has been included in the 2020/21 budget.
- 2.13 The budget provides for a council tax increase of 4% in 2019/20, which is the maximum available to us without a referendum. 2% of this 4% is for the "social care precept" – 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 an additional 2% will only meet a small proportion of the extra costs we are incurring.
- 2.14 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 2019/20. 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 15). 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 City Mayor, the Council will be asked to:-
- (a) approve the budget strategy described in this report, and the formal budget resolution for 2020/21 which will be circulated separately;
  - (b) note comments received on the draft budget from scrutiny committees, trade unions and other partners *(to be added for final budget report)*;
  - (c) approve the budget ceilings for each service, as shown at Appendix One to this report;
  - (d) approve the scheme of virement described in Appendix Two to this report;
  - (e) note my view that reserves will be adequate during 2020/21, and that estimates used to prepare the budget are robust;

- (f) note the equality implications arising from the proposed tax increase, as described in paragraph 11 and Appendix Three;
- (h) emphasise the need for outstanding spending reviews to be delivered on time, after appropriate scrutiny;
- (i) agree that finance procedure rules applicable to trading organisations (4.9 to 4.14) shall not apply.

#### 4. **Budget Overview**

4.1 The table below summarises the proposed budget for 2020/21, and the forecast position for 2021/22:

	<b>2020/21 £m</b>	<b>2021/22 £m</b>
<b>Service budget ceilings</b>	278.3	274.3
<b>Corporate Budgets</b>		
Capital Financing	6.3	6.5
Miscellaneous Corporate Budgets	(2.3)	(2.1)
Corporate Contingency	1.0	
Education Funding Reform	1.0	1.0
<b>Future Provisions</b>		
Inflation		6.3
Planning Provision		3.0
<b>Total forecast spending</b>	<b>284.3</b>	<b>289.0</b>

<b>Rates Retention</b>		
Business rates income	64.6	
Top-up payment	47.4	
Revenue Support Grant	28.9	
<b>Subtotal: rates retention</b>	140.9	143.2
<i>Less assumed future cuts</i>		(3.0)
Council Tax	121.1	124.4
Collection Fund surplus	1.7	
Social Care grants	10.0	10.0
New Homes Bonus	5.0	4.0
<b>Total forecast resources</b>	<b>278.7</b>	<b>278.6</b>

<b>Underlying gap in resources</b>	<b>5.6</b>	<b>10.3</b>
Proposed funding from reserves:	(5.6)	
<b>Gap in resources</b>	<b>NIL</b>	



- 4.2 The proposed budget for 2020/21 has an underlying budget gap of £5.6m, which represents a £3.3m decrease from the forecast in February 2019. The main changes to the budget position are summarised in the table below:

	<b>2020/21 changes £m</b>
Spending Reviews approved	2.4
Growth in local tax base (council tax & business rates)	2.4
Social care pressures (in excess of additional government resources)	(4.8)
Pay inflation	(2.7)
Reduced level of cuts to general funding	2.5
Collection fund surplus (one-off)	1.7
Other changes	1.9
<b>Net decrease in budget gap since February 2019</b>	<b>3.3</b>

- 4.3 The net decrease in the table above conceals significant additional pressures in social care services and pay costs. For 2020/21, the pressure on the budget is mitigated by increased government grant and a one-off surplus on rates and Council Tax income in the Collection Fund; but cost pressures are expected to continue to grow in future years.
- 4.4 The budget for 2021/22 is presented in broad terms only, and is particularly volatile. The current business rates retention scheme is due to be replaced from April 2021; we do not yet know the format of the new scheme, and the table above assumes that these changes are broadly neutral for the Council's finances. The position could be significantly worse than this: there are particular risks around social care cost pressures, the Government's review of local government funding formula, and/or a return to overall funding cuts for the sector. Under this scenario, the gap for 2021/22 could be as much as £40m.

## 5. **Construction of the Budget and Council Tax**

- 5.1 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"; the proposed budget ceilings are shown at Appendix One)
- 5.2 In line with Finance Procedure Rules, Council must also approve the scheme of virement that controls subsequent changes to these ceilings. The proposed scheme is shown at Appendix Two.
- 5.3 The City Council's proposed Band D tax for 2020/21 is £1,641.23, an increase of just under 4% compared to 2019/20.

- 5.4 The tax levied by the City Council constitutes only part of the tax Leicester citizens have to pay (albeit the major part – around 84% in 2019/20). Separate taxes are raised by the Police & Crime Commissioner and the Combined Fire Authority. These are added to the Council's tax, to constitute the total tax charged.
- 5.5 The actual amounts people will be paying in 2020/21, however, depend upon the valuation band their property is in and their entitlement to any discounts, exemptions or benefit. Almost 80% of properties in the city are in band A or band B, so the tax will be lower than the Band D figure quoted above.
- 5.6 The Police and Crime Commissioner and Combined Fire Authority will set their precepts in February 2020. The formal resolution will set out the precepts issued for 2020/21, together with the total tax payable in the city.
6. **Departmental Budget Ceilings**
- 6.1 Budget 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), and excluding one-off additions identified in the 2019/20 budget;
  - (b) Decisions taken by the Executive in respect of spending reviews, where the savings take effect in 2020/21, have been deducted from the ceilings;
  - (c) An allowance for non-pay inflation has been added to the budgets for independent sector adult care (2%), foster care (2%) and the waste PFI contract (RPI, in line with contract terms). Apart from these areas, no allowance has been made for non-pay inflation.
- 6.2 In contrast to previous years, the budget ceilings shown at Appendix One do *not* include any allowance for pay inflation. At the time of writing, the local government pay scales for 2020/21 had not been determined, and therefore a provision (equivalent to a pay award averaging around 2.5% across all pay grades) is being held centrally to meet the cost. This will be distributed to departmental budget ceilings when the details of the pay award are known.
- 6.3 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 are described below.

**City Development & Neighbourhoods**

- 6.4 The department provides a wide range of statutory and non-statutory services which contribute to the wellbeing and civic life of the city.

- 6.5 The department's costs are not subject to the same levels of volatility as social care services, and pressures tend to be more easy to predict in advance. Nonetheless, the impact of austerity means the department (whilst expecting to live within its resources in 2019/20) may struggle to do so in 2020/21. Key pressures are:-
- (a) Reduction in capital project work undertaken by the Estates and Building Services (EBS) division, and consequent loss of fee income. This pressure amounts to some £1m per annum;
  - (b) Pressures on budgets for property maintenance, which have recently been centralised as part of an earlier spending review (the Technical Services Review). The department is struggling to provide an appropriate level of service to meet assessed needs and a shortfall of some £0.6m has been identified;
  - (c) Lower income from Neighbourhood Services, particularly from sources such as DVD and CD rental, which for a time performed well but there is now little demand.
- 6.6 In total budget pressures of up to £2m per year are anticipated.
- 6.7 The department continues to contribute to the spending review programme, and has achieved £2.5m as part of the new Spending Review 4 Programme, with work ongoing to deliver further savings.

#### Adult Social Care

- 6.9 Adult Social Care services nationally are facing severe cost pressures. This is now recognised by the Government, although long-term solutions have been continually deferred (we still await proposals in the form of a green paper).
- 6.10 Consequently, the Government has been providing additional resources on a year by year basis, at inadequate levels, with no guarantee that these will be increased (or indeed maintained) in future years. Total social care grant (to deal with pressures in both adults' and children's social care) now stands at £10m. For practical purposes, the budget assumes that this level of funding forms a base from which future Government decisions on funding will be made (i.e. it is unrealistic to assume that it will not continue in some form although there are no guarantees). Additionally, Better Care Fund monies paid directly to the department now amount to some £28.5m per year.
- 6.11 The Adult Social Care Department has managed its budget well in recent years. This is a consequence of additional funding which has been provided in council budgets, and measures to contain costs (including staffing reductions of 20% and tight controls ensuring the service can only be accessed by people who are statutorily entitled). It is expected that the department will live within its resources in 2019/20.
- 6.12 In 2020/21 and beyond, the department continues to face significant demand led pressures:-

- (a) The growth in need of our existing service users resulting in additional support being added to their existing package of care. This is expected to increase at 5.5% per annum.
- (b) Growth in service user numbers is expected to grow overall at 0.5% per annum. Growth in older service user numbers is being contained currently, but we are seeing more significant growth in working age adults with mental health conditions and learning disabilities.
- (c) The cost of meeting need is rising by more than inflation, due to the impact of continuing increases in the National Living Wage (NLW) which drives care costs. The Government's intention is that the NLW will rise to £10.50 by 2025 (or two thirds of median wages at that time): this implies an increase of some 5% per annum during the intervening period.

- 6.13 The proposed budget provides an additional £3.1m per year to the departmental budget, in addition to support from the Better Care Fund.
- 6.14 It is expected that the cost of providing statutory packages of support will increase by around £15m per year, each year, beyond 2020/21, of which two thirds is due to need and one third to wage pressures. At present we have no indication of what funding might be made available by the Government (nor indeed whether social care will continue to be paid for in the same way as currently). The corporate budget strategy is predicated on two options, one being that the Government will provide sufficient funding to meet increased need in 2021/22, and one that they will provide less than the full cost.
- 6.15 The department continues to provide support to the Spending Review 4 Programme, which is meeting the Council's overall budget savings targets. To date, £2.6m has been achieved as part of this programme and proposals are being developed to achieve a further £0.8m.

#### Children's Services

- 6.16 In common with authorities across the country, increasing demand for social care services is putting considerable pressure on the budget of the department (and of the Council). Anecdotally, more authorities seem to be reporting children's social care as the major source of their budget pressure than adult care. Recently, Blackpool council has reported that the children's social care service is overspending by £9m in 2019/20, and Liverpool has projected a £33m increase in its 20/21 budget gap arising from children's social care.
- 6.17 Whilst the department expects to live within its resources in 2019/20 (having received an injection of £11m in the 2019 budget on a one-off basis) it is now clear that the pressures on the system will persist. These include:-
  - (a) Social care placement costs. Pressures reported last year continue, and whilst placement numbers seem to have stabilised (but not reduced) we are seeing more

teenagers with severe behavioural issues entering the system requiring high level support. This is despite the interventions of the new multisystemic therapy and functional family therapy teams, who have between them diverted 95 children from care in the first half of 2019/20;

- (b) Pressures in respect of transport costs for looked after children and SEN pupils. These pressures may be reduced following a review and consultation of the local transport offer.

6.18 Whilst the director is achieving savings to reduce the overall burden on the general fund, the budget provides a further £11m on an on-going basis from 2020/21 (and an additional £3m on a one-off basis in 2020/21 to buy time for more fundamental review).

6.19 Measures taken, or expected to be taken, to control costs include:-

- (a) Continued operation of the therapeutic intervention teams (which were partially funded by one-off business rates pilot income in 2019/20). These teams are now working with over 200 children per year;
- (b) Seeking to increase the number of internal foster carers and reduce the use of external agencies;
- (c) Careful review of all external residential and semi-independent placements;
- (d) Savings from internal administration budgets;
- (e) Reductions in the cost of the Connexions and Education Welfare Services.

#### Health & Wellbeing

6.20 The Health and Wellbeing Division consists of core public health services, together with sports and leisure provision. It is partly funded from Public Health Grant and partly from the general fund. Public Health Grant has been falling in recent years, but will be maintained at current levels in 2020/21. The department expects to manage within its budget.

6.21 The future of Public Health Grant beyond 2020/21 is unclear – it is anticipated that it will be consolidated into the new 75% business rates retention scheme (assuming this is implemented). This, however, remains uncertain as it is subject to agreement between the Ministry of Housing, Communities and Local Government; and the Department of Health – the latter may wish to impose requirements on how former Public Health Grant is spent in the future. We have no indication of the equivalent amount of grant we will receive in 2021/22.

6.22 The department continues to contribute to the spending review programme, and has plans in place to achieve the remaining Spending Review 4 target for the department.

## Corporate Resources & Support

- 6.23 The department primarily provides back office support services, but also some public facing services such as benefits and collection of council tax. It has made considerable savings in recent years in order to contribute to the Council's savings targets. It has nonetheless achieved a balanced budget each year.
- 6.24 The department is absorbing pressures within its overall budget envelope (including additional legal work associated with growing childcare caseloads, falling housing benefit administration grant and managing the change to Universal Credit). The department expects to live within budget in 2019/20 and 2020/21.
- 6.25 The department has achieved £2.4m towards the Council's Spending Review 4 Programme, and anticipates saving a further £0.9m principally through staffing reviews.

## 7. Corporately Held Budgets and Provisions

- 7.1 In addition to the service budget ceilings, some budgets are held corporately. These are described below.
- 7.2 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 treasury management strategy, which will also be approved by Council in February, and are affected by decisions made by the Director of Finance in implementation of this policy.
- 7.3 A one-off **corporate contingency** of £1m has been created in 2019/20 to manage significant pressures that arise during the year. This is particularly appropriate given the scale of reductions departments are having to make.
- 7.4 As set out in previous reports, **education funding reforms** have reduced the amount available to support centrally-managed services for schools and pupils, and for higher-needs pupils. These changes have a knock-on impact to general fund budgets. A provision has been made accordingly. (As well as the corporately held budget, some funding is now included in the departmental budget).
- 7.5 **Miscellaneous central budgets** include external audit fees, pensions costs of some former staff, levy payments to the Environment Agency, bank charges, 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 (which exceed the miscellaneous costs, but are reducing over time).

- 7.6 For 2021/22, amounts have also been included for future cost increases. These are indicative amounts – the budget for this year will be set in February 2021. A planning provision of £3m has also been included, to meet any future unavoidable cost pressures.

## 8. Resources

### Business Rates Retention Scheme

- 8.1 Since 2013, local government has retained 50% of the business rates collected locally, with the other 50% being paid to central government. In Leicester, 1% is paid to the fire authority, and 49% has been retained by the Council. This is known as the “Business Rate Retention Scheme”.
- 8.2 In recognition of the fact that different authorities’ ability to raise rates does not correspond to needs, there are additional elements of the business rates retention scheme:
- (a) a **top-up to local business rates**, paid to authorities with lower taxbases relative to needs (such as Leicester) and funded by authorities with greater numbers of higher-rated businesses.
  - (b) **Revenue Support Grant (RSG)**, which has declined sharply in recent years as it is the main route for the government to deliver cuts in local government funding (and the methodology for doing this has disproportionately disadvantaged deprived authorities).
- 8.3 At the time of writing, allocations of the top-up and RSG payments have not been announced. The draft budget for 2020/21 is based on forecasts from the information announced by the government at the Spending Round, which broadly equates to an inflationary increase on all elements of the scheme for one year only.
- 8.4 Our estimates of rates income take into account the amount of income we believe we will lose as a consequence of successful appeals. A significant number of appeals against the 2017 revaluation have not yet been decided, and appeals have been a source of volatility since business rates retention was introduced. Despite Government attempts to reduce this volatility, this is likely to continue as there are still a large number of outstanding appeals from earlier years (and any successful appeals will be backdated, potentially for several years). Valuations and appeals are not within the Council’s control.
- 8.5 No figures have been made available for local government funding beyond 2020/21, either nationally or locally. While there have been moves in recent months to relax austerity in public spending, there are also significant pressures on the public finances and spending commitments (including schools, the NHS and police) will need to be funded. It should not be assumed that there will be no further cuts to funding for “unprotected” departments, including local government.

- 8.6 Significant reforms to the funding system are planned from April 2021 (delayed from 2021), including increasing the proportion of rates retained locally to 75%. In itself, the change should be financially neutral, as other funding elements will be reduced to offset the additional retained rates. There may also be reforms to the system to cushion the impact of appeals.
- 8.7 There is likely to be a more substantial effect on the Council's finances from the "fair funding review" planned for the same date, which will redistribute resources between councils. At the time of writing, it is unclear what the impact will be on individual authorities. We should benefit from the new formula fully reflecting the differences in council taxbase between different areas of the country; however, there are other pressures on the funding available, including intensive lobbying from some authorities over perceived extra costs in rural areas.
- 8.8 For planning purposes, the budget figures for 2021/22 assume additional real-terms cuts of £3 million per year. This represents a significantly slower rate of cuts than we have seen in the period from 2013 to 2020. If the fair funding review and overall funding position are less favourable, these cuts could be significantly higher.

#### Council Tax

- 8.9 Council tax income is estimated at £121.2m in 2020/21, based on a tax increase of just below 4% (the maximum allowed without a referendum). For planning purposes, a tax increase of 2% has been assumed in 2021/22.
- 8.10 The proposed tax increase in 2020/21 includes the additional "social care levy" allowed since 2016/17, and designed to help social care authorities mitigate the growing costs of social care; the Government will expect us to demonstrate that the money is being used for this purpose.
- 8.11 Council tax income includes the additional revenue raised from the Empty Homes Premium, which doubles the charge for a property left empty for more than two years. Following the Council decision in November 2018, an additional rate will be introduced from April 2020 so properties left empty for more than five years pay a higher rate. It is assumed in this report that the additional income from this higher rate will be minimal, as the higher charge increases the probability that properties will be brought back into use.

#### Other grants

- 8.12 The Government also controls a range of other grants. The majority of these 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). Those held corporately are described below:
- a) **New Homes Bonus (NHB).** This is a grant which roughly matches the council tax payable on new homes, and homes which have ceased to be empty on a long



term basis. The future of NHB is in doubt, and it may be rolled into the new business rates retention scheme from 2021/22. The projection for 2021/22 assumes that any replacement for NHB will reduce over time.

b) Additional funding to support **Social Care** has been made available each year since 2017/18, although this has been as a series of one-off allocations rather than a stable funding stream. For 2020/21, the total funding nationally will be £1.65 billion (a £1 billion increase from 2019/20). Our estimated share of this is over £10 million; for comparison, this budget proposes increases to Adults' and Children's budgets totalling over £17 million in 2020/21.

#### Collection Fund surplus / deficit

- 8.13 Collection fund surpluses arise when more tax is collected than assumed in previous budgets. Deficits arise when the converse is true.
- 8.14 The Council has an estimated **council tax collection fund surplus** of £0.8m, after allowing for shares paid to the police and fire authorities. This has arisen because of growth in the number of homes liable to pay tax (which has been greater than was assumed when the budget was set) and a reduction in the costs of the council tax support scheme, linked to improvements in the local economy.
- 8.15 The Council has an estimated **business rates collection fund surplus** of £0.9m. This is largely due to a reduction in the forecast cost of appeals, following updated information from external advisers.

#### 9. Managed Reserves Strategy

- 9.1 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.
- 9.2 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 10 below.
- 9.3 In 2013, the Council approved the adoption of a managed reserves strategy. This involved contributing money to reserves in the early years of the strategy, 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.
- 9.4 The managed reserves strategy is being extended by using in-year savings arising from spending reviews, and future reviews should enable a further extension of the strategy. Given the forecast funding gaps from 2021/22 onwards, and the level of uncertainty around future funding, it is essential that these reviews are implemented promptly to ensure that managed reserves are available to mitigate the medium-term funding risks.

- 9.5 As at the end of the 2018/19 financial year, some £35m was available to support future budgets, a significant increase on the forecast when the 2019/20 budget was set. This increase is the result of savings in corporate budgets (as reported in the 2018/19 outturn) and a review of the accounting treatment of grant funding from previous years.
- 9.6 This report only covers the Council's General Fund budget. The schools budget (which is separately funded via Dedicated Schools Grant) is also under significant cost pressure with increasing costs on the High Needs Block, which provides support to pupils with special needs and disabilities. Proposals to manage these costs will be brought forward in due course; however, this may involve the use of General Fund reserves in the short term, which would reduce the amount available for budgets beyond 2020/21. [It should also be noted that the Department for Education is currently consulting on proposals which, if they go ahead, will prevent General Fund reserves being used to support DSG pressures].
- 9.7 The table below shows the forecast reserves available to support the managed reserves strategy:-

	£m
Brought forward 1 <sup>st</sup> April 2019	33.6
Use planned in budget	(1.9)
Additional savings in-year	1.7
<b>Forecast carry forward 1<sup>st</sup> April 2020</b>	<b>33.4</b>
Required in 2020/21	(5.6)
<b>Uncommitted balance</b>	<b>27.8</b>

## 10. Earmarked Reserves

- 10.1 In addition to the general reserves, the Council also holds earmarked reserves which are set aside for specific purposes. These include ring-fenced funds which are held by the Council but for which we have obligations to other partners or organisations; departmental reserves, which are held for specific services; and corporate reserves, which are held for purposes applicable to the organisation as a whole.
- 10.2 Earmarked reserves are kept under review, and amounts which are no longer needed for their original purpose can be released for other uses, including the managed reserves strategy. At the time of preparing the draft budget, this review process is ongoing.

## 11. Budget and Equalities

- 11.1 The Council is committed to promoting equality of opportunity for its 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 2010, 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 unlawful discrimination;
  - (b) advance equality of opportunity between those who share a protected characteristic and those who do not;
  - (c) foster good relations between those who share a protected characteristic and those who do not.
- 11.3 Protected groups under the public sector equality duty are characterised by age, disability, gender reassignment, pregnancy/maternity, race, religion or belief, sex and sexual orientation.
- 11.4 When making decisions, the Council (or decision maker, in this case the 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 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. Where appropriate, an individual Equalities Impact Assessment for these changes will be undertaken when these decisions are developed.
- 11.6 While this report does not contain details of specific service proposals, it does recommend a proposed council tax increase for the city’s residents. The City Council’s proposed tax for 2020/21 is £1,614.23, an increase of just below 4% compared to 2019/20. 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 analysis is provided at Appendix Three.

## 12. **Risk Assessment and Adequacy of Estimates**

- 12.1 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.
- 12.2 In the current climate, it is inevitable that the budget carries significant risk. In my view, although very difficult, the budget for 2020/21 is achievable subject to the risks and issues described below.

12.3 The most significant risks in the 2020/21 budget arise from:

- (a) Social care spending pressures, specifically the risks of further growth in the cost of care packages and inability to contain the costs of looked after children;
- (b) Ensuring spending reviews which have already been approved, but not yet implemented, deliver the required savings;
- (c) Achievability of estimated rates income (although technically any shortfall will appear as a collection fund deficit in the 2020/21 budget), and particularly the extent of successful appeals against the 2017 revaluations. There is a further risk relating to a national legal challenge on NHS properties claiming charitable relief, where an appeal is likely. If successful, this would result in a major transfer of resources away from local authorities across the country;
- (d) Increases in pay costs, over and above the 2.5% average pay award included in the proposed budget.

12.4 For 2021/22 and beyond, the budget projections are particularly uncertain. Risks to a balanced budget in these years include:-

- (a) Non-achievement, or delayed achievement, of the remaining spending review savings; and/or further budget pressures within service departments meaning that any savings achieved cannot be used to reduce the overall budget gap;
- (b) Loss of future resources. The funding landscape after 2020/21 is largely unknown, with the move to 75% business rates retention and the planned needs review (which could result in a gain or loss to the Council). Despite the Government's announcements of "the end of austerity", the risk of further cuts to funding from 2021/22 remains significant;
- (c) Longer-term reforms to social care funding and expectations on local authorities, and the need to manage ongoing demographic pressures;
- (d) Government policy includes above-inflation increases to the National Living Wage. This will put additional pressure on contract costs (particularly for independent sector care packages in Adults' Social Care).

12.5 A further risk is economic downturn, nationally or locally. This could result in new cuts to grant; 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 effect of Brexit remains to be seen.

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

- (a) A minimum balance of £15m reserves will be maintained;

- (b) A one-off corporate contingency of £1m is included in the budget for 2020/21;
- (c) A planning contingency is included in the budget from 2021/22 onwards (£3m per annum);
- (d) Spending Review savings are being implemented as soon as possible, and the resulting savings “banked” to support future budgets.

12.7 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 2020/21, some exceptions are made, and it is believed that services will be able to manage without an allocation).

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

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

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

13.2 Comments will be incorporated into the final version of this report.

### 14. **Financial Implications**

14.1 This report is exclusively concerned with financial issues.

14.2 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.

### 15. **Legal Implications (Kamal Adatia, City Barrister)**

15.1 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.

15.2 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 greater or fewer funds than are requested by the Mayor in his proposed budget.

15.3 As well as detailing the recommended council tax increase for 2020/21, 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.

15.4 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 has undertaken tailored consultation exercises with wider stakeholders.

15.5 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 Three.

15.6 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.

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## Budget ceilings

	Adjusted 19/20 budget £000s	Spending Reviews approved £000s	Non- pay inflation £000s	Other changes £000s	2020/21 budget ceiling £000s
<b><u>1. City Development &amp; Neighbourhoods</u></b>					
<b><u>1.1 Neighbourhood &amp; Environmental Services</u></b>					
Divisional Management	358.8	0.0			358.8
Regulatory Services	3,025.0	(55.0)			2,970.0
Waste Management	17,323.9	0.0	458.0		17,781.9
Parks & Open Spaces	3,731.9	0.0			3,731.9
Neighbourhood Services	5,410.0	(255.0)			5,155.0
Standards & Development	1,611.6	0.0			1,611.6
<b>Divisional sub-total</b>	<b>31,461.2</b>	<b>(310.0)</b>	<b>458.0</b>	<b>0.0</b>	<b>31,609.2</b>
<b><u>1.2 Tourism, Culture &amp; Inward Investment</u></b>					
Arts & Museums	4,168.1	(78.0)			4,090.1
De Montfort Hall	540.4	0.0			540.4
City Centre	175.9	0.0			175.9
Place Marketing Organisation	375.3	0.0			375.3
Economic Development	89.1	0.0			89.1
Markets	(296.8)	(80.0)			(376.8)
Adult Skills	(870.4)	0.0			(870.4)
Divisional Management	208.5	0.0			208.5
<b>Divisional sub-total</b>	<b>4,390.1</b>	<b>(158.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>4,232.1</b>
<b><u>1.3 Planning, Development &amp; Transportation</u></b>					
Transport Strategy	10,024.0	(150.0)			9,874.0
Highways	4,018.3	(100.0)			3,918.3
Planning	974.4	0.0			974.4
Divisional Management	207.9	0.0			207.9
<b>Divisional sub-total</b>	<b>15,224.6</b>	<b>(250.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>14,974.6</b>
<b><u>1.4 Estates &amp; Building Services</u></b>					
	4,330.1	(150.0)	0.0	0.0	4,180.1
<b><u>1.5 Housing Services</u></b>					
	2,860.7	0.0	0.0	0.0	2,860.7
<b><u>1.6 Departmental Overheads</u></b>					
School Organisation & Admissions	454.3	0.0			454.3
Overheads	566.6	50.0			616.6
<b>Divisional sub-total</b>	<b>1,020.9</b>	<b>50.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1,070.9</b>
<b>DEPARTMENTAL TOTAL</b>	<b>59,287.6</b>	<b>(818.0)</b>	<b>458.0</b>	<b>0.0</b>	<b>58,927.6</b>

## Appendix One

### Budget ceilings

	Adjusted 19/20 budget £000s	Spending Reviews approved £000s	Non- pay inflation £000s	Other changes £000s	2020/21 budget ceiling £000s
<b><u>2.Adults</u></b>					
<b><u>2.1 Adult Social Care &amp; Safeguarding</u></b>					
Other Management & support	656.9	0.0			656.9
Safeguarding	172.4	0.0			172.4
Preventative Services	6,418.1	0.0			6,418.1
Independent Sector Care Package Costs	95,843.0	(70.0)	2,035.7	12,393.0	110,201.7
Care Management (Localities)	6,677.8	0.0			6,677.8
<b><i>Divisional sub-total</i></b>	<b>109,768.2</b>	<b>(70.0)</b>	<b>2,035.7</b>	<b>12,393.0</b>	<b>124,126.9</b>
<b><u>2.2 Adult Social Care &amp; Commissioning</u></b>					
Enablement & Day Care	2,972.2	0.0			2,972.2
Care Management (LD & AMH)	4,945.1	0.0			4,945.1
Preventative Services	2,062.1	0.0			2,062.1
Contracts, Commissioning & Other Support	4,814.0	0.0			4,814.0
Substance Misuse	5,559.7	0.0			5,559.7
Departmental	(21,512.3)	0.0		(9,308.0)	(30,820.3)
<b><i>Divisional sub-total</i></b>	<b>(1,159.2)</b>	<b>0.0</b>	<b>0.0</b>	<b>(9,308.0)</b>	<b>(10,467.2)</b>
<b>DEPARTMENTAL TOTAL</b>	<b>108,609.0</b>	<b>(70.0)</b>	<b>2,035.7</b>	<b>3,085.0</b>	<b>113,659.7</b>
<b><u>3. Education &amp; Children's Services</u></b>					
<b><u>3.1 Strategic Commissioning &amp; Business Support</u></b>					
	1,039.4	0.0	0.0	0.0	1,039.4
<b><u>3.2 Learning Quality &amp; Performance</u></b>					
Raising Achievement	308.3	0.0			308.3
Learning & Inclusion	1,926.3	0.0			1,926.3
Special Education Needs and Disabilities	8,316.6	0.0			8,316.6
<b><i>Divisional sub-total</i></b>	<b>10,551.2</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>10,551.2</b>
<b><u>3.3 Children, Young People and Families</u></b>					
Children In Need	11,185.7	0.0			11,185.7
Looked After Children	38,772.0	0.0	188.3		38,960.3
Safeguarding & QA	2,620.2	0.0			2,620.2
Early Help Targeted Services	5,251.1	0.0			5,251.1
Early Help Specialist Services	2,334.5	0.0			2,334.5
<b><i>Divisional sub-total</i></b>	<b>60,163.5</b>	<b>0.0</b>	<b>188.3</b>	<b>0.0</b>	<b>60,351.8</b>



<b><u>3.4 Departmental Resources</u></b>	<b>(8,766.8)</b>	<b>0.0</b>		<b>14,000.0</b>	<b>5,233.2</b>
<b>DEPARTMENTAL TOTAL</b>	<b>62,987.3</b>	<b>0.0</b>	<b>188.3</b>	<b>14,000.0</b>	<b>77,175.6</b>

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## Appendix One

### Budget ceilings

	Adjusted 19/20 budget £000s	Spending Reviews approved £000s	Non-pay inflation £000s	Other changes £000s	2020/21 budget ceiling £000s
<b>4. Health &amp; Wellbeing</b>					
<b>4.1 Health and Wellbeing</b>					
Adults' Services	4,250.6	0.0			4,250.6
Children's 0-19 Services	8,967.5	0.0			8,967.5
Lifestyle Services	1,259.2	(45.0)			1,214.2
Staffing, Infrastructure & Other	1,359.0	0.0			1,359.0
Sports Services	2,794.3	(300.0)			2,494.3
<b>DEPARTMENTAL TOTAL</b>	<b>18,630.6</b>	<b>(345.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>18,285.6</b>
<b>5. Corporate Resources Department</b>					
<b>5.1 Delivery, Communications &amp; Political Governance</b>					
	5,659.5	0.0			5,659.5
<b>5.2 Financial Services</b>					
Financial Support	4,773.1	0.0			4,773.1
Revenues & Benefits	6,315.1	0.0			6,315.1
<b>Divisional sub-total</b>	<b>11,088.2</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>11,088.2</b>
<b>5.3 Human Resources</b>	<b>3,857.6</b>	<b>0.0</b>			<b>3,857.6</b>
<b>5.4 Information Services</b>	<b>9,254.0</b>	<b>(132.0)</b>			<b>9,122.0</b>
<b>5.5 Legal Services</b>	<b>2,674.4</b>	<b>0.0</b>			<b>2,674.4</b>
<b>DEPARTMENTAL TOTAL</b>	<b>32,533.7</b>	<b>(132.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>32,401.7</b>
<b>TOTAL -Service Budget Ceilings</b>	<b>282,048.2</b>	<b>(1,365.0)</b>	<b>2,682.0</b>	<b>17,085.0</b>	<b>300,450.2</b>
<i>less public health grant</i>	<b>(26,103.0)</b>			<b>(496.0)</b>	<b>(26,599.0)</b>
<b>NET TOTAL</b>	<b>255,945.2</b>	<b>(1,365.0)</b>	<b>2,682.0</b>	<b>16,589.0</b>	<b>273,851.2</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 Director of Finance may allocate the provision for the 2020/21 pay award;
  - (c) the City Mayor may determine the use of the corporate contingency;

- (d) 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.

## Appendix Three

### Equality Impact Assessment

#### 1. **Purpose**

- 1.1 The purpose of this appendix is to present the equalities impact of the proposed 3.99% council tax increase. This is the maximum increase that the Government will allow us without a referendum.

#### 2. **Who is affected by the proposal?**

- 2.1 As at September 2019, there are 128,112 properties liable for Council Tax in the city (excluding those registered as exempt, such as student households).
- 2.2 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 support scheme (CTSS) 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.
- 2.3 Council tax relief for pensioner households follows different rules. Low-income pensioners are eligible for up to 100% relief.

#### 3. **How are they affected?**

- 3.1 The table 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 CTSS for working-age households.
- 3.2 For band B properties (almost 80% of the city's properties are in bands A or B), the proposed annual increase in council tax is £48.27; the minimum annual increase for households eligible under the CTSS would be £9.65 (for a working-age household, and excluding the impact of any other discounts).

Band	No. of Properties	Weekly increase	Minimum Weekly Increase under CTSS
A-	287	£0.66	£0.13
A	76,201	£0.79	£0.16
B	25,466	£0.93	£0.19
C	14,580	£1.06	£0.32
D	6,131	£1.19	£0.45
E	3,326	£1.45	£0.71
F	1,499	£1.72	£0.98

G	589	£1.98	£1.24
H	33	£2.38	£1.64
<b>Total</b>	<b>128,112</b>		

Notes: "A-" properties refer to band A properties receiving an extra reduction for Disabled Relief. Households may be entitled to other discounts on their council tax bill, which are not shown in the table above.

- 3.3 In most cases, the change in council tax (£0.93/week for a band B property with no discounts) is a small proportion of disposable income, and a small contributor to any squeeze on household budgets. A Council Tax increase would be applicable to all properties - the increase would not target any one protected group, rather it would be an increase that is applied across the board. However, it is recognised that this may have a more significant impact among households with a low disposable income.
- 3.4 Some households reliant on social security benefits are likely to be adversely affected due to the cumulative impact of further implementation of the Government's welfare reforms, in particular the rollout of Universal Credit full service which was implemented in Leicester in June 2018.
- 3.5 The ASDA income tracker for August 2019<sup>1</sup> shows relatively strong growth in disposable incomes over the past year, reflecting low unemployment, real-terms wage growth, and falling inflation rates. However, this is not evenly spread, with the lowest-income fifth of households seeing a 2.6% *fall* in discretionary spending power over the year.
- 3.6 Research by the Joseph Rowntree Foundation (JRF) has identified certain groups who are particularly likely to be on a low income<sup>2</sup> and may therefore see a disproportionate effect from a small (in absolute terms) increase in council tax. These include lone parents, single-earner couples and larger families (with 3 or more children).
- 3.7 The JRF report also highlights ongoing inflationary pressures on the household budgets of low-income groups. While overall CPI inflation has fallen recently, there have been higher increases in the costs of domestic fuel and public transport, which have a disproportionate effect on many low-income households. Increasing childcare costs, which are not fully met by tax credits or Universal Credit, are also identified as a particular pressure.

#### 4. **Alternative options**

- 4.1 Within the current financial context, the alternative options of a lower (or no) increase would inevitably require even greater cuts to services. It is not possible to say where these cuts

<sup>1</sup> The ASDA income tracker is an indicator of the economic prosperity of 'middle Britain', taking into account income, tax and all basic expenditure. ASDA's customer base matches the UK demographic more closely than that of other supermarkets.

<sup>2</sup> A *Minimum Income Standard for the United Kingdom in 2019*, JRF, July 2019. The JRF report is based around a different measure of "low income" to the ASDA income tracker, based on the ability to afford an assessed minimum living standard.

would fall; however, certain protected groups (e.g. older people; families with children; and people with disabilities) could face disproportionate impacts from reductions to services.

5. **Mitigating actions**

- 5.1 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 as described in the report. 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; through schemes which support people getting into work (and include cost reducing initiatives that address high transport costs such as providing recycled bicycles); and through support to social welfare advice services. The Council is also running a welfare benefits take-up campaign, to raise awareness of entitlements and boost incomes among vulnerable groups.

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

- 6.1 The table 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.
- 6.2 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 by a potential increase in council tax. Older people (pension age &amp; older) have been relatively protected from the impacts of the recession &amp; welfare cuts, as they receive protection from inflation in the uprating of state pensions. Low-income pensioners also have more generous (up to 100%) council tax relief. However, in the current financial climate, a lower council tax increase would require even greater cuts to services. While it is not possible to say where these cuts would fall exactly, there are potential negative impacts for this group as older people are the primary service users of Adult Social Care.</p> <p>Working age people bear the brunt of 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.</p>	Working age households and families with children – incomes squeezed through low wages and reducing levels of benefit income.	Access to council discretionary funds for individual financial crises; access to council and partner support for food; and advice on managing household budgets.
<b>Disability</b>	<p>Disability benefits have been reduced over time as thresholds for support have increased.</p> <p>The tax increase could have an impact on such household incomes.</p> <p>However, in the current financial climate, a lower council tax increase would require even greater cuts to services. While it is not possible to</p>	Further erode quality of life being experienced by disabled people as their household incomes are squeezed further as a	Disability benefits are disregarded in the assessment of need for CTSS purposes. Access to council discretionary funds for individual financial crises; access to council and



	say where these cuts would fall exactly, there are potential negative impacts for this group as disabled people are more likely to be service users of Adult Social Care.	result of reduced benefits.	partner support for food; and advice on better managing budgets.
<b>Gender Reassignment</b>	No disproportionate impact is attributable specifically to this characteristic.		
<b>Pregnancy and Maternity</b>	Maternity benefits have not been frozen and therefore kept in line with inflation.  However, other social security benefits have been frozen, but without disproportionate impact arising for this specific 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 people are also low income and on benefits.  Nationally, one-earner couples have seen particular falls in real income and are disproportionately of Asian background – which suggests an increasing impact on this group.	Household income being further squeezed through low wages and reducing levels of benefit income.	Access to council discretionary funds for individual financial crises, access to council and partner support for food and advice on managing household budgets. Where required, interpretation and translation will be provided in line with the Council's policy to remove barriers to accessing the support identified.
<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. Analysis has identified lone parents as a group particularly likely to lose income from welfare reforms.	Incomes squeezed through low wages and reducing levels of benefit income. Increased risk for women as they are more likely to be lone parents.	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 managing household budgets.
<b>Sexual Orientation</b>	No disproportionate impact is attributable specifically to this characteristic.		

## Appendix Four

### Consultation Responses

*[To be added once consultation is complete]*

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# Neighbourhood Services & Scrutiny Commission

## Briefing Report

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### **PUBLIC SAFETY TEAM 2019 UPDATE AND 2020 FORWARD PLAN**

Lead director: **JOHN LEACH**

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## Useful information

- Ward(s) affected: **All**
- Report author: **Govind Mandora**
- Author contact details: **Tel: 37 3199 Email: [govind.mandora@leicester.gov.uk](mailto:govind.mandora@leicester.gov.uk)**
- Report version: **Update/Final**
- Date of report: **2 January 2020**

## **1. Summary**

- 1.1 The aim of the Public Safety Team (PST) is to prevent and protect those working, living or visiting the city of Leicester from activities or events that could endanger their safety from significant dangers leading to injury, harm or damage.
- 1.2 Currently the PST is made-up of a Team Manager, 5 Environmental Health Officers and 1.6 FTE Enforcement Officers.
- 1.3 The PST regulates a wide range of regulatory legislation governing public safety including health and safety at work legislation, sports ground safety requirements, public health/health protection legislation, explosives/fireworks safety regulations, Health Act and Smokefree legislation, and local byelaws relating to invasive treatments.
- 1.4 The Key Activities undertaken by the Public Safety Team are:

### **Infectious diseases/Outbreak Management**

The team will work with other public health protection agencies (LCC Public Health, Public Health England, CIEH etc.) to prevent the spread of disease to protect public health. This may include investigating outbreaks of infectious diseases, prohibiting unsafe beauty treatment premises, and other public protection activities. The team will take formal action against anyone risking public health.

Example: the team applied to Leicester Magistrates Court for a Part 2A order to enable them to urgently control the risks to public health posed by an unregistered tattooist trading within the city in domestic (LCC owned) premises via Facebook. The order was granted and subsequently enabled the team to raid the premises and seize equipment associated with cosmetic piercing and prevent the activity occurring until the tattooist met the necessary standard. Subsequently the tattooist was successfully prosecuted and given 300 hours community service and pay all the council's prosecution costs.

### **Beauty/Invasive Treatments**

The team currently enforces the registration requirements for hairdressers, cosmetic piercers, tattooists, semi-permanent skin colouring, electrolysis and acupuncture to ensure hygiene requirements are met and maintained to protect public health. However, the team is aware that the beauty industry is rapidly evolving and some of these new treatments pose a similar or greater risk to public health. The team continues to work with colleagues to develop and adopt national legislation that would allow the team to impose a minimum hygiene standard via a license regime on these new and evolving treatments.

Example: Currently the team is undertaking inspections of all premises offering laser and other intense light sources (e.g. IPL) – such treatments present a significant risk to the retina of the eye (permanent blindness) and significant burns to the skin if treatments are not undertaken in accordance with strict procedures. New treatments like dermal fillers, Hijama will also require interventions by the Team.

## **Protecting Vulnerable Persons**

One of the main priorities for the team is to protect vulnerable persons within our community by partnership working with relevant agencies (eg OFSTED, CQC, Leicestershire Constabulary, Leicestershire Fire and Rescue, Borders Agency, and Social Services). By enforcing a wide range of regulatory legislation, the team accesses a range of premises for example residential care homes, public houses, day nurseries and tattooists. With wide-ranging enforcement powers, the PST are able to help ensure that business owners have adequate safeguards in place to protect vulnerable persons.

Example: Following routine inspections of care homes in Leicester, officers noted the following common issues (Legionella, Risk Assessment, Infection Control, and Moving and Handling). As a result, the Team organised workshops with Public Health England and our NHS colleagues to help businesses with compliance. The benefits of the project included vulnerable persons were safeguarded, business compliance improved, and better multi-agency working.

## **Health and Safety at work**

For certain places of work, the Team has regulatory powers. The PST will proactively ensure the safety of all involved with these premises/activities by undertaking risk-based inspections to ensure compliance with regulatory requirements. Typical premises that PST enforces includes shops, offices, warehouses, stadiums, consumer services, hotels, care homes, nurseries, entertainment businesses, pubs/clubs & circuses. The team will also instigate investigations following alerts, complaints, notifications and/or accidents.

Example: Routine monitoring of a Shisha café PST officers noted serious electrical safety breaches and served immediate prohibition notices. The business owner was then prosecuted as he breached the prohibition notice. The business was fined £8000 and made to pay all the Council's prosecution costs of £2597.50. The Director was also fined £980. The business is now compliant following the Team's intervention.

## **Smokefree advice/enforcement**

Smoking is not permitted in smoke free premises. The team enforces the smoking ban in smokefree premises using various techniques including covert monitoring. There is 99% compliance with the only exceptions being shisha cafes.

Example: In 2019 three shisha cafés were found to be non-compliant with smokefree legislation. One business has stopped allowing smoking on the premises and has been issued with a simple caution. Another business has been prosecuted. Legal proceedings have started against the third business and the case is due to be heard in January 2020 at Leicester Magistrates Court. Emerging – Shisha smoking now becoming more 'acceptable' mainstream (15 cafes in Leicester) – ticking public health (not only smokefree) issue.

## **Event Safety/Crowd Safety**



Large scale events (Caribbean Carnival, Pride, Eid Festival etc.) occur in the city resulting in large crowds, the team will work with event organisers to ensure that adequate controls are put in place to ensure crowd safety.

Example: At this year's Caribbean Carnival, attended by 1000's of customers, officers noted numerous contraventions putting employees and businesses at risk. These included very poor security arrangements, poor event management arrangements (stewards could not speak English), poor documentation. Stalls had LPG cylinders with loose connections, leaking petrol generators, and domestic electrical extension cables were being used. All serious un-safe activities were stopped immediately, and reports left for the non-urgent issues.

### **Sports Ground Safety**

Leicester also has 4 certificated sports stadiums (football, rugby, speedway, athletics) that hold regular sporting and other events that attract 1000s of spectators. The primary purpose of a safety certificate is to set the safe capacity of a designated ground, in addition the safety certificate will set out the detailed terms and conditions with which the certificate holder must comply if that capacity is maintained. The team will prioritise public safety by developing and reviewing certificates as necessary, carrying out regular inspections and undertaking events monitoring of key events. Leicester also has two non-certified sports (cricket and basketball) that also require regular inspections to ensure the public are protected.

### **Public Safety in Leisure and Entertainment Premises**

The team will ensure public safety in Leisure and Entertainment premises where Leicester City Council has enforcement responsibilities, the team will proactively ensure the safety of all involved with these premises/activities by undertaking risk-based inspections to ensure compliance with regulatory requirements. The team will also instigate investigations following alerts, complaints, notifications and/or accidents relating to such premises.

Example: A project has just commenced inspecting pubs/clubs in Leicester focusing on violence to staff/customers, smoking areas, beer cellar safety, and compressed gases.

### **Firework safety**

Only licensed businesses are allowed to sell certain types of fireworks to members of the public. Also, those storing fireworks (except those for personal use) must register with the team. The team will ensure that fireworks that are sold and stored by businesses in Leicester not only meet our licensing and registration requirements but that they also meet health and safety legislation.

Example: In 2019 PST officers took swift action against a licensee who was storing fireworks illegally. The licence was revoked by the Public safety Licensing Committee.

1.5 This report seeks to provide:

- An update of the Team's work for past 12 months; and
- Proposed regulatory interventions for 2020.

## 2. Recommendations

2.1 The Commission is asked to:

- a) Note the work undertaken by Leicester City Council's Public Safety Team
- b) Comment on issues raised on 2019/20 interventions and proposed 2020/21 programme.

## 3. Leicester's Commercial Premises Sector

3.1 Leicester is the largest city in the East Midlands region and the tenth largest in England. The city is a major regional commercial, manufacturing and retail centre located close to the M1 and M69. Although it is known for diversity of its trades rather than for the dominance of any single industry, it has a sizeable number of SME's from many diverse ethnic backgrounds.

3.2 The Authority is only responsible for health and safety enforcement in certain premises. The sectors Leicester City Council is responsible are:

- Retail shops (Petrol stations,
- Warehouses (Cash & carry's & distribution centres)
- Offices (Call centres, estate agents,
- Catering premises (Cafes, restaurants, pubs, take-aways)
- Hotels, guest-houses & hostels,
- Residential care homes & sheltered living
- Nurseries (Playgroups, creches & day care)
- Consumer Services (Beauty, hairdressers, tattooists, piercers, acupuncturists etc)
- Sports/Entertainment (Stadiums, arenas, circuses, golf clubs, cinemas, theatres & nightclubs)
- Other (Betting shops, casinos, launderettes, galleries, car/tool hire, funeral directors, health clubs, gyms & zoos)

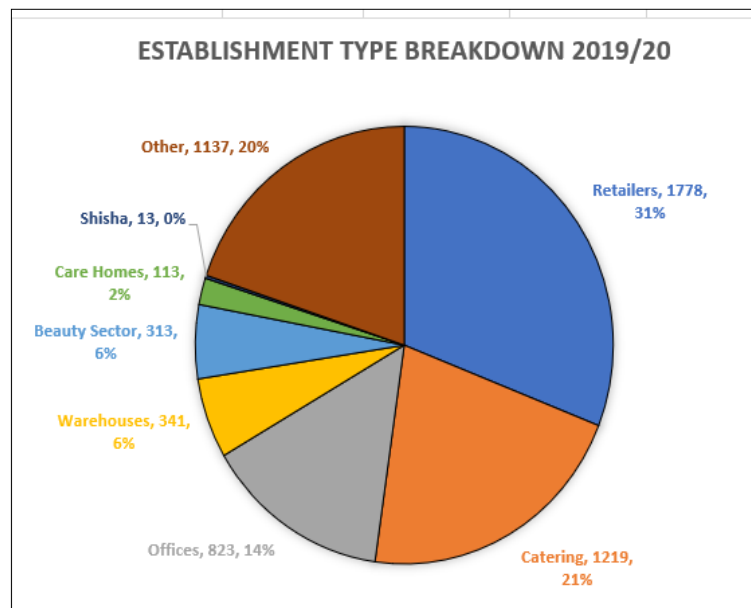
3.3 The number of businesses enforced by the Public Safety Team has steadily increased over the past 5 years (2% over the past 5 years).

Year	2015/16	2016/17	2017/18	2018/19	2019/20
Enforced Businesses	5532	5682	5684	5715	5737

- 3.4 The number of new businesses has been constant over the past 4 years. This year there may be a large increase as 474 have already been logged in the 6 months of the year. This will put increased demand on the Team.

Year	2015/16	2016/17	2017/18	2018/19	2019/20
New Businesses	637	675	660	713	474 (6 months)

- 3.5 The type of businesses enforced by the PST shown below. Retailers, catering and warehouses make-up around 2/3 of the premises in Leicester at present. See below:

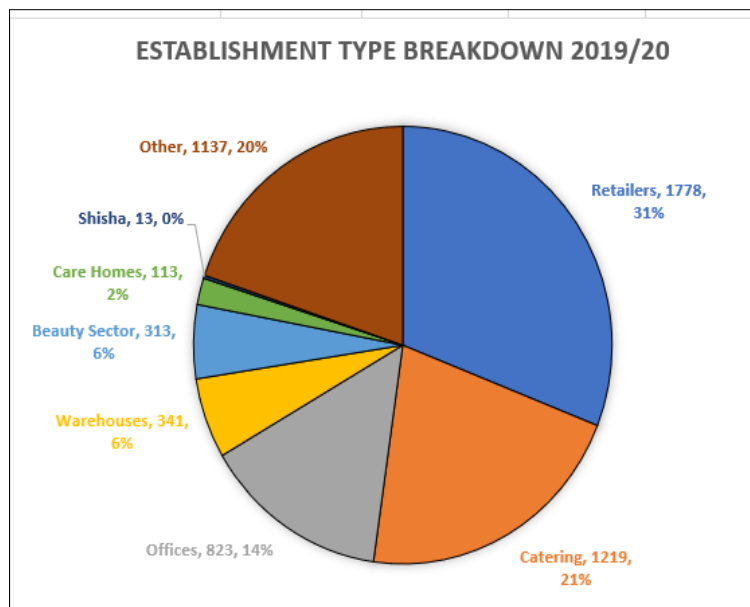


- 3.6 Leicester's commercial sector is made-up of a high number of SMEs that are historically from the Asian sub-continent but now there are an increasing number of Eastern European businesses starting-up. Some are run by people for whom English is not their first language. Several languages are spoken by operators and staff including Bengali, Gujarati, Urdu, Chinese, Turkish, Vietnamese, Turkish and now several eastern European languages.

#### 4. Interventions, Enforcement and Compliance Levels

- 4.1 The PST carry out regular interventions (based on risk) to help ensure businesses are compliant and workers protected.

- 4.2 The type of businesses enforced by the PST shown below. Retailers, catering and warehouses make-up around 2/3 of the premises in Leicester at present. See below:



- 4.3 Leicester's commercial sector is made-up of a high number of SMEs that are historically from the Asian sub-continent but now there are an increasing number of Eastern European businesses starting-up. Some are run by people for whom English is not their first language. Several languages are spoken by operators and staff including Bengali, Gujarati, Urdu, Chinese, Turkish, Vietnamese, Turkish and now several eastern European languages.

## 5. Interventions, Enforcement and Compliance Levels

- 5.1 The PST carry out regular interventions (based on risk) to help ensure businesses are compliant and workers protected.
- 5.2 Performance reports below show the importance of the Teams interventions to ensure continued and long-term compliance:

### Service Demand

Intervention Type	2015/16	2016/17	2017/18	2018/19	2019/20 (6 months)
Advice	161	287	356	240	114
Complaints	353	294	313	318	162
Statutory notifications	55	99	92	80	52
Accidents	99	66	82	51	42
Licences/Registrations	156	142	130	154	85

### Interventions

Intervention Type	2015/16	2016/17	2017/18	2018/19	2019/20 (6 months)
Advice visits	161	287	356	240	114
Inspections	523	420	747	668	324
Compliance checks	486	258	374	344	263
Investigations	493	426	458	267	189

### Enforcement

Enforcement Type	2015/16	2016/17	2017/18	2018/19	2019/20 (6 months)
Advice	858	762	989	826	578
Warning	1185	1086	1603	712	395
Improvement notice	67	9	12	25	9
Immediate prohibition	41	20	24	30	21
Prosecution	2	2	7	0	2

### Compliance levels

Year	2015/16	2016/17	2017/18	2018/19	2019/20
Broadly Compliant %	98%	98%	98%	98%	98%

## **6 Highlights of 2019 Workplan/Interventions**

### **6.1 Inspections projects**

Petrol stations – No formal action needed – contracting sector as supermarkets taking more market share.

Pressure fryers in Takeaways – Major project following complaints/referrals. 10 businesses required immediate prohibition action. 8 needed improvement notices to be served. 6 businesses were immediately referred to Fire Service and were subsequently closed.

Care Homes/Nurseries – Some formal action needed – Legionella failings.

### **6.2 Explosives Licencing**

Significant fall in number of applications received/licences issued. 2 to 5 years licences now affecting figures as well. One licence revoked.

Year	2016/17	2017/18	2018/19	2019/20
Licences	53	53	56	32

### 6.3 Sports Grounds Safety

3 certified stadiums - Regular interventions through-out 2019. KP Stadium/Tigers have developments planned. LCCC, Grace Road now holding regular non-sporting events requiring PST input with crowds of 20,000 expected. Morningside Arena now holds regular non-sporting events and plans to extend to 5,000 as well. More team resources will be required in 2020.

### 6.4 Infection Control

Two significant cases:

Case 1 - Patient with TB transferred to LRI from Peterborough without partnership agreement. Issues relating to Part 2a order that could not be extended and so patient could legally leave LRI without being stopped. Review taking place.

Case 2 - Tattooist working from his bedroom without being registered with LCC. Part 2a order sought/executed. All equipment seized. Successful prosecution – Sentence of 300 hours community service plus all LCC costs (£3260) awarded.



### 6.5 Event Safety

This is another growth area for the Team as more large events are being held in Leicester. This is no longer restricted to Summer events but are now taking place through-out the year. The 2019 workplan for the Team is shown below and it is likely that a similar if not even larger team of resources will be required in 2020.

EVENT/LOCATION	DATE	LEAD	PST ACTION as per Criteria
Holi (Cossington Park)	20/21 Mar	AC/SJ	Advice and monitoring

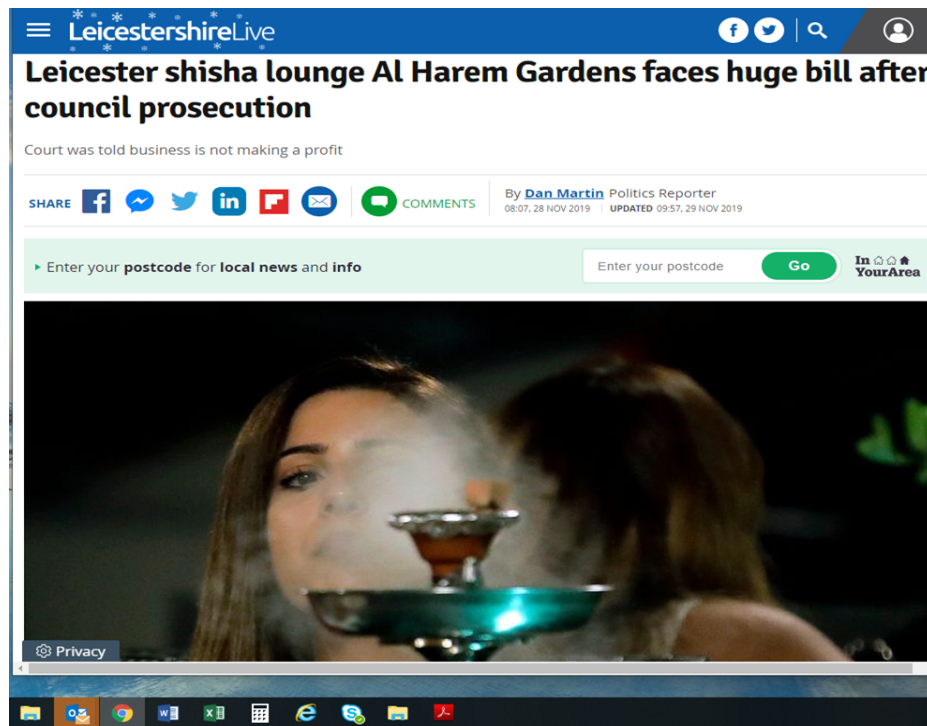
Holi (Spinney Hill)	20/21 Mar	AC/SJ	Advice and monitoring
Colours (Abbey Park)	23 Mar	SJ/AC	Advice and monitoring
Paint Throwing (Bede Park)	Mar?	SJ/NN	Advice and monitoring
Vaisakhi Parade	28 Apr	HT/NN	Advice only
Braunstone Bonanza	25/26 May	GD/LW	Advice and monitoring
Spring Eid Festival (Victoria Park)	4/5/6 Jun?	LW/NN	Advice and monitoring
Western Park Festival	6 July	GA/HT	Advice and monitoring
Nelson Mandela Event (at Park)	20 July	SJ/NN	Advice and monitoring
Shri Gurupournima Festival (Cossington Park)	20 July	SJ/NN	Advice and monitoring
Magic of Thailand (Victoria Park)	20/21 July	SJ/NN	Advice and monitoring
Carnival	3 Aug	AC/SJ	Advice and monitoring
108 – Kundiya Gayatri Yagna – Abbey Park	3/4 Aug	AC/GA	Advice and monitoring
Leicester Fake Festival	10 Aug	HT/NN	Advice and monitoring
Summer Eid Festival (Victoria Park)	12 Aug?	NN/LW	Advice and monitoring
Summer Eid Festival (Spinney Hill)	10/12 Aug	NN/LW	Advice only
Saffron Fete	17 Aug	GD/SJ	Advice only
Leicester Pride - Victoria Park	31 Aug	HT/SJ	Advice and monitoring
Inflatable Adventure world	7 Sep	LW/HT	Advice and monitoring
Circus – Abbey Park	13-20 Oct	HT/GD	Advice and monitoring
Octoberfest (Jubilee Square)	11-13 Oct	LW/SJ	Advice and monitoring
Nagar Kirtan Parade/De Montfort Hall	3 Nov	NN/HT	Advice only
Mowmacre Firework Display - Park	2 Nov?	LW/NN	Advice and monitoring
Queens Road Xmas Market	1 Dec	AC/SJ	Advice only

## 6.6 Smokefree

99.9% of businesses are smokefree compliant. The exception is shisha premises. The Team have had to devote significant resources to ensure these businesses remain compliant. Enforcement action leading to prosecutions has been noted since the introduction of smokefree legislation.

This year one business (Al-Harem Gardens) has been prosecuted for allowing smoking in an enclosed area and dangerous electrics that were immediately prohibited. During the same visit, Her Majesty's Revenue and Customs (HMRC) officers seized 14.74kg of non-duty paid shisha tobacco to the value of £2,214.54.

The business and director were fined a total of 11,897.50 including council prosecution costs of £2597.50.



There are two further prosecutions that are to be heard in early 2020.

#### 6.7 Reactive work

Reactive work continues to be resource intensive and enforcement normally requires two officers per investigation for evidence gathering and corroboration purposes.

### 7 Proposed 2020/21 Business Plan

7.1 Planning for the 2020/21 Business Plan (BP) has already commenced and a draft BP will be available by end of January 2020. The Plan is implemented 1 April 2020.

7.2 The inspections due in 2020/21 are:

Category	Risk	Total Due
A1	High	4
B1	High	68
B2	Medium	365
C	Low	76
<b>Total</b>	<b>-</b>	<b>513</b>

7.3 All high-risk premises (A and B1) will receive a full inspection. B2 and C rated businesses will receive an intervention (local project visit or self-inspection questionnaire).

7.4 Likely Projects/Areas of Focus to be included in BP:



Petrol Stations – Carry out full inspections

Nail bars – Public safety visits with police, immigration and HMRC officer

Defibrillators – Joint project with PH colleagues

HSE Priorities – The HSE direct local authorities on sectors/activities that require an intervention based on national data/trends/accident records.

Event Safety – Provide advice and carry out monitoring of large events.

Sports Grounds Safety – Implement the Team's revised Enforcement Policy. Carry out routine monitoring.

Shisha Premises – Continue with smokefree compliance visits.

Brexit – No health and safety enforcement issues for businesses.

## 7.5 Calendar Highlights

March – Nail bars project; Holi events

April – New workplan; Shisha premises visits; Vaisakhi Parade; Project 1 starts

June – Kasabian concert;

July – Westlife/Little Mix concerts; Nelson Mandela event; Project 2 starts

August – Carnival and Eid events;

September – Leicester Pride

Oct – Explosives licensing; Octoberfest event; Circus; Project 3 starts

December – Project 4 starts

## 8. Financial, Legal and Other implications

### Financial implications

None

Colin Sharpe  
Head of Finance  
Ext 37 4081

### Legal implications

The local authority is required to comply with all of its obligations under the health & safety and public health legislation. These are delegated to officers within the Public Safety Team to carried out. The increased level of non-compliance noted

over the past few years particularly in shisha premises will result in an increase in matters being referred to Legal Services for advice, training and prosecution.

#### Climate Change and Carbon Reduction implications

Delivery of the services described in the report will generate some carbon emissions from the travel involved. Carbon emissions from travel undertaken by staff across the council are managed through a policy of asking staff to consider options for using sustainable travel options, where this is feasible and will not negatively affect the effectiveness and efficiency of service delivery.

Leicester City Council runs a scheme called Green BELLE, which provides grants to improve SMEs energy efficiency, reducing their costs and carbon emissions. The scheme is currently applying for further funding and should be able to support food businesses in the city later in the year.

Aidan Davis, Sustainability Officer, Ext 37 2284

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

None.

**10. Summary of appendices:**

Appendix A – Public Safety Team Business Plan

**11. 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.

## **APPENDIX A**

### **PUBLIC SAFETY TEAM - 2018/20 BUSINESS PLAN**



#### **Executive Summary**

The Public Safety Team Business Plan identifies the 2018-2020 priorities for the Public Safety Team, Regulatory Services, Local Services and Enforcement.

The plan sets out how the Council will undertake its statutory duties, focussing on public protection and improving the working environment within Leicester. It supports the Council's corporate objectives and strategies.

#### **Overall Aim**

*“The Public Safety Team (with our partner agencies) seeks to protect those working, living or visiting Leicester from health and safety dangers that could cause significant ill health or injury.*

*We will work with all stakeholders in order to protect employees and the public alike particularly vulnerable persons by ensuring risks are managed properly and that relevant standards are met and maintained.”*

## **Working with Stakeholders**

We will work with all stakeholders to minimise the risk of accidents, incidents or injury. We will do this by:

Providing Clear Advice –	New or small businesses, members of the public, employees etc
Issuing Informal Notices –	Warnings, assurances, undertakings
Taking Formal Action –	Enforcement notices, cautions, prosecutions
Carrying out Disruptive action –	Prohibiting activities, seizures, un-announced monitoring inspections, forced entry under warrants/orders

## **Legislation**

The team achieves its aim by enforcing a wide range of regulatory legislation governing public safety including health and safety at work legislation, sports ground safety requirements, public health/health protection legislation, explosives/fireworks safety regulations, Health Act and Smokefree legislation, and local byelaws relating to beauty treatments.

## **Key Work Objectives**

*Business Advice* - The provision of clear and impartial advice to both new and existing businesses to ensure regulatory compliance using tailored interventions.

*Enforcement* - Enforcement action is undertaken in accordance with Leicester City Council's Enforcement Policy. The team's priority is to enforce against those deliberately flouting the law to the detriment of the public or employees.

*Health and Safety* - For places of work where the Authority is the Regulator, the team will take risk-based interventions to ensure compliance. The team will also instigate investigations following alerts, complaints, notifications and/or accidents.

*Event Safety* – Large-scale events (Festivals, Carnivals, Concerts, Fireworks Displays, Circuses etc) occur in the city resulting in large crowds, the team will work with event organisers to ensure that adequate controls are put into place to ensure crowd safety.

*Sports Ground Safety* – The Team will work with all regulated sporting arenas, grounds and stadiums in Leicester to ensure public safety and protect employees. The team will work with the Safety Advisory Group (SAG) to ensure there is long term compliance at sporting events.

*Protecting Vulnerable Persons* – Protecting the public (employees, customers, persons in care etc) is a central role of the Team where the Authority has the relevant regulatory powers. Regulated activities include under-age smoking, explosives/fireworks, tattooing/body piercing, sunbed use etc.

*Public Health Protection* - The team will work with partner agencies to prevent the spread of disease to protect public health. This may include investigating outbreaks of infectious diseases, prohibiting unsafe beauty treatment premises, and other public protection interventions.

*Smokefree* - The smoking ban is regulated by the team to protect persons from second-hand smoke using appropriate interventions.

*Beauty/Invasive Treatments* - The team is responsible for registering hairdressers, cosmetic piercers, tattooists, semi-permanent skin colouring, electrolysis and acupuncture. The team also regulates non-registerable treatments (laser treatments, nail bars, tanning salons etc) to ensure the public are not put at risk

*Firework Licencing and Safety* – The Team licenses businesses that wish to sell and/or store certain types of fireworks. The Team will ensure that fireworks sold and stored by businesses in Leicester not only meet our licensing requirements but that they also comply with health and safety legislation.

## **Priorities and Planning**

This Business Plan sets out our priorities for the current year. This Plan has considered:

- Local intelligence on accidents and health & safety risks
- New, updated and revised legislative requirements
- National & regional priorities, targets and plans
- BRDO/HSE/SGSA/PHE guidance and priorities
- Joint Health and Wellbeing Strategy action plan
- Regulatory Services action plan

## **2018 – 2019 Planned Projects**

### Operational/High risk

- *High Risk Activities/Premises*  
All identified high risk activities/premises (eg petrol stations, A rated premises etc) will undergo proactive inspection. This is a national HSE priority to contribute towards making Leicester a safer place to work.
- *Sports Grounds/Arenas*  
All identified sports arenas, grounds and stadia will undergo regular interventions (inspections & monitoring) to ensure compliance. This is primarily for public safety and to ensure safety certificate requirements are met.
- *Large Public Events*  
All identified public events (Concerts, Holi, Caribbean Carnival, Eid Festival, Leicester Pride, Oktoberfest, Circuses etc.) will be provided with appropriate health and safety advice in advance and monitoring will be carried out to ensure

compliance. This is primarily a public safety role to ensure events run smoothly and without incident.

- *Explosives (Fireworks) Licensing*  
All premises storing and/or selling explosives (fireworks) within premises require licences. All such premises will be inspected based on risk to ensure compliance as part of the licensing application process. This is primarily for public safety and to ensure licence requirements are met.
- *Residential Care Homes*  
This Authority will carry out a range of interventions to reduce accidents and injury as a result of moving and handling within care homes. These inspections will tie in with the HSE's 'Go Home Healthy' Campaign to reduce moving/handling injuries in the care sector. Currently, 507,000 workers suffer from MSDs.
- *Animal Visitor Centres*  
All identified animal visitor centres will undergo an annual proactive inspection. This is a national HSE priority and will help to minimise any ill-health of public/employees/cross contamination from arising.

#### Local Projects/Activities/Interventions

- *Large Venues*  
As part of the public safety role – All venues used/hired for large events (weddings, concerts, Navaratri etc) will be inspected based on risk to ensure they meet health and safety requirements and raise awareness of dutyholders about public safety/fire safety.
- *Improve health and safety standards within IPL/Tanning salons*  
This has been noted as a growth area in Leicester. The Team will implement Phase 2 of this project by carrying out a programme of 'un-announced' inspections of such premises to help ensure these premises are safe and properly maintained for employees and members of the public alike.
- *Children's Leisure Premises/Activities*  
Following a recent fatality in this sector (adventure playgrounds, laser quest, trampolining centres etc), this Authority will carry out a range of interventions to raise and maintain standards and minimise the likelihood of accidents.
- *Reduce risks associated shisha smoking*  
PST will continue with a risk-based programme of monitoring inspections of shisha premises to help ensure employees and others vulnerable persons are protected from the effects of second-hand-smoke and ensure smoking areas are compliant with smokefree legislation.
- *Swimming Pools*  
Following a recent fatality and changes to the health and safety guidance, this Authority will be carrying out inspections of all (non LCC) swimming pools to ensure compliance, maintain standards and minimise the likelihood of accidents.
- *Children's Nurseries*  
This Authority carried out inspections of nurseries in 2016 to help protect vulnerable persons and improve health and safety standards in private children's

nurseries/playschemes. To ensure compliance is long term and standards are being maintained, a further joint project with the Early Years Team will be carried out.

- *Maintain/Improve health and safety standards within Beauty premises*  
This has been noted as a growth area in Leicester. Registered premises will be inspected to help ensure they meet current standards, they are properly maintained and the public protected.
- *Butchers*  
This Authority carried out inspections of butchers shops in 2016 to help protect vulnerable persons and improve health and safety standards following two accidents involving amputations. To ensure compliance is long term and standards are being maintained, a further project of sample premises will be carried out.

### Educational/Awareness Raising

- *Reduce the number of illegal and unsafe practitioners within beauty sector*  
Working with our public health colleagues, educate the public on the risks associated with having invasive treatment in illegal, un-registered and usually un-safe premises with poor hygiene controls.
- *Call Centres*  
Work-Related Stress (WRS) results in 12 million working days lost last year due to work related stress. This is part of the HSE's 'Go Home Healthy' campaign and the PST will be raising awareness within call centres to minimise ill health.
- *Travel Agents - Help reduce incidents of communicable diseases*  
The popularity of low-cost flights has meant that foreign travel is now easier and more widely accessible. This has resulted in more communicable diseases cases being reported as a result of foreign travel due to suitable inoculations not having been taken before travelling abroad. A project will be developed to increase awareness of customers of local travel agents.
- *Beverage Gases in the entertainment Sector*  
New HSE priority that LA's to take account of this issue during interventions with all businesses. 2018/19 – Awareness raising campaign to be carried out.
- *Gas Safety Regulations changes*  
An awareness raising campaign will be put in place to alert dutyholders of the changes in gas safety requirements.
- *Preventing injury to members of public from large commercial waste and recycling bins*  
New HSE priority that LA's to take account of this issue during interventions with all businesses.
- *Violence at Work – Help reduce incidents in targeted workplaces*  
Carry out a range of interventions with identified business (bookmakers, night clubs, entertainment sector, retail shops etc) premises to help protect vulnerable persons from violence at work attacks.

## 2019 – 2020 Planned Projects

### Operational/High risk

- *High Risk Activities/Premises*  
All identified high risk activities/premises (eg petrol stations, A rated premises etc) will undergo proactive inspection. This is a national HSE priority to contribute towards making Leicester a safer place to work.
- *Sports Grounds/Arenas*  
All identified sports arenas, grounds and stadia will undergo regular interventions (inspections & monitoring) to ensure compliance. This is primarily for public safety and to ensure safety certificate requirements are met.
- *Large Public Events*  
All identified public events (Concerts, Holi, Caribbean Carnival, Eid Festival, Leicester Pride, Octoberfest, Circuses etc.) will be provided with appropriate health and safety advice in advance and monitoring will be carried out to ensure compliance. This is primarily a public safety role to ensure events run smoothly and without incident.
- *Explosives (Fireworks) Licensing*  
All premises storing and/or selling explosives (fireworks) within premises require licences. All such premises will be inspected based on risk to ensure compliance as part of the licensing application process. This is primarily for public safety and to ensure licence requirements are met.
- *Carbon Monoxide Risks in Commercial Catering Premises*  
The HSE have prioritised this risk in commercial catering premises and this Authority carried out inspections of relevant catering premises in 2017. To ensure compliance is long term and standards are maintained, a further project will be carried out.
- *Animal Visitor Centres*  
All identified animal visitor centres will undergo an annual proactive inspection. This is a national HSE priority and will help to minimise any ill-health of public/employees/cross contamination from arising.
- *Maintain/Improve health and safety standards within Beauty premises*  
This has been noted as a growth area in Leicester. Registered premises will be inspected to help ensure they meet current standards, they are properly maintained and the public protected.

### Local Projects/Activities/Interventions

- *Reduce risks associated shisha smoking*  
PST will continue with a risk-based programme of monitoring inspections of shisha premises to help ensure employees and others vulnerable persons are protected

from the effects of second-hand-smoke and ensure smoking areas are compliant with smokefree legislation.

- *Retail Bakeries*

Flour dust in craft bakeries and in-store bakeries has been highlighted as a concern by the HSE. As part of the 'Go Home Healthy' campaign the PST will carry out focused inspections.

#### Educational/Awareness Raising

- *Reduce the number of illegal and unsafe practitioners within beauty sector* Working with our public health colleagues, educate the public on the risks associated with having invasive treatment in illegal, un-registered and usually un-safe premises with poor hygiene controls.
- *Travel Agents - Help reduce incidents of communicable diseases*  
The popularity of low-cost flights has meant that foreign travel is now easier and more widely accessible. This has resulted in more communicable diseases cases being reported as a result of foreign travel due to suitable inoculations not having been taken before travelling abroad. A project will be developed to increase awareness of customers of local travel agents.
- *Beverage Gases in the entertainment Sector*  
New HSE priority that LA's to take account of this issue during interventions with all businesses. 2018/19 – Awareness raising campaign to be carried out. 2019/20 – proactive inspections to be carried out.
- *Acid Licensing – Implementing new licensing regime*  
Nationally there has been an increase in crimes associated with acids. The government has indicated its intention to restrict the sales/storage of acids. Once the legislation has been enacted, the PST will carry out an awareness raising campaign for businesses and the public.
- *Violence at Work – Help reduce incidents in targeted workplaces*  
Carry out a range of interventions with identified business (bookmakers, night clubs, retail shops etc) premises to help protect vulnerable persons from violence at work attacks.
- *Preventing injury to members of public from large commercial waste and recycling bins*  
New HSE priority that LA's to take account of this issue during interventions with all businesses.

#### *Load Safety/Security –*

New HSE priority that LA's to take account of this issue during interventions with all businesses.

#### **Likely Reactive Interventions/Activities 2018 - 2020**

In addition to planned proactive activities above, it is anticipated that the following reactive work will also be undertaken by the Team:



- *Riddor Investigations* – Investigation of accidents, dangerous occurrences, notifiable diseases that meet criteria
- *Complaint Investigations* – Investigation of complaints that meet criteria
- *Infectious Diseases Notifications* - Investigation of notifications that meet criteria or with matrix (as agreed with PHE)
- *Asbestos/LOLER Notifications* – Investigation/monitoring of notifications
- *Explosives Licensing* - All new business will undergo proactive inspections to ensure compliance
- *Beauty Treatment Registrations* – Carry out compliance inspections and issue certificate for registerable activities
- *Explosives Licensing Applications* – Premises meeting criteria will be liable for an inspection and representations made when concern is noted
- *NEW Legislation – Acid Storage/Retail Licensing* – New work activity likely to require additional resources for awareness raising, inspections, administering licensing applications, dealing with representations etc.
- *Telephone Riddor Investigations* – Clarification/Investigation of accidents to confirm formal investigation is not warranted
- *Informal Telephone Advice* – Provide advice upon request deal

### **Businesses to be targeted**

The following premises/sectors have been identified as warranting an intervention in 2017/18:

- Residential Care Homes
- Commercial Catering Kitchens
- Bookmakers
- Pubs/Nightclubs/Casino's
- Shisha Cafes
- Sports Stadiums
- Petrol Stations
- Invasive Treatment Premises
- Licensed Fireworks Sellers/Storers
- Swimming Pools
- Nurseries/Playschemes
- Children's Play Centres

### **Targeting Our Interventions**

Leicester City Council targets its interventions:

- to maximise our impact in improving health and safety outcomes
- to secure action by duty holders to manage and control the health and safety risks of their work activities
- on the duty holders who are best placed to control the risks whether they be employers or others
- with our partner agencies/LCC teams can influence risk reduction
- on activities that give rise to serious risks or where the hazards are least well controlled
- to stop those that seek economic advantage from non-compliance (e.g. rogue traders/poor performers)
- to protect vulnerable persons to help reduce incidents of ill health and workplace accidents

### *Delivering Our Objectives*

To deliver its objectives the team undertakes the following interventions:

- Advice
- Website with up-to-date information
- Inspections
- Self-assessment questionnaires
- New high-risk businesses advice/inspections
- Revisits to check on compliance
- Investigation of accidents, dangerous occurrences, notifiable diseases, asbestos/LOLER notifications meeting criteria
- Investigation of complaints meeting criteria
- Formal enforcement (prohibition and legal action) where appropriate

### *Monitoring*

Performance will be reported on a monthly basis to senior management and regular briefings to the lead member.

### *Our Partners*

The Public Safety Team will continue to work in partnership with the following organisations to raise health and safety standards:

- LCC: Public Health; Food Safety Team, Trading Standards Service, Central Health and Safety Unit, Licensing Unit, Building Control Service, Planning, Pollution/Noise Control Service, City Wardens, Safeguarding, Early years, - Ongoing
- Health and Safety Executive - Ongoing
- Leicestershire Local Authorities - Ongoing
- Midlands Unitary LA's Better Practice Group - Ongoing
- Public Health England – Ongoing
- Leicestershire Fire and Rescue - Ongoing
- Leicestershire Constabulary – Ongoing
- HMRC – Ongoing
- Safety Advisory Group – Ongoing
- OFSTED – Ongoing
- CQC – Ongoing

## **Team Building/Officer Competency**

This Authority will continue to train and develop our officers to ensure they remain competent. In addition, there are some key areas of development/increasing the Team's knowledge base this year:

- Dealing with fatalities, injured persons and bereaved families; and
- Carrying of social media-based investigations
- Event safety

### *Charging Policy*

The Team charges for the following:

Special sports grounds safety certificates  
Explosives licensing  
Tattooing registrations  
Acupuncture registrations  
Body piercing registrations  
Electrolysis registrations  
Semi-Permanent registrations  
Hairdressing registrations  
Investigation reports to support civil claims

### *Our Resources*

The above Business Plan is based on the following team resources and existing business/Admin support resource/arrangements:

1.0 FTE Team Manager; and  
6.6 FTE Officers.

NB. April – August 2018 – Only 4.6 FTE officers will be available and so the workplan has been adjusted accordingly.

**Govind Mandora**  
Team Manager  
20/3/18



## Neighbourhood Services Scrutiny Commission - Work Programme 2019-2020

Meeting date	Meeting items	Actions Arising	Progress
3 July 2019	<ol style="list-style-type: none"> <li><b>Portfolio Overview</b> by lead directors (to include structure chart and Q&amp;A session).</li> <li><b>Food safety service plan 2019/20</b> – presentation slides and report.</li> <li><b>Draft Work programme 2019/20</b> – work in progress – members to consider and suggest items.</li> </ol>	<p><b>Item 1 agreed:</b></p> <ul style="list-style-type: none"> <li>That an option of joint working with Housing Scrutiny Commission on “Universal Credit” to be added to the work programme.</li> <li>That the Director of Finance circulate details of multi hub locations through the Members Bulletin to all members.</li> <li>That the Director of Neighbourhood and Environmental Services be requested to progress and action the priorities for the service mentioned in his presentation.</li> </ul> <p><b>Item 2 agreed:</b></p> <ul style="list-style-type: none"> <li>That the Food Safety Team be commended for the great work they carry out and;</li> <li>That the Food Safety team consider reaching out to young people in the city to raise awareness of food safety issues and the impact this can have.</li> </ul> <p><b>Item 3 agreed:</b> to note the work programme as work in progress.</p>	
4 September 2019	<ol style="list-style-type: none"> <li><b>Library services provision</b> - reading projects / schemes across the city to improve literacy for children (lead director John Leach) – CYPS invited for joint scrutiny of this item</li> <li><b>Universal credit impacts - one year on</b> – report (lead officer Alison Greenhill)</li> <li><b>Work Programme</b> <ol style="list-style-type: none"> <li>Proposal for new review topic: ‘The Viability of a Community Lottery for Leicester’ – draft scope (Lead: Chair/Anita)</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>Agreed: Head of Neighbourhood Services be requested to <ul style="list-style-type: none"> <li>provide Members with programmes of events at libraries; and</li> <li>That the presentation be noted.</li> </ul> </li> <li>Universal Credit impacts report noted.</li> <li>New task group review supported.</li> </ol>	

## Neighbourhood Services Scrutiny Commission - Work Programme 2019-2020

<p><b>30 October 2019</b></p>	<ol style="list-style-type: none"> <li><b>1. Domestic and Sexual Violence Services (DSV)</b> – progress on consultation</li> <li><b>2. Waste and Recycling service provision</b> - presentation</li> <li><b>3. Bring banks service</b> - report</li> <li><b>4. Work Programme</b></li> </ol>	<ol style="list-style-type: none"> <li><b>1. Report agreed, and</b> <ol style="list-style-type: none"> <li>a) Lead Director be asked to send a reminder to all Councillors to encourage them to participate in the consultation at <a href="https://consultations.leicester.gov.uk/">https://consultations.leicester.gov.uk/</a>; and</li> <li>b) The commission to receive a report at an appropriate time on the diversity of users of domestic and sexual violence and abuse services in Leicester, including the wards and/or areas of the city service users are from and, if possible, information on identified barriers to accessing the services.</li> </ol> </li> <li><b>2. Report agreed, and</b> <ol style="list-style-type: none"> <li>a) That the Director of Neighbourhood and Environmental Services be asked to consider how engagement with schools in relation to waste management can be improved.</li> </ol> </li> <li><b>3. Report agreed, and</b> <ol style="list-style-type: none"> <li>a) That the Director of Neighbourhood and Environmental Services be asked to circulate details of the proposed changes to bring bank sites to all Councillors once the changes have been confirmed; and</li> <li>b) To undertake a full survey of textile bins at bring bank sites, to ensure that they are being emptied at appropriate frequencies; and</li> <li>c) To consider how recycling services can be further promoted, for example through the use of advertising on local radio stations.</li> </ol> </li> </ol>	
<p><b>15 January 2020</b></p>	<ol style="list-style-type: none"> <li><b>1. Council budget</b> – relating to neighbourhood services portfolio</li> <li><b>2. Community Safety Plan – Update</b></li> <li><b>3. Leicester City Council's Public Safety Service</b></li> </ol>		

## Neighbourhood Services Scrutiny Commission - Work Programme 2019-2020

<b>4 March 2020</b> Items to be confirmed	<b>1. Draft Local Plan - tbc</b>		
<b>22 April 2020</b> Items to be confirmed			

67

FORWARD PLAN / SUGGESTED ITEMS		
Topic	Detail	Proposed Date
<b>KEY DECISIONS &amp; NON-KEY DECISIONS</b>	WATCHING BRIEF – members to consider relevant items to this commission, from the councils Corporate Plan of Key & Non-Key Decisions	Ongoing / watching brief
<b>CONSULTATIONS</b>	WATCHING BRIEF – members to consider relevant items to this commission from planned or live consultations to provide scrutiny comments and views	Ongoing / watching brief
<b>COUNCIL BUDGET</b>	WATCHING BRIEF – members to consider any budget impacts relevant to this commission, as necessary.	Ongoing / watching brief
Neighbourhood services Asset Transfer Update (lead director Matt Wallace / John Leach)	Commission to receive a report	Tbc
Community Safety Plan, including:  a) Tackling hate crime e.g. through schools and communities (lead directors John Leach / Paul Tinsley)	To receive report on actions and progress.  To consider Joint work with other scrutiny commissions? where necessary	January 2020 -tbc

## Neighbourhood Services Scrutiny Commission - Work Programme 2019-2020

b) Tackling knife crime e.g. a city-wide strategy (lead director John Leach)		
Food Safety Service Plan 2019/20 (lead director John Leach)	Annual update on a key area of public protection within the city	July 2019
Library services provision: a) Reading projects / schemes across the city e.g. to improve literacy for children (lead director John Leach)	To receive a report on actions / progress To invite CYPS for joint scrutiny of this item	Sept 2019
Adult Education services provision (lead director Mike Dalzell)	To receive a report on actions and progress To consider joint scrutiny for this item.	tbc
Waste and recycling service provision – report update (lead director John Leach)	To receive a report on actions and progress	October 2019
Discretionary payment - hardship fund (lead director Alison Greenhill)	To receive a report on actions and progress	September 2019
Universal Credit and Welfare advice service provision (lead director Alison Greenhill)	To receive report on actions and progress To consider inviting chair of OSC for this item on universal credit (scrutiny comments to inform OSC)	September 2019
Improving Neighbourhoods – possible topics to scrutinise tbc – for example:  a) Ward funding provision and community grant opportunities (Lead Directors: Alison Greenhill / John Leach / Miranda Cannon)  b) Community Lottery options and viability - Lead Directors: Alison Greenhill / Miranda Cannon.  c) Shop front improvement projects -tbc (Lead Director Andrew L Smith)	To receive reports on actions and progress  To consider joint scrutiny for items relevant to other scrutiny commissions?  A task group review has been established in October 2019 to look into the viability of a community lottery topic.	Tbc
Neighbourhoods Services Supporting Digital Inclusion (Lead Directors John Leach / Miranda Cannon)	To receive report on actions and progress	Tbc
Regulatory Services (lead director John Leach) – such as:	To receive reports on actions and progress	Tbc

**November 2019**



## Neighbourhood Services Scrutiny Commission - Work Programme 2019-2020

<ul style="list-style-type: none"><li>a) Private Sector Housing e.g. tackling rough landlords and licensing scheme for private sector homes</li><li>b) Food Safety and Environmental Health</li><li>c) Licensing and Trading Standards</li><li>d) Public Safety</li><li>e) Noise and Pollution control</li><li>f) Building Control</li></ul>	To consider joint scrutiny for items relevant to other scrutiny commissions?	
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