

Agenda

Meeting name	Meeting of the Cabinet
Date	Wednesday, 13 December 2023
Start time	4.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH
Other information	This meeting is open to the public

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

Edd de Coverly
Chief Executive

Membership

Councillors	P. Allnatt (Chair)	M. Glancy (Vice-Chair)
	S. Butcher	S. Cox
	P. Cumbers	

Quorum: 3 Councillors

Meeting enquiries	Democratic Services
Email	democracy@melton.gov.uk
Agenda despatched	Tuesday, 5 December 2023

No.	Item	Page No.
1.	APOLOGIES FOR ABSENCE	
2.	MINUTES To confirm the Minutes of the meeting held on 15 November 2023 and the special meeting held on 29 November 2023.	1 - 12
3.	DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting.	13 - 14
4.	MATTERS REFERRED FROM SCRUTINY COMMITTEE IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES No items have been referred from Scrutiny Committee in accordance with the Scrutiny procedure rules.	
5.	2036 VISION AND FRAMEWORK FOR THE CORPORATE STRATEGY A report updating Members on the progress of developing and then publishing the Council's 2036 Vision and Framework for the Corporate Strategy.	15 - 24
6.	LICENSING ENFORCEMENT POLICY A report seeking approval for the adoption of a Licensing Enforcement Policy, which will help the Council in managing the various licensing functions in a consistent, effective, transparent and compliant way.	25 - 62
7.	QUARTER 2 CORPORATE PERFORMANCE AND PROGRESS REPORT 2023/24 A report informing Members on the Council's corporate performance data and the current position with regard to delivery against its priorities.	63 - 88
8.	COMPLAINTS - ANNUAL SELF-ASSESSMENT A report informing Members about the Council's self-assessment, in response to the Local Government and Social Care Ombudsman and the Housing Ombudsman, before being published to the Council's website by the 31 December 2023.	89 - 112



Minutes

Meeting name	Cabinet
Date	Wednesday, 15 November 2023
Start time	4.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH

Present:

Chair Councillor P. Allnatt (Chair)

Councillors M. Glancy (Vice-Chair) S. Cox
P. Cumbers

Observers Scrutiny Committee Chair, Councillor M. Brown,

Officers Chief Executive
Director for Housing and Communities (Deputy Chief Executive)
Director for Corporate Services
Interim Assistant Director for Governance & Democracy
Director for Growth and Regeneration
Assistant Director for Housing Management
Housing Development Manager
Democratic Services Officer (HA)

Minute No.	Minute
39	<p>APOLOGIES FOR ABSENCE An apology for absence was received from Councillor Sharon Butcher.</p>
40	<p>MINUTES The Minutes of the meeting held on 11 October 2023 were confirmed.</p>
41	<p>DECLARATIONS OF INTEREST There were no declarations of interest.</p>
42	<p>MATTERS REFERRED FROM SCRUTINY COMMITTEE IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES In accordance with the Scrutiny Procedure Rules, this item had been referred from the Scrutiny Committee:</p> <ul style="list-style-type: none"> • Crime and Disorder <p>The Chair of the Scrutiny Committee, Councillor Mike Brown, introduced the report advising members that the Scrutiny Committee had met on 19 October 2023 and considered the Crime and Disorder Annual update and advised the new Police Inspector for Melton, Inspector Darren Richardson, was present at this meeting.</p> <p>The Portfolio Holder for Customers, Communities and Neighbourhoods thanked the Scrutiny committee for their feedback and praised the working relationship of the partnership with family engagement and the improvement of rural crime prevention.</p> <p>The Portfolio Holder for Corporate Finance, Property and Resources thanked Scrutiny Committee for the report advised members that she would feed back any information from the Police and Crime Panel in relationship to the frustrations around the reporting of crime and anti-social behaviour which had been noted by a number of other districts. She also highlighted that the council had been awarded the Safer Streets Funding and thanked the team involved for securing this. This funding would be used to tackle some of the issues raised in the report.</p> <p>Cabinet AGREED to have regard to the Scrutiny Committee’s feedback.</p> <p>In accordance with the Scrutiny Procedure Rules, this item had been referred from the Scrutiny Committee:</p> <ul style="list-style-type: none"> • Housing Ombudsman. Annual Report 2022/23 <p>The Chair of the Scrutiny Committee, Councillor Mike Brown, introduced the report advising members that the Scrutiny Committee had met on 19 October 2023 and discussed the Housing Ombudsman, Annual report 2022/23.</p>

The Director for Housing and Communities, Deputy CEO, advised members that complaints are taken seriously and is always under review analysing trends and performances. She informed Cabinet that a self-assessment report would be brought forward to the December Cabinet meeting providing further detail.

Cabinet **AGREED** to have regard to the Scrutiny Committee's feedback.

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PLANNING ENFORCEMENT POLICY

The Portfolio Holder for Governance, Environment and Regulatory Services (Deputy Leader) introduced the report the purpose of which was to seek approval for the adoption of a Planning Enforcement Policy that would help the Council in managing the planning enforcement function in a consistent, effective, and compliant way.

The Portfolio Holder for Governance, Environment and Regulatory Services (Deputy Leader) advised the committee that there were some minor typographical errors, which do not alter the content of the policy, in the report, and these would be rectified before the Policy is published.

The Portfolio Holder for Customers, Communities and Neighbourhoods thanked the team for the document stating that it would give the public clear understanding on when and how to make a complaint on Planning.

The Leader of the Council thanked the officers for the report.

Cabinet

- 1) **APPROVED** the Planning Enforcement Policy for adoption and publication on the Council's website.
- 2) **DELEGATED** authority to the Director for Growth and Regeneration (in consultation with the relevant Portfolio Holder) to make any further changes to the Policy, arising from the Levelling Up and Regeneration Act.

Reasons for the Recommendations

'Delivering sustainable and inclusive growth in Melton' and 'Protecting our built and natural environment' are key corporate priorities for the Council. Planning enforcement is an important tool available to the Council in achieving these priorities.

Melton Borough Council, as a local planning authority, is a responsible body for planning enforcement within the Borough.

The purpose of the Planning Enforcement Policy is to ensure effective and proper enforcement of planning controls is in place to protect the local environment and interests of the residents, visitors, and businesses from the harmful effects of unauthorised development and breaches of planning control. It is important and necessary to ensure ongoing public trust in the planning system.

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QUARTER 2 HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL

BUDGET MONITORING REPORT 2023/24

The Portfolio Holder for Corporate Finance, Property and Resources introduced the report, the purpose of which was to provide information on actual expenditure and income incurred on the Housing Revenue Account (HRA), compared to the latest approved budget for the period 1 April to 30 September 2023 for revenue and capital budgets.

The Portfolio Holder for Governance, Environment and Regulatory Services, Deputy Leader, thanked officers for the higher returns on the investments which had led to the forecast underspend.

The Assistant Director for Housing Management confirmed to members that the backlog in receiving the energy bills for Gretton Court had now been resolved and that this has now been added to tenants' rent payments, the increase had not been too significant.

- 1) Cabinet **NOTED** the financial position on the Housing Revenue Account as at 30 September 2023 and the year-end forecast for both revenue and capital.

Reason for recommendation

The Council, having set an agreed budget at the start of the financial year needs to ensure that the delivery of the budget is achieved. Consequently, there is a requirement to regularly monitor progress so that corrective action can be taken when required, which is enhanced with the regular reporting of the financial position.

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QUARTER 2 GENERAL FUND REVENUE AND CAPITAL BUDGET MONITORING REPORT 2023/24

The Portfolio Holder for Corporate Finance Property and Resources introduced the report, the purpose of which was to provide financial progress information on the General Fund and Special Expenses for period 1 April to 30 September 2023.

The Portfolio Holder for Corporate Finance Property and Resources highlighted to members that though the forecast currently is good for this year's budget, that is due to the grant income received, which is a one-off, and high interest rates yielding good returns on our investments, which are due to drop by the end of next year. Along with the uncertainty of funding from central government, Members need to be aware there could be some tough decisions needed to be made for next year.

Cabinet:

- 1) **NOTED** the year end forecast and financial position for the General Fund both general and Special Expenses at 30 September 2023 for both revenue and capital.

Reason for recommendation:

The Council, having set an agreed budget at the start of the financial year needs to ensure that the delivery of this budget is achieved.

Consequently, there is a requirement to regularly monitor progress so that corrective action can be taken when required, which is enhanced with the regular reporting of the financial position.

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MID YEAR TREASURY MANAGEMENT REPORT 2023/24

The Portfolio Holder for Corporate Finance, Property and Resources introduced the report, the purpose of which was to provide a summary of the treasury activities to the end of September 2023 and inform Members of the actual position to date on the Prudential Indicators in accordance with the Prudential Code.

The Portfolio Holder for Corporate Finance, Property and Resources thanked the Finance team for their excellent work and confirmed that Melton Borough Council was the top of the benchmarking group in the East Midlands in terms of our investment returns which had resulted in the Council meeting its objectives this year.

Cabinet recommended to Council that:

- 1) **NOTED** The mid-year position on treasury activity for 2022-23.
- 2) **NOTED** The mid-year position on Prudential Indicators for 2022-23.

Reasons for recommendations:

The Prudential Code requires the Council to monitor and report performance on Treasury Management activities at least quarterly. As a minimum Council need to receive an annual report on the strategy and plan for the coming financial year, a mid-year review and an annual report on performance of the treasury management function. In addition, monitoring reports should be received at least quarterly alongside revenue and capital monitoring by the Cabinet, as the body delegated responsibility for treasury management functions.

To facilitate the decision-making process and support capital investment decisions, the Prudential Code requires the Council to agree and monitor a minimum number of prudential indicators.

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ACQUISITION OF AFFORDABLE HOMES TO SPEND RIGHT TO BUY RECEIPTS

The Director for Housing and Communities introduced the report, the purpose of which was to advise of the need to spend Right to Buy receipts for 2023/24, to enable the acquisition of affordable homes and propose that Cabinet delegates authority to the Director of Housing and Communities, in consultation with the Portfolio Holder for Housing and Landlord Services to purchase houses in accordance with the Right to Buy budget.

The Director for Housing and Communities advised Cabinet a report would be provided at the start of the next financial year detailing the amount available to spend for the year, the number of homes that could support to purchase and the proposed locations that this could take place.

The Leader of the Council thanked officers for their work on the report and confirmed that Cabinet would be included in the decisions made on the purchase of properties with the Right to Buy receipts.

Cabinet:

- 1) **NOTED** the need to spend Right to Buy receipts for the 2023/24 spending requirement, to enable the acquisition of affordable homes.
- 2) **DELEGATED** authority to the Director for Housing and Communities in consultation with the Portfolio Holder for Housing and Landlord Services to purchase homes in accordance with the budget for spending Right to Buy receipts to meet the 2023-24 spending requirement.

Reasons for recommendations

Delivering new council homes with RTB receipts will help to meet the corporate priority of providing high quality council homes and landlord services.

The Government imposes deadlines for spending RTB receipts. A certain amount of funds has to be spent each financial year in order to avoid receipts being sent back to the Treasury with an interest penalty.

Cabinet approval was obtained in December 2022 to purchase 8 new houses from a developer in Old Dalby. Expenditure on this scheme would have ensured that the RTB spend target for this financial year was achieved. Unfortunately, there have been delays due to the developer having issues with planning permission and construction. This means 6 of these homes will not be ready until the end of December 2023. There is a concern that if there are further delays in delivery, alternative purchases and associated Cabinet approvals will need to be made. As the Cabinet approval process takes time, there is a risk that the deadline for spend by the end of March 2024 may not be achieved.

Delegating authority to spend RTB receipts to the Director of Housing and Communities in consultation with the Portfolio Holder for Housing and Landlord Services will save time and ensure that receipts are spent within deadlines.

The homes will be acquired according to the Housing Development Plan 2022-26 which was approved by Cabinet in July 2022. All new homes will be purchased in consultation with the Portfolio Holder for Housing and Landlord Services, and in accordance with the budget for spending RTB receipts.

The meeting closed at: 4.57 pm

Chair

Minutes



Meeting name	Cabinet
Date	Wednesday, 29 November 2023
Start time	4.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH

Present:

- Chair** Councillor P. Allnatt (Chair)
- Councillors** M. Glancy (Vice-Chair) S. Butcher
S. Cox P. Cumbers
- Officers** Chief Executive
Director for Housing and Communities (Deputy Chief Executive)
Director for Corporate Services (Section 151 Officer)
Director for Growth and Regeneration
Assistant Director for Customers and Communities
Senior Solicitor
Strategic Lead for Healthy and Active Communities
Senior Democratic Services and Scrutiny Officer

Minute No.	Minute
48	<p>APOLOGIES FOR ABSENCE No apologies for absence were received.</p>
49	<p>DECLARATIONS OF INTEREST No declarations of interest were received.</p>
50	<p>EXCLUSION OF PRESS AND PUBLIC Cabinet</p> <p>AGREED that the Press and Public be excluded from the meeting in accordance with Paragraph 3, Part 1 of Schedule 12A of the Local Government Act 1972.</p> <p>(Unanimous)</p>
51	<p>LEISURE CONTRACT UPDATE This section is restricted in accordance with Paragraph 3, Part 1 of Schedule 12A of the Local Government Act 1972.</p>

The meeting closed at: 4.33 pm

Chair

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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MEMBER INTERESTS

Do I have an interest?

1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A “Disclosable Pecuniary Interest” is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land/Property, Licences, Tenancies and Securities.

A Disclosable Pecuniary Interest is a Registerable Interest. Failure to register a DPI is a criminal offence so register entries should be kept up-to-date.

2 OTHER REGISTERABLE INTERESTS (ORIs)

An “Other Registerable Interest” is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

3 NON-REGISTRABLE INTERESTS (NRIs)

“Non-Registrable Interests” are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.

Declarations and Participation in Meetings

1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:
- a) you must disclose the interest;
 - b) not participate in any discussion or vote on the matter; and
 - c) must not remain in the room unless you have been granted a Dispensation.

2 OTHER REGISTERABLE INTERESTS (ORIs)

- 2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:
- a) you must disclose the interest
 - b) may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
 - c) must not remain in the room unless you have been granted a Dispensation.

3 NON-REGISTRABLE INTERESTS (NRIs)

- 3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:
- a) you must disclose the interest;
 - b) may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
 - c) must not remain in the room unless you have been granted a Dispensation.

4 BIAS

- 4.1 Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias):
- a) you should not take part in the decision-making process
 - b) you should state that your position in this matter prohibits you from taking part
 - c) you should leave the room.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.

Vision 2036 and the framework for the new Corporate Strategy

Report Author:	Martin Guest , Senior Corporate Policy Officer 01664 502413 mguest@melton.gov.uk
Chief Officer Responsible:	Edd de Coverly , Chief Executive 01664 502536 edecoverly@melton.gov.uk
Lead Member/Relevant Portfolio Holder	Councillor Pip Allnatt - Leader of the Council & Portfolio Holder for Housing and Landlord Services

Corporate Priority:	All Corporate Priorities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No
Key Decision:	No
Subject to call-in:	No

1 Summary

- 1.1 With the Council’s current Corporate Strategy due for a refresh, this report sets out the Council’s aspiration to establish a longer-term vision for Melton up to 2036; with a number of strategic vision statements being proposed. This report seeks to confirm these proposed aspirations and authorise a period of public consultation, with a view to considering any feedback and finalising the Vision so it becomes the cornerstone of the new Corporate Strategy which will be considered by Council in February 2024.
- 1.2 The report explains why the Council is adopting this approach, and the process which has been followed.

- 1.3 It also confirms the next steps in terms of the development of the vision and the 4-year delivery plan which is currently being developed, alongside the planned route through which the new strategy will be considered and approved.

2 Recommendations

That Cabinet:

- 2.1 **Notes progress to date on developing the Vision 2036 for the Council and the framework for the new Corporate Strategy.**
- 2.2 **Endorses Vision 2036 and the eight strategic vision statements which set out the Council's long-term aspirations.**
- 2.3 **Approves a period of public consultation on the vision starting in December 2023 which will help inform the final version and framework of the new Corporate Strategy.**
- 2.4 **Notes the timescales for further consideration of the Corporate Strategy and associated Medium Term Financial Strategy (MTFS) by Scrutiny, Cabinet and Council in January and February 2024.**

3 Reason for Recommendations

- 3.1 With the Council's current Corporate Strategy due for refresh, and as part of the establishment of the new Council post-election, a review has been undertaken with members which has considered local needs, issues and opportunities, latest data trends across a range of issues, the extensive residents survey feedback from 2022 and local aspirations debated during the local elections.
- 3.2 Through this process, the Cabinet have confirmed their desire to establish a longer-term vision for Melton, aligned to the current end date of the Council's Local Plan. The Council's proposed Vision 2036 seeks to establish long term, strategic aspirations which articulate the Council's ambition for the residents, businesses and visitors in Melton. These aspirations would create the framework for the Council's focus to improve the services, facilities and infrastructure provided by the Council and its partners. These aspirations are shown in paragraph 5.2 to 5.10.
- 3.3 Alongside this vision, this report sets out a framework which would establish the building blocks, through a four-year delivery plan, to enable the Council to start delivering against these long-term aspirations. Through the proposed structure of this plan and a set of new corporate priorities, the Council will ensure there is sufficient clarity and focus, as well as the required resources, at a time of ongoing significant financial pressures.

4 Background

- 4.1 The Council's current Corporate Strategy was approved in 2020 and runs until April 2024. This Strategy sets out the Council aspirations based on our mission of 'Helping People, Shaping Places'. Alongside our current vision and values, this approach has set out our key priorities and how we have set about achieving them. The current Strategy has six Priority Themes which are shown below:

Helping People

Excellent Services positively impacting on our communities.

Providing high quality council homes and landlord services.

Shaping Places

Delivering sustainable and inclusive growth in Melton.

Protect our climate and enhance our rural natural environment.

Great Council

Ensuring the right conditions to support delivery (inward).

Connected with and led by our community (outward).

- 4.2 Over the past three years the Council has had a plan of activity/projects/indicators that have been used to measure progress against the Strategy. This was aligned to the Council's Risk and Performance Management Framework and monitoring and oversight has been maintained by the Council's Senior Leadership Team and Cabinet on a regular basis. This information has also been shared with the public through regular reporting on the Council's website.
- 4.3 Following the Borough Council elections in May 2023 the process began to develop a new Corporate Strategy in order to consider what the priorities the Council should focus on over the short/medium/long term. The review is seeking to ensure that the new strategy is reflective of the borough's needs and aspirations and helps the Council to deliver against local, regional, and national challenges that are currently presenting.
- 4.4 As part of this development work, an all member, State of Melton debate was held on 20th September 2023. This enabled members to consider a range of data and insight on local needs, debate local issues and start to formulate the priorities for the new Corporate Strategy.
- 4.5 Over the last 6 months, officers have worked with members to develop the 2036 Vision and framework. This has been produced by using performance information, customer feedback, service analytics and considering the financial position of the Council. It is intended to address current and future challenges, whilst also seeking to maintain the delivery of our services to residents, businesses and visitors to the borough.
- 4.6 Our new Corporate Strategy will consist of our Vision 2036, and 8 strategic vision statements (set out in paragraph 5.2 to 5.10), supported by a 4-year Corporate Delivery Plan focussed on 6 corporate priorities (set out in paragraph 5.11). The more detailed and costed Corporate Delivery Plan, will be presented to Council in February 2024 following consideration by Scrutiny and Cabinet.

5 Main Considerations

- 5.1 It is proposed that the Council establishes a Vision up to 2036 and that this is summarised through 8 vision statements which are set out below. Subject to Cabinet approval, these would then be subject to a period of public consultation, prior to final consideration by Council.

5.2 **Our Proposed Vision 2036**

5.2.1 **By 2036, we want Melton to:**

5.3 **Statement 1: Have a new, single, custom-built leisure centre and swimming pool fit for the next generation, supported by wider recreation and physical activity facilities across the borough.**

5.3.1 Leisure facilities and their associated services have wide ranging health and wellbeing benefits and are important community assets, however they are expensive to operate, and care must be taken to ensure they can attract and retain customers to ensure financial viability and resilience.

5.3.2 The Council currently has two ageing leisure facilities, and the current Corporate Strategy identified the need for an affordable and sustainable future for leisure, however, the cost of building a new facility is significant and is currently unaffordable to the Council.

5.3.3 Despite this challenge, through a robust procurement process the Council is in the final stages of agreeing a new 10-year contract service contract that will seek to protect, preserve and enhance existing leisure facilities in Melton.

5.3.4 The anticipated investment and improvement being considered as part of the new leisure procurement would be a significant factor in creating time to develop credible and affordable plans for the longer-term vision for leisure. To achieve the aspiration of a new, single, custom-built leisure centre and swimming pool, the Council will work with private, public and government partners to identify appropriate funding sources such that this can be delivered by 2036.

5.3.5 The investment and focus in future facilities will include a degree of outreach into the wider community and by 2036 the intention is that this would include the development of other community facilities, such as fitness tracks suitable for families and individual training.

5.4 **Statement 2: Have greater access to healthcare services, increasing the availability of primary care, and to meet the needs of a growing population.**

5.4.1 In 2020 the Council identified the need for additional primary care and made lobbying for a second GP practice a corporate priority. Melton has one of the largest GP practices in the Country, and with significant housing growth planned in Melton, needs a strategic response from healthcare providers.

5.4.2 This expectation has been codified by the Council and its partners through an adopted Community Health and Wellbeing Plan and through close working with the Integrated Care Board, the Council has secured recognition of the need for additional primary care provision. Active discussions are underway to establish a fully costed business case for development of a second GP practice with opportunities for co-location within Council assets being explored.

5.4.3 Whilst this represents a very positive step, the Council continues to recognise that further healthcare infrastructure investment and provision will be required alongside the housing growth projected within our Local Plan. Accordingly, the Council will continue to work with health partners to ensure not only provision of sufficient, high quality, primary care services, but also the optimal utilisation of the Melton Hospital site and best provision of community facilities within the borough.

- 5.5 **Statement 3: Have more sustainable homes, that meet the needs of our communities, supported by the right infrastructure, including the Melton Mowbray Distributor Road (MMDR) and adequate school places.**
- 5.5.1 In 2018 the Council adopted a new Local Plan. This set out a bold vision and framework for growth and one which would see over 6,000 new homes built in Melton Borough by 2036. This plan is working, and more homes have been built in the last couple of years than has been achieved in any of the preceding years for a generation.
- 5.5.2 Following considerable development and preparation work, in May 2023, construction for the long-awaited MMDR commenced. At this stage, funding and planning approval are only in place for the North and East sections. Rising construction costs has meant Leicestershire County Council has recently confirmed it is no longer able to accept the Housing Infrastructure Funding, with the Homes England grant previously secured to deliver the southern section now withdrawn. The mechanism for delivering the third leg of the road is therefore uncertain, though the County Council has confirmed their commitment to delivery remains.
- 5.5.3 Completion of the southern section remains integral to the Local Plan delivery strategy and therefore the Council must continue to work with all parties to identify a mechanism for affordable delivery. The Council remains committed to ensuring the infrastructure required to support the Local Plan is delivered, such that the homes needed to support our growing local communities are built. The Council now needs to strengthen work with other providers like Severn Trent Water and Western Power to ensure the right enabling infrastructure is in place now and for future developments.
- 5.5.4 The Council will also maintain its efforts to secure improved public transport access between Melton and Nottingham, with a continuing focus on securing commitment to improve rail connectivity and mitigating recent reductions in bus links.
- 5.6 **Statement 4: Have high quality homes, across all tenures, supported by accountable and enabling landlord services.**
- 5.6.1 Since 2019, the Council has embraced a significant journey of improvement and can demonstrate many areas of strong performance, assurance and improvement and some notable highlights on health and safety, decent homes and tenancy management. This work will continue. As a landlord, the Council still has a number of improvement and risk areas, and a continued focus on these, whilst also ensuring it is ready for the new regulatory regime continue to be important.
- 5.6.2 By 2036, the new regulatory regime as part of the Social Housing Act 2023 will be embedded, and the Council will have undergone a number of inspections and opportunities for reflection and continuous improvement. Throughout its work and improvement as a landlord, the Council will seek and respond to the voice of its tenants, and this is an area where the Council aspires to be able to demonstrate change and impact.
- 5.6.3 By 2036, the Council is committed to being able to demonstrate it will have moved beyond its initial improvement journey and is high performing in all regulatory aspects, with a financially resilient HRA, maintaining decent homes compliance, and confident in its role as a landlord within the wider housing sector.
- 5.6.4 The Council will also increase its work with registered providers and private sector landlords to ensure standards are improved across all tenures.

- 5.7 **Statement 5: Cement its reputation as the Rural Capital of Food, and be recognised as the Borough Market of the Midlands, with a thriving town centre.**
- 5.7.1 Melton enjoys widespread recognition as the Rural Capital of Food. Working with partners, the Council has been focussed on strengthening the local offer, such that this reputation is enhanced and developed, delivering greater prosperity to the borough. In 2023, the Council was successful in securing, with Rutland County Council, £23m of investment through the Levelling Up Fund. This will enable a number of projects to be delivered including development of the Stockyard proposition at the Cattle Market, investment in the town theatre, and development of demand response transport between Melton Mowbray and Oakham.
- 5.7.2 The funding offers an opportunity to establish Melton as a regional destination for food production, innovation and experience; the so called 'Borough Market of the Midlands'. Significant work is underway to ensure the investment strengthens and complements the high street offer and that a single coherent approach is established between the Stockyard and wider town.
- 5.7.3 The Council must ensure that it capitalises on this opportunity, delivering the required investment, whilst also ensuring a longer-term focus on high street enhancements, adaptation and diversification as consumer and community habits change. Strengthening the high street experience and regenerating and maximising the value of key sites like the Bell Centre and securing more private sector inward investment will be key.
- 5.8 **Statement 6: Cherish and celebrate our rural heritage, having secured investment in our villages and revitalised our waterways and canals.**
- 5.8.1 The Borough's rural heritage is key to its identity. Through the establishment of Area Forums, the Council is working to strengthen relationships with Parish Councils and rural communities. It is crucial that alongside investment in the town, infrastructure is delivered within local villages. Funding to deliver enhanced demand response transport between Melton Mowbray and Oakham is a start, as is the engagement underway with Severn Trent Water but more needs to be done to ensure our villages remain sustainable and have the infrastructure required to support any projected development.
- 5.8.2 Melton's rurality is an attractor both for quality of life and tourism and it is therefore important that the benefits of any rural assets are maximised. The Council is already working with Melton and Oakham Waterways Society and further work needs to be done to establish what is possible.
- 5.8.3 By 2036 the Council and its partners should be working to secure funding to revitalise key waterways and canals across the borough, such that they provide sustainable local assets, which aid both local biodiversity and the tourism sector.
- 5.9 **Statement 7: Harness new technologies, diversifying our business base, and securing more high skilled, higher paying jobs, creating a brighter future for young people.**
- 5.9.1 Melton has relatively low unemployment rate and enjoys a strong industrial base in manufacturing. Average salaries are lower than they should be and as the country contemplates ways to improve productivity and the emergence of new technologies, like Artificial Intelligence, the employment base needs to evolve and adapt to provide higher skilled, higher paying jobs.

- 5.9.2 The Council continues to work productively with local education providers like SMB College and it is important that this work continues, alongside current and future businesses to ensure an understanding of what future needs, future jobs and future skills will be required by 2036 so that plans can be established now to support them. A strategy to support and enable for opportunities for young people is also required.
- 5.9.3 The Council is working with its partners for investment in key infrastructure projects such as MMDR that will open access to key housing and employment sites, bringing the delivery of these sites forward. By 2036, the Council will have supported public and private sector partners in delivering high skilled jobs, supported by availability of quality employment sites, housing, education and leisure facilities.
- 5.10 **Statement 8: Be recognised as clean, green, and attractive; well on our way to becoming a carbon neutral borough.**
- 5.10.1 The Council made a commitment when it declared a climate emergency in 2019 to promote the cutting of emissions across the wider Borough alongside reducing its own organisational emissions. The Council pledges to become net zero in Scope 1 and 2 Emission which are direct emissions from activities owned, delivered or influenced by the Council, by 2036. Concurrently, it is proposed to work with our communities and businesses to raise awareness, share knowledge, exchange ideas and achieve reduction in emissions across the Borough by working together.
- 5.10.2 Considering the changes in regulations and legislation for waste collection, the Council will have either extended or procured a new contract for this key service by 2028. Working closely with the private sector service provider, the Council will have ensured increases in recycling rates and increased the levels of cleanliness of our town centre.
- 5.10.3 By making the town centre clean, green and attractive, we will achieve increase in footfall, decrease in vacancy rates and as a result increase in vibrancy and spend in the economy. Working collaboratively with partners such as Melton Business Improvement District (BID), Melton in Bloom (MIB) and Melton Mowbray Town Estate, the Council will strive to achieve Purple Flag and Green Flag status accreditations. This improved place will contribute significantly towards an increase in 'Pride in Place' in our communities.
- 5.11 **Establishing a 4-year Corporate Delivery Plan – Framework**
- 5.11.1 Alongside the Vision 2036, the Council is proposing to establish a 4-year Delivery Plan which would be underpinned by the strategic vision statements and the new corporate priorities. The Delivery Plan would be linked to the Council's MTFs. The framework for this is set out below and retains the existing themes of Helping People, Shaping Places and Great Council.
- 5.11.2 The new proposed framework for the 4-year Delivery Plan is set out below:
- Helping People:
- Priority 1: Healthy Communities and Neighbourhoods
 - Priority 2: High Quality Council Homes and Landlord Services
- Shaping Places:
- Priority 3: Tourism and Town Centre regeneration and vitality
 - Priority 4: Sustainable Growth and Infrastructure

Great Council:

- Priority 5: Right Conditions to Support Delivery
- Priority 6: Engaging and Connected Council.

5.12 Supporting Documents

- 5.12.1 Through the analytical process undertaken so far and discussions with members, the actions required to deliver these prioritised are being developed, and resource requirements being considered. This will include current plans, areas where we have committed to deliver activities or services or aspirational improvements for Melton. Any budgetary impacts or requirements for these will be considered by Scrutiny, Cabinet and Council as part of the budget setting process.
- 5.12.2 Alongside this activity, once the strategy is finalised and approved, a robust performance framework will be developed including performance measures and targets to monitor progress and ensure that the Council are on track to meet our commitments. The revised Performance and Risk Management Framework will accompany the final Corporate Strategy due to be considered in February 2024.
- 5.12.3 Alongside the new Corporate Strategy, a Communications and Engagement Strategy is being developed for the Council which will set out the approach for how the strategy will be effectively communicated. This will also accompany the final document in February 2024.
- 5.12.4 Following publication of the new Corporate Strategy in 2024 a review and refresh of the Council's Workforce Strategy will also be undertaken.

5.13 Governance and Reporting

- 5.13.1 Following the public consultation on the principles of these proposals the final draft 2036 Vision and Framework will be considered by Scrutiny alongside the budget proposals at the Scrutiny Committee on 25 January 2024.
- 5.13.2 Subject to Scrutiny feedback the final versions of Vision 2036 and Framework will be presented to Cabinet on the 7 February 2024 for consideration and ultimately recommendation to Council on the 8 February 2024 for approval and adoption.
- 5.13.3 The new Vision 2036 and Framework will be formally launched on the 1 April 2024 as the Council's new Corporate Strategy.

6 Options Considered

- 6.1 To continue with the existing Corporate priorities. This is not recommended as it will impede the Council's ability to meet its strategic aspirations and adapt to the current and future environment.

7 Consultation

- 7.1 These proposals have been developed alongside elected members both through State of Melton debate on the 20 September 2023 and two member working groups on Town Centre and Asset Development Programme which met in August/September 2023. Ongoing discussion and dialogue has taken place with the Cabinet throughout.
- 7.2 Future consultation is planned with residents in December 2023 and January 2024 to gain feedback and inform these current proposals.

8 Next Steps – Implementation and Communication

- 8.1 Public Consultation will take place on the Vision 2036 and Framework between December 2023 and January 2024.
- 8.2 The new Corporate Strategy will come back to Cabinet following consultation alongside the budget proposals on 7 February 2024 for endorsement before going to Council on 22 February, ahead of its launch on the 1 April 2024. It is intended that the delivery plan will be refreshed each year. Financial Implications
- 8.3 Work is taking place with Finance to ensure that the Vision 2036 and framework for the Corporate Strategy is deliverable and that any priorities are funded accordingly to support the delivery of activities against them.
- 8.4 On completion the commitments made will be assessed and incorporated into the revenue and capital budget proposals and MTFS. These will be set out with the 4 year Corporate Delivery Plan which will also include, where appropriate, the continuation of existing commitments already made.

Financial Implications reviewed by: Director for Corporate services

9 Legal and Governance Implications

- 9.1 Cabinet has responsibility for providing strategic leadership to the Authority. It is therefore a Cabinet function to recommend the strategic direction contained within the Corporate Strategy for approval by the Council.
- 9.2 The Corporate Strategy forms part of the Budget and Policy Framework and therefore must be approved by Council.

Legal Implications reviewed by: **Interim Assistant Director for Governance and Democracy (Monitoring Officer)**

10 Equality and Safeguarding Implications

- 10.1 There will be an Equality Impact Assessment completed as part of the development of the Corporate Strategy 2024-2028. This will be taken to the Check and Challenge Group for approval and any implications will be highlighted as part of the final report.

11 Data Protection Implications (Mandatory)

- 11.1 A Data Protection Impact Assessments (DPIA) has not been completed for the following reasons because there are no risks/issues to the data collated for the purpose of this report.

12 Community Safety Implications

- 12.1 The development of the new Corporate Strategy will address the needs of all communities across Melton.

13 Environmental and Climate Change Implications

- 13.1 The current Corporate Strategy 2020 – 2024 contains the priority theme ‘Protect our climate and enhance our natural environment’ which sets out our commitments to deliver on climate change.
- 13.2 Work on the new strategy will consider the commitments made and the climate change strategy which is currently in development.

14 Other Implications

14.1 None

15 Risk & Mitigation

15.1 There are no direct risks arising from this report, risk management will be an important part of the review process and the current corporate risk register will be used to inform the development of activity under the priority themes.

15.2 A new performance and risk management framework will be produced and aligned to the new Corporate Strategy 2024-28 when approved.

16 Background Papers

16.1 None

17 Appendices

17.1 None

Licensing Enforcement Policy

Report Author:	Pranali Parikh , Director for Growth and Regeneration 01664 504321 PParikh@melton.gov.uk
Chief Officer Responsible:	Pranali Parikh , Director for Growth and Regeneration 01664 504321 PParikh@melton.gov.uk
Lead Member/Relevant Portfolio Holder	Councillor Margaret Glancy - Portfolio Holder for Governance, Environment and Regulatory Services (Deputy Leader)

Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No
Key Decision:	Yes c) Has significant impact on two or more wards in the Borough and on communities living or working in those areas
Subject to call-in:	Yes

1 Summary

- 1.1 The Council exercises a wide range of licensing powers across numerous pieces of legislation, many of which contain enforcement provisions where licensable activities are carried on, with or without licences.
- 1.2 The Licensing Enforcement Policy sets out the principles the Council will follow when considering any enforcement action and contains guidance for licensed businesses and persons affected by such businesses on how the Council will exercise our legal powers. It also brings together expectations created under various local polices, codes of practice and statutory guidance, which will also considered when exercising our powers.
- 1.3 The purpose of this report is to seek approval for the adoption of a Licensing Enforcement Policy that will help the Council in managing the various licensing functions in a consistent, effective, transparent, and compliant way.

2 Recommendations

That Cabinet:

- 2.1 Approves the Licensing Enforcement Policy for adoption and publication on the Council's website.
- 2.2 Delegates Authority to the Director for Growth and Regeneration (in consultation with the relevant Portfolio Holder) to make any minor changes arising from Government guidance or business environment.

3 Reason for Recommendations

- 3.1 'Delivering sustainable and inclusive growth in Melton' is a key corporate priority for the Council. The licensing function is an important tool available to the Council in achieving this priority.
- 3.2 The principles of any licensing regime are to protect the public, either directly or indirectly. An effective licensing enforcement regime ensures that any licensable activity complies with the relevant legislation and is duly authorised, and any necessary conditions are in place to manage the activities taking place.

4 Background

- 4.1 We recognise that most businesses and individuals want to comply with the law. We will, therefore, carry out our enforcement activities in a firm but fair way, taking care to help businesses and individuals meet their legal obligations without unnecessary burden.
- 4.2 However, it is recognised that where necessary, appropriate enforcement action may be required to maintain the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way.
- 4.3 The Licensing Enforcement Policy has been developed in line with the regulatory principles set out in the Legislative and Regulatory Reform Act 2006. The policy follows the principles of the central and local government Concordat on Good Enforcement (the Concordat) and will apply the principles of the Regulators Code to promote an efficient and effective approach to licensing enforcement by improving the outcomes without imposing unnecessary burdens.
- 4.4 An audit of licensing function was undertaken during 2022/23 by the internal audit team which identified the risk "Failure to take action to educate and enforce licensing legislation where non-compliances have been identified or are likely to occur". A robust Licensing Enforcement Policy mitigates against this risk by clearly setting out all the considerations required by officers involved with any licensing enforcement action and ensure that all relevant factors are considered prior to any enforcement and all appropriate approval is obtained before action is taken.

5 Main Considerations

- 5.1 The Licensing Enforcement Policy is necessary to set out how the Council undertakes its enforcement duties using the powers that it has available to it.
- 5.2 The policy covers the following details:
 - Enforcement principles,

- How enforcement complaints can be made to the Council (including the minimum requirements) and what response timeframes complainants can expect.
- When we will and will not take enforcement action,
- The legislative requirements,
- How we prioritise licensing complaints or evidence of non-compliance,
- Enforcement options, including the decision-making process for appropriate enforcement.
- Powers / Notices that are available to the Council to take enforcement action.

5.3 The Policy will provide clarity to:

- All stakeholders regarding the Council's approach and process in dealing with alleged licensing non-compliance.
- Complainants regarding how to complain and who to approach regarding identified or suspected non-compliance.
- Individuals and businesses regarding what actions Council would take.
- All stakeholders regarding options available to the Council and types of actions that could be taken in specific circumstances.
- All stakeholders regarding what can be dealt with by this policy and what is excluded.
- Council officers regarding process to follow and how to prioritise workload.
- Councillors regarding performance of the enforcement function

6 Options Considered

- 6.1 Not create and approve a Licensing Enforcement Policy – this is not considered a viable option as the policy supports the enforcement process, by providing clarity to all stakeholders and officers of the Council on what is expected without having additional burdens to businesses. In addition, the development of a Licensing Enforcement Policy is an audit recommendation.
- 6.2 Approve the Licensing Enforcement Policy – Whilst it is not a statutory requirement to have a Licensing Enforcement Policy, such a document demonstrates the Council's compliance with the Regulators Code made under the Legislative and Regulatory Reform Act 2006. The policy assists residents, business and users of licensed premises in understanding how the Council undertakes its enforcement duties, and the service that can be expected. The approval of the policy will also demonstrate compliance with the recent audit recommendation.

7 Consultation

- 7.1 This policy has been prepared in consultation with licensing and legal officers in the Council and The Portfolio Holder for Governance, Environment and Regulatory Services and the Chair of the Licensing Committee.
- 7.2 Officers have also met with members of the Licensing Committee informally to discuss the draft policy. Comments and feedback from all of the consultations have been included in the final draft Licensing Enforcement Policy.

8 Next Steps – Implementation and Communication

- 8.1 Following approval, the Policy will be uploaded to the website, and customers will be referred to it so that they can understand the processes and procedures we have in place to deal with non-compliance with licensing legislation.

9 Financial Implications

- 9.1 There are no financial implications associated with this decision however having an approved enforcement policy which clearly sets out the principles behind enforcement, reduces the risk of successful challenge of enforcement action.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

- 10.1 Local Licensing Authorities have powers within various legislation to administer licenses and investigate alleged unlicensed activity or breaches of licensing conditions and have powers to remedy proven non-compliance by statutory and other means.
- 10.2 The Licensing Enforcement Policy sets out the principal legislation for the various licensing functions. There are also considerations within national guidance and local policies (Taxi and Private Hire Policy, Statement of Principle for Licensing Policy and The Gambling Act Statement of Principles) that are reflected within the Policy.
- 10.3 Other statutory provisions may be engaged depending on the particular case (e.g. the Human Rights Act 1998 and the Equalities Act 2010) and reference is made within the Policy.
- 10.4 It is good practice to have a licensing enforcement policy in place to govern and explain and how decisions will be made.

Legal Implications reviewed by: Interim Assistant Director for Governance & Democracy (Monitoring Officer)

11 Equality and Safeguarding Implications

- 11.1 An Equalities Impact Assessment has been undertaken during the development of the policy.
- 11.2 There are no equality and safeguarding implications of the proposed policy.

12 Data Protection Implications (Mandatory)

- 12.1 A Data Protection Impact Assessment (DPIA) has not been completed for the following reasons:
- Licensing enforcement complaints are confidential – the Council does not share the details of the person making the complaint unless by agreement but does require the person making the complaint to give their details.
 - Through Information Sharing Agreements and in line with the requirements of the Regulator’s Code, from time to time we may share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, including:
 - Government Agencies
 - Police Forces
 - Fire Authorities

- Statutory undertakers
- National Anti Fraud Network (NAFN)
- Other local authorities.

13 Community Safety Implications

13.1 The principles of licensing enforcement support the prevention of crime and to protect the health, safety and welfare of users of licensable premises and those that are affected by them.

14 Environmental and Climate Change Implications

14.1 Whilst there are no direct impacts on the Environment or Climate Change implications with the Licensing Enforcement policy, individual licensing policies such as the Taxi and Private Hire Policy supports local environmental initiatives by offering a reduced licence fee for low emission vehicles.

15 Other Implications (where significant)

15.1 None

16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	The Policy is not approved and therefore the Council continues to have no formal Licensing Enforcement Policy.	Very Low	Critical	Medium Risk
2	The policy is not followed by officers leading to legal challenges, complaints and appeals	Low	Critical	Medium Risk
3	Policy does not align with the national legislation exposing the council to the risk of non-compliance	Very Low	Critical	Medium Risk
4	Matters arise that are not included within the policy	Low	Critical	Medium Risk
5	Policy is silent in key areas leading to confusion or miss-interpretation	Low	Critical	Medium Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				

3 Low		2,4,5		
2 Very Low			1,3	
1 Almost impossible				

Risk No	Mitigation
1	Adopt and publish the proposed Licensing Enforcement Policy.
2	There are performance indicators and quality assurance measures in place to monitor effective implementation of the policy.
3	The policy has been prepared in line with the current legislation and guidance.
4	Delegated authority is requested to make minor amendments if gaps are identified or new guidance is received. A monitoring mechanism is in place to keep the policy refreshed and reviewed.
5	This policy covers a range of licencing areas. Detailed guidance and procedure notes will be prepared to support the operation and implementation of the policy.

17 Background Papers

17.1 None

18 Appendices

18.1 Appendix 1 – The Licensing Enforcement Policy

18.2 Appendix 2 – Equalities Impact Assessment – Licencing Enforcement Policy



Licensing Enforcement Policy

November 2023

Document Control

Policy Title	Licensing Enforcement Policy
Status / Version	Draft for Decision
Author	Regulatory Services Manager
Location of Policy	Public / Website
Lead Member Responsible	Cabinet Portfolio Holder for Governance, Environment & Regulatory Services
Equality Impact Assessment Approval	In progress
Partnership Involvement (If applicable)	N/A
Final Policy Approval Route	Cabinet TBC
Date Policy Approved	To follow
Date Policy Due for Review (maximum 5 years)	Nov 2028

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- 3. The objectives and key principles of licensing enforcement**
- 4. Our approach to licensing enforcement**
- 5. Scope of works and exclusions.**
- 6. Enforcement priorities.**
- 7. Range of Enforcement Actions.**
- 8. Communications.**
- 9. Feedback, compliments, and complaints handling.**
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 - E. Who decides what enforcement action is taken?
 - F. Roles and responsibilities
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1. INTRODUCTION

- 1.1 Melton Borough Council is responsible for enforcing a wide range of legislation within the Borough and takes a positive, proactive, and balanced approach to ensure compliance and deal with non-compliance with legislation. This promotes an efficient and effective approach to regulatory enforcement which ensures that the Council acts in a consistent, transparent, and fair manner which improves outcomes without imposing unnecessary burden.
- 1.2 There is an expectation that each council should develop and publish a licensing enforcement strategy setting out how it will exercise its licensing enforcement responsibilities and include details of:
- how and to whom a complaint about an alleged non-compliance of licensing legislation.
 - how the council will deal with alleged non-compliance; and
 - the timescales for dealing with different types of complaint or non-compliance depending upon their severity.
- 1.3 This Licensing Enforcement Policy sets out the framework by which Melton Borough Council's authorised Officers will make decisions in respect of the Council's compliance and enforcement activities. It summarises how we prioritise our work, the enforcement tools available, and how complaints are investigated. The Council is committed to ensuring that all Officers abide by this policy.
- 1.4 The Licensing Enforcement Policy should be read in conjunction with the licence specific policies such as the Hackney Carriage and Private Hire Taxi Licensing Policy, Statement of Licensing Policy 2022 and Gambling Act Statement of Principles.
- 1.5 In Melton, the enforcement functions are carried out under the Scheme of Delegation. The Director of Growth and Regeneration has delegated authority to investigate and to take enforcement proceedings relating to many of the licensing functions unless it is a function reserved to the Licensing Committee, as set out in the Licensing Committee Functions and Procedure Rules. Where applicable, many of these functions are further delegated to Officers according to their qualifications and competency.

3 The objectives and key principles of licensing enforcement

- 3.1 The main objectives of this Licensing Enforcement Policy are set out below:

- To secure the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way.
- To deal immediately with serious risks.
- To promote and achieve sustained compliance with the law.

3.2 Key Principles

The Legislative and Regulatory Reform Act 2006 sets out the following regulatory principles:

- a) regulatory activities should be carried out in a way that is transparent, accountable, proportionate, and consistent.
- b) regulatory activities should be targeted only at cases in which action is needed.

3.3 The Council follows the principles of the central and local government Concordat on Good Enforcement (the Concordat) and will apply the principles of the Regulators Code to promote an efficient and effective approach to licensing enforcement and improving the outcomes without imposing unnecessary burdens. The principles of the Regulators Code and Enforcement Concordat are:

Standards: to publish clear standards of service and performance.

Openness – the Council will provide clear information, guidance, and advice in plain language on the rules that we apply so that those whom we regulate can understand what is expected of them and why. Our guidance will reflect guidance and codes of practice issued by government and other relevant bodies.

Helpfulness – the Council will provide help to businesses, voluntary or community groups, and the public to assist them to comply with statutory requirements and encourage them to seek advice and information to reduce the possibility of enforcement action. Applications for licences, registrations, approvals etc. will be dealt with efficiently and promptly and every effort will be made to ensure that, wherever practicable, the Council's enforcement services are effectively coordinated to minimise unnecessary overlaps and time delays.

Accountable – the Council will provide a well-publicised, effective, and easily accessible complaints procedure. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process.

Proportionate – the Council will allow businesses and others to meet their legal obligations and enforcement requirements without unnecessary expense by ensuring that any action we require is proportionate to risk. We will consider

the circumstances of the case, the harm or potential harm caused, and the attitude and history of the business or person when considering formal action. Firm action, including prosecution and other legal or enforcement action, will, however, be taken where appropriate against those who disregard or persistently fail to comply with the law and/or the relevant policies.

Consistent – the Council will carry out its duties in a fair, equitable and consistent manner. While Officers are expected to exercise judgement in individual cases, we will have arrangements in place to promote consistency, including effective arrangements for liaison with other enforcement bodies.

Targeted – the Council will prioritise its resources according to risk, through intelligence-led activities, and focused on those least likely to comply with the law. We will focus resources towards those whose activities give rise to the most serious risks or where there is supporting information that the activities are or likely to be poorly controlled

4. Our Approach to Enforcement

4.1 We recognise that most people want to comply with the law. We want to cooperate with businesses and individuals to achieve compliance. If there is a problem, we want to resolve it by communicating clearly and encouraging people to behave responsibly. We will follow the '4 Es' approach to enforcement:



4.2 We will engage and explain how we think the person or business are not complying with licensing legislation and/or relevant policies and encourage and suggest changes in practice and behaviour in order to reduce the risk to public health, safety, welfare or to the environment.

4.3 Formal enforcement action is always a last resort. The Council will consider all of the relevant facts of the case and assess them against licensing legislation, local, and national policies.

4.4 The Council is committed to fair and objective enforcement ensuring that all its policies are applied in a non-discriminatory manner and aimed at promoting good community relations. This policy is applied in accordance with the principles of the Council's Equality Policy.

4.5 Melton Borough Council is a public authority for the purposes of the Human Rights Act 1998. The Council will, therefore, apply the principles of the

European Convention for the Protection of Human Rights and Fundamental Freedoms. Of particular importance for the policy are Article 6 (the right to a fair trial) and Article 8 (the right to respect private and family life)

- 4.6 There may be occasions where officers are required to carry out covert surveillance during an investigation. In such cases the requirements of the Regulation of Investigatory Powers Act 2000 will be complied with. In all cases the required permissions will be obtained from the authorised manager prior to undertaking any such investigation.
- 4.7 Should Melton Borough Council conclude that a provision in this policy does not apply or is outweighed by another provision, it will ensure that any decision to depart from the policy will be properly reasoned, based on evidence and documented.

5. Scope of works - What we deal with

- 5.1 The Licensing Team administers a wide range of licences and permits. These may be mandatory, where the local authority must license certain activities, or adoptive where the Council has elected to control certain businesses, activities, or individuals through the issue of licences and the imposition of licence conditions.

The main purpose of licensing enforcement is to:

- a) Secure the health, safety, and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way.
- b) Deal immediately with serious risks.
- c) Promote and achieve sustained compliance with the law.
- d) Set out the Council's response to complaints and response rates.

5.2 Exclusions

We will not deal with anonymous allegations of breaches of licensing activities unless there is a potential serious or imminent risk to the public or users of a licensed premises. If you give your name, address, or any other details, this will be in the strictest confidence so far as legislation permits.

Deciding whether a complaint/enquiry is vexatious or malicious the Council will apply the Council's ["Persistent or Vexatious Customer Policy"](#).

6. Enforcement Priorities

- 6.1 To make the most effective use of available resources, the Council will investigate alleged breaches of license conditions or non-compliance with relevant licensing legislation in accordance with the priorities listed in Table 1 below.

6.2 The priorities consider the significance and impact of the alleged offence and assist staff to manage workloads and help to manage customer expectations through the reporting a complaints procedure in Appendix A.

6.3 As an investigation of a particular case proceeds, for example after the investigation has commenced, it may become necessary to change the priority level.

Table 1: Enforcement Priorities

Priority	Type of Breach
Priority 1 – Very High	<ul style="list-style-type: none"> • Incidents that are occurring at the time of the complaint which are resulting in (or may result in) an imminent or serious risk to the health and/or safety of the public. • These must be dealt with immediately and take priority over other work. <p>Examples:</p> <ul style="list-style-type: none"> • Licensing: Reports of an unlicensed taxi driver with supporting evidence which shows they are currently operating or plying for trade. • Environment: Reports of a permitted premises release of pollution which is ongoing and presents a serious risk of environmental pollution.
Priority 2 – High	<ul style="list-style-type: none"> • Potential incidents that may result in significant harm • Incidents that are, or may have, impacts beyond the local authority's boundary • Incidents where there have been numerous complaints from different sources <p>Examples:</p> <ul style="list-style-type: none"> • Licensing: reports of unfit vehicle and/or driver but no supporting evidence. • Licensing: reports of an unlicensed activity being carried out where there is the high risk of public

	safety implications or high animal welfare concerns but further investigation is required.
Priority 3 - Medium	<ul style="list-style-type: none"> • A complaint where the local authority has a mandatory duty to investigate. • Repeated or multiple complaints from more than one source <p>Examples:</p> <ul style="list-style-type: none"> • Licensing: reports of a breach of conditions on licence such as operating hours but there is medium risk but further investigation is required. • Licensing: technical offence of an unlicensed activity being carried out where there is medium risk of public safety or animal welfare concerns but further investigation is required.
Priority 4 - Low	<ul style="list-style-type: none"> • A potential one-off incident with no history of complaints and no evident risk to public health/safety • A request relating to a matter that is discretionary for the local authority. <p>Examples</p> <ul style="list-style-type: none"> • Licensing: reports of technical breaches of licence conditions with no potential for harm • Licensing: reports of a technical offence of an unlicensed activity being carried out where there is minimal risk of public safety or animal welfare concerns.

6.4 Upon receipt of a complaint, as set out in Appendix A, the Council will endeavour to instigate the investigation in accordance with the priorities listed in table 1 and within the timescales detailed in Table 2 (below).

Table 2 – Anticipated site inspection timescales

PRIORITY	Response	Timeframe for initial response
Priority 1 – Very High	Acknowledge receipt of complaint	Within 1 working

	Pass directly to case officer and notify most senior officer available. Most appropriate available officer(s) attend and action.	day
Priority 2 – High	Acknowledge receipt of complaint Pass directly to case officer or most appropriate available officer. Officer attends and actions.	Within 2 working days
Priority 3 – Medium	Acknowledge receipt of complaint and if necessary, send diary sheets and other supporting documents. Commence investigation by phone or visit where appropriate.	Within 3 working days Within 4 working days
Priority 4 - Low	Acknowledge receipt of complaint and if necessary, send diary sheets and other supporting documents. Commence investigation by phone or visit where appropriate.	Within 5 working days Within 10 working days

6.5 Officers will make visits out of normal working hours where it is appropriate and considered necessary to do so.

7 Range of Enforcement Actions

7.1 External agencies including Leicestershire Police, Leicestershire Fire and Rescue Service, Leicestershire County Council also have an interest in the enforcement of licensing legislation. Where there is a shared enforcement role, the Council's Licensing service will liaise with the appropriate body to ensure effective co-ordination.

7.2 Enforcement officers must seek to secure compliance with the law. Most of the time this will be conducted informally, by offering information, advice, and support, both verbally and in writing. They may also use formal mechanisms, as set out in law, including the service of notices, suspension of vehicle licences, or ultimately prosecution.

7.3 A decision on enforcement action will be taken on its own merits and after full consideration of the implications and consequences of the action. While fair and effective enforcement is essential to the maintenance of law and order, a breach of criminal law may not necessarily result in enforcement action.

In arriving at a decision, the Licensing Service will consider:

- a) The seriousness of the offence.
- b) The individual or duty holder's past history.
- c) Confidence in management.
- d) The requirements of the legislation.
- e) The consequences of non-compliance; and
- f) The likely effectiveness of the various enforcement options.

7.4 Where enforcement is being considered, the options available to the Council vary depending on the licensable activity/premises and the relevant legislation associated with that activity. However, the Licensing service can choose one or more of the following options:

A) Informal Action

- Information/Advice

For minor breaches of the law verbal advice will generally be given to the offender. Officers will clearly identify the contraventions of the law and give advice on how to put them right and include a deadline by which this must be done. Sometimes officers will advise offenders about 'good practice' but will clearly distinguish between what they must do to comply with the law and what is advice only.

- **Informal Warnings**

For some contraventions officers will send the offender a firm but polite letter clearly identifying the contraventions, giving advice on how to put them right and including a deadline by which this must be done.

- **Penalty Points**

The Hackney Carriage and Private Hire Licensing Policy 2021 includes a penalty points policy which may be applied when there has been a breach. Further details of the Penalty Points Policy can be found in the [Hackney Carriage and Private Hire Licensing Policy](#)

Failure to comply with any informal action could result in an escalation of enforcement action. The time allowed must be reasonable but must also consider public safety considerations.

B) Formal Action – Such action may involve:

Legal Notices

Serving a Statutory Notice where legislation allows, including:

- o Improvement Notice
- o Prohibition Notice

- o Emergency Prohibition Notice
- o Closure Notice

Statutory Action and Decision Making

May result in:

- the suspension of a licence
- the revocation of a licence
- the refusal to grant or vary a licence.
- The closure of the premises in line with the relevant legislation

To warrant suspension/refusal/variation/revocation of a licence one of the following criteria must apply to the licensed individual or organisation: -

- No longer a fit and proper person.
- Deliberately or persistently breached legal obligations, which were likely to cause material loss or harm to others.
- Deliberately or persistently ignored written warnings or formal notices.
- Endangered, to a serious degree, the public safety or well-being of people, animals, or the environment.
- Obstructed an officer undertaking their duties.
- Deliberate or persistent breach of licence conditions or by laws

Subject to the relevant Scheme of Delegation such action will either be an officer decision or be referred to the Licensing Sub Committee.

C) Use formal cautions - Enforcement Officers will consider issuing a formal caution as an alternative to prosecution. Where there is a criminal offence, but the public interest does not warrant a prosecution, a formal caution may be an appropriate course of action.

D) Prosecution. A prosecution will normally ensue where one of the following criteria are met by the individual or organisation: -

- The contravention/breach is a particularly serious one.
- There has been a blatant disregard of the law.
- Previous action has not had the desired effect.

Determining whether a prosecution or formal caution is viable or appropriate.

In cases where prosecution is under consideration, a file containing all the relevant evidence and information will be submitted by the Licensing Service to Legal Services for a decision to be made in accordance with the Code of Crown Prosecutors.

The Council applies two ‘tests’ to determine whether a Prosecution or Simple Caution is viable and appropriate and follows guidance set by the Crown Prosecution Service when applying the tests:

- **The Evidential Test** - There must be sufficient evidence to provide a ‘realistic prospect of conviction’ against any defendant charged.
- **The Public Interest Test** - There may be public interest factors which are in favour of or are against prosecution. These must be considered before a decision regarding the final enforcement action (caution or prosecution) is taken., prosecutions and injunctions, appeals must be made through the Courts.

8. Communications

- 8.1 Depending on the nature of the complaint or alleged non-compliance, the investigation may take several days or weeks to be concluded, however officers will endeavour to keep complainants regularly updated on the progression of the investigation.
- 8.2 Once the investigation has been completed, officers will determine the appropriate action in accordance with the criteria set out in Appendix D.
- 8.3 Following the conclusion of an investigation and any enforcement action completed, the Council may report the outcome through appropriate media methods.

9. Feedback, compliments, and complaints handling

- 9.1 If you consider that the enforcement action we take or propose does not follow the principles set out in this enforcement policy, you should raise your concerns with the relevant enforcement officer. If the officer is not able to sort out your problem, your complaint will be passed to the Service Manager. If you are not happy with the outcome of your complaint you can escalate your concerns using our complaints procedure, details of which can be found in the [Council’s Complaints Policy](#)
- 9.1 The Council promotes positive conduct towards its officers. The Council is committed to ensuring that its Officers can carry out their work safely and without fear and will use legal action to prevent abuse, harassment, or assaults on Officers.

10. Equality Impact Statement

- 10.1 The Licensing Enforcement Policy has been subject to an equality assessment to ensure that the objectives and actions contained in the policy fully consider outcomes on the grounds of any of the protective characteristics including age, disability, gender, race, religion/belief, sexuality, and socio-economic

circumstances.

- 10.2 If you need this policy in large print, Braille or another language please telephone 01664 502502 or email contactus@melton.gov.uk

11. Review and Monitoring

- 11.1 This policy will be reviewed and updated with changes in legislation, guidance or other circumstances which may impact on the principles set out in this document. It will be routinely reviewed every five years.
- 11.2 The performance of the Licensing Enforcement Policy will be monitored in accordance with the Council's performance management framework. Quarterly updates will be provided to the Cabinet on corporate measures and an annual update will be presented at the meetings of Licensing Committee as well as the Council on the performance of agreed indicators.

12. Record Keeping Protocols and Data Management

- 12.1 In accordance with the General Data Protection Regulation (and Data Protection Act 2018), Freedom of Information Act 2000 and Environmental Information Regulations 2004, the Council will not disclose any information relating to the identity of a complainant. Should an investigation result in prosecution, complainants may be required to provide witness statements which will be presented to the Courts. Whilst during the investigation, complainant details will not be divulged it is possible that an individual or business subject of an investigation will make their own assumptions as to who may have informed the Council.

Appendix A: Reporting a Licensing Issue Procedure

1. Licensing requests for service or allegations of non-compliance can be reported to the Council by contacting our Customer Service Centre on 01664 502502, or Email: licensing@melton.gov.uk.
2. Depending on the priority of the matter, the Council will endeavour to acknowledge receipt of the complaint in accordance with the timeframes set out in Section 6.4 of the Licensing Enforcement Policy. The acknowledgement will either be by letter, e-mail or telephone and will provide the name and contact details of the investigating officer and a case reference number and details of the priority given to the complaint and response timeframes. If necessary, diary sheets and other supporting information will be sent to the complainant.
3. If on initial receipt of a request for service or complaint about a property/business, it is obvious that it is not a licensing matter the complainant will be notified. If the reported breach relates to a function or activity enforced by another Council service (e.g., fly tipping or statutory nuisance, planning enforcement) the complaint will be forwarded to the relevant department.
4. We will update the complainant as our investigation is progressing. This may be to explain that a licensing application is going to be made, that we are monitoring the situation or that we are considering taking formal action.
5. To avoid the unnecessary use of resources in responding to hoax or malicious allegations; anonymous reports of suspected breaches of planning control will only be pursued where an initial site visit reveals clear licensing contraventions. All other anonymous reports will not be pursued beyond an initial site visit.

6. When a complaint is made, it is treated in confidence and the details of the complainant are not shared. If, however, the breach is serious enough that we decide to prosecute, we would need to name the complainant at that point. We would contact the complainant where this is necessary.

Appendix B: Proactive Enforcement

The Council will develop and undertake an annual programme of proactive inspections and interventions including: -

- Spot checks on licensed premises to ensure conditions attached to licenses have been complied with
- Proactive monitoring of events and festivals
- Test purchases
- Targeted interventions based on risk.

Investigation Officers will use local intelligence and complaint data to develop the annual plan, along with any planned joint interventions with other enforcing agencies such as the Police, Fire and Rescue, Trading Standards, VOSA etc.

Appendix C: Legislative Framework and Government Guidance

Local Licensing Authorities have powers within various legislation to grant and administer licenses and investigate alleged unlicensed activity or breaches of licensing conditions and have powers to remedy non-compliance by statutory and other means.

The following sets out the legislative framework applicable to licensable activities in the following Acts of Parliament and any Orders and Regulations made under the principal Acts:

Taxi and Private Hire

Local Government (Miscellaneous Provisions) Act 1976,

Public Health Act 1936,

Deregulation Act 2015

Taxis and Private Hire Vehicles (Disabled Persons) Act 2022

Town Police Clauses Act 1847

Taxi and Private Hire Vehicles (Safeguarding and Road Safety Act) 2022

Licensing Act

Licensing Act 2003

Policing and Crime Act 2009

Police Reform and Social Responsibility Act 2011

Live Music Act 2012

Deregulation Act 2015

Gambling Act

Gambling Act 2005,

Animal Welfare

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 as amended.

Animal Welfare Act 2006

Dangerous Wild Animals Act 1976

Animal Welfare Act 2006

Other licences

House to House Collections Act 1939

Police, Factories, etc. (Miscellaneous Provisions) Act 1916, (as amended by the Local Government Act 1972)

Charitable Collections (Transitional Provisions) Order 1974

Caravan Sites and Control of Development Act 1960

Mobile Homes Act 2013

Business and Planning Act 2020

Scrap Metal Dealers Act 2013

Local Government (Miscellaneous Provisions) Act 1982

Housing Act 2004 (as amended)

Pollution Prevention and Control Act 1999

This list is not exhaustive and is subject to change.

In addition to the legislative framework guidance and advice from Central Government, other professional bodies and local policies on various licensing functions including enforcement will also be considered by officers when determining the appropriate cause of action.

Appendix D: Factors we consider when taking enforcement action?

Officer(s) carry **out investigations/inspections**. This can be done in response to a complaint or request for assistance, as part of routine planned inspections of business premises or survey work.

Investigating Officer discovers evidence and is satisfied that a **criminal offence** may have been committed or is about to be committed. This is called *Prima facie* evidence.

Investigating Officer considers a range of factors including:

- Previous History - whether any similar situation has been found before.
- Seriousness of the alleged offence(s), including:
 - Risks to the public or the environment
 - Any intent or recklessness of the person(s) committing the offence.
 - Any obstruction of the Investigating Officer
 - Whether the alleged offence(s) are considered a special area of priority by Central Government and/or Melton Borough Council
- Is their enough evidence to provide a realistic prospect of conviction?
- Would any further action be in the public interest?

For **LESS SERIOUS infringements** of the law and/or where there is no previous history of offences/non-compliance with legislation the following options are considered:

- Offering advice
- Verbal warnings and requests for action
- The use of warning letters setting out the potential consequences of any future non-compliance.
- Serving formal Notice

In all cases we will advise the alleged offender what he/she needs to do in order to comply with the law.

In all cases the alleged offender will be informed of the matters under investigation and invited to attend a formal interview in accordance with the Police and Criminal Evidence Act 1984.

For **MORE SERIOUS offences** the following options will also be considered:

- **Review of Licence** – the outcome of a review of a licence could result in
 - Revocation of the licence
 - Suspension of the licence
 - Excluding a licensable activity from the scope of the licence
 - Modifying the conditions attached to the licence.
 - Closure of premises
- **Serving Formal Notice** where option is available in legislation
- **Simple Caution** – a Simple Caution is an alternative to prosecution and can only be issued if strict criteria are met. The Home Office of Central Government sets these criteria. A Caution stays on public record for three years.
If a Simple Caution is offered to an offender, but he/she refuses to accept it then we may prosecute instead.
- **Prosecution proceedings** – legal proceedings are taken against the offender that results in the offender being summonsed to appear in Court. Any decision to prosecute is based upon guidelines set by the Crown Prosecution Service

Appendix E. Who decides what enforcement action is taken?

Decision Making Area	Determination of matter or authorised officers to act	Officers who must be consulted for authority to act
<p>Determine of licensing functions when representations have been received or application falls outside of relevant policy.</p> <p>Review Hackney Carriage and Private Hire Driver Licences when applicant exceeds the Penalty Points policy.</p>	Licensing Committee or sub committee	Not applicable
Informal action and formal letters	<p>Director of Growth and Regeneration</p> <p>Legal Services Manager</p> <p>Head of Regulatory Services</p> <p>Team Leader Regulatory Services</p> <p>Licensing Enforcement Officer</p>	
<p>Statutory Action including:</p> <ul style="list-style-type: none"> • Suspension of License • Serving of Notice 	<p>Director of Growth and Regeneration</p> <p>Head of Regulatory Services</p> <p>Team Leader Regulatory Services</p>	Legal Services
Formal Caution	<p>Director of Growth and Regeneration</p> <p>Legal Services Manager</p> <p>Head of Regulatory Services</p>	<p>Legal Services</p> <p>Director of Growth and Regeneration</p>

	Team Leader Regulatory Services	
Prosecution	Director of Growth and Regeneration Legal Services Manager Head of Regulatory Services	Legal Services Director of Growth and Regeneration

Appendix F: Roles and Responsibilities

Responsible Person – Team Leader Environmental Health

Duties including

- Overall responsibility for the management and delivery of licensing service in accordance with the Council's policies and procedures.
- Overall responsibility for the prioritisation of requests for service or complaints in line with Section
- Provide professional leadership of the Council's Licensing and Environmental Health Teams ensuring a level of quality assurance.
- Signing enforcement notices in accordance with the constitution / scheme of delegation
- Determination of the priority rating for licensing requests for service.
- Monitoring and reporting on performance indicators to Senior Leadership Team and Licensing Committee
- Responsible for preparation, implementation, monitoring, reporting, and reviewing of the licensing enforcement policy.
- Ensuring training, qualifications, and resource requirements for the team to enable the implementation of the policy.

Competent Persons

Licensing Enforcement or Environmental Health Officers

Duties including

- Responsible officer for investigating relevant unlicensed premises or activities.
- Investigate licensing complaints, identifying appropriate courses of actions ensuring all relevant legislation is considered and followed.
- Updating customers, managers and members as appropriate
- Maintaining accurate and up to date records
- Taking necessary action where non-compliance has been identified.
- Gathering evidence for prosecution / legal action
- Attending briefing and committees as and when required and giving evidence in court.
- Assisting the Team Leaders for Environmental Health with data collection and monitoring in respect of key performance indicators
- Keep the qualifications, CPD and training records updated.

Licensing Officers

Duties including

- Assisting the Licensing Enforcement Officer where necessary, for instance in site visits where the site is known to the Officer.

- In the absence of enforcement officer, perform all the above-mentioned duties of the planning enforcement officer as directed by the managers.
- Liaising where appropriate with the Licensing Enforcement Officer or Environmental Health Officer to ensure that recommended conditions are enforceable.
- Advising customers how to make complaints.

Licensing Technician

Duties including

- Receipt and acknowledgement of incidents, notifications of complaints
- Registration and allocation of cases
- Maintaining accurate and up to date records
- Updating customers as appropriate
- Assist the planning enforcement officers and planning officers in undertaking responsibilities for minor cases as directed.
- Assisting the Team Leader Environmental Health with data collection and monitoring in respect of key performance indicators

Legal Officers

Duties including

- Providing support with expert advice and guidance regarding complex enforcement issues
- Provide direction to ensure compliance with the Council's governance policies.
- Ensure prosecution files meet court standards.
- Present prosecution files via the court system

Senior Leadership Oversight

Director of Growth and Regeneration

Duties including

- Signing enforcement notices in accordance with the constitution / scheme of delegation
- Providing strategic oversight of the service.

Appendix G: Performance Indicators

Service level indicators: (reported to licensing committee on annual basis)

Performance Indicators	Target
% of Personal Licences Processed within two weeks of valid application	90%
Average length of time to process an application from date of validation to issue date for new and variation of premises (not Designated Premises Supervisor) applications for Licensing Act 2003	8 weeks
Number of Enforcement checks completed in accordance with the annual programme	N/A
Average length of time from validation* to issue of Hackney Carriage vehicle licence	15 working days
Average length of time from validation* to issue of Private Hire vehicle licence	15 working days
Average length of time from validation* to issue of Dual driver licence	15 working days
Average length of time from validation* to issue of Private Hire Operator licence	15 working days
% of requests for service/complaints responded to in accordance with the prioritisation schedule set out in the Licensing Enforcement Policy	90%

*Validation means when a complete application has been submitted with all supporting information and appropriate training completed.

Equality Impact Assessment

Licensing Enforcement Policy

- **Background**

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

- **Legislation- Equality Duty**

As a local authority that provides services to the public, Melton Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment, victimisation.
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

- ✓ Age
- ✓ Disability
- ✓ Gender reassignment
- ✓ Marriage and civil partnership
- ✓ Pregnancy and maternity
- ✓ Race
- ✓ Religion and belief
- ✓ Sex (Gender)
- ✓ Sexual orientation

What is prohibited?

- ✓ Direct Discrimination
- ✓ Indirect Discrimination
- ✓ Harassment
- ✓ Victimisation
- ✓ Discrimination by association
- ✓ Discrimination by perception
- ✓ Pregnancy and maternity discrimination
- ✓ Discrimination arising from disability
- ✓ Failing to make reasonable adjustments

Please complete steps 1-9

● **Step 1 – Introductory information**

No.	Item	Details
1.1	Title of the policy	Licensing Enforcement Policy
1.2	Lead officer and others undertaking this assessment	Elaine Bird – Head of Regulatory Services
1.3	Date EIA started	Oct 2023
1.4	Date EIA completed	Oct 2023

● **Step 2 – Overview of policy/function being assessed**

No.	Item	Details
2.1	Outline – What is the purpose of this policy?	Melton Borough Council is responsible for enforcing a wide range of legislation within the Borough and takes a positive, proactive, and balanced approach to ensure compliance and deal with non-compliance with legislation. This promotes an efficient and effective approach to regulatory enforcement which ensures that the Council acts in a consistent, transparent, and fair manner which improves outcomes without imposing unnecessary burden. The policy will be applied consistently across all areas of Licensing and will provide a documented framework which is accessible to all.
2.2	What specific group(s) is the policy designed to affect / impact and what is the intended change or outcome for them?	<p>Key groups impacted by the policy are:</p> <ul style="list-style-type: none"> • Customers- license holders or license applicants • Complainants identifying non-compliance with licensing legislation • Licensing officers who consider licence applications, monitor compliance with licence conditions and investigate complaints of unlicensed activities or non-compliance with conditions • Councillors part of Licensing Committee or Sub Committees • Ward and parish councillors where breaches occur • Legal officers who support the enforcement officers • Other internal and external stakeholders such as Leicestershire Fire and Rescue Service (LFRS), Police for example. <p>The intended outcome of the policy is:</p> <ul style="list-style-type: none"> • The main objectives of this Licensing Enforcement Policy are set out below: • To secure the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way. • To deal immediately with serious risks. • To promote and achieve sustained compliance with the law.
2.3	Which groups have been consulted as part of the creation or review of the policy?	Case officers, Legal officers, Portfolio Holder for Growth and Regeneration, Members of the Licensing Committee. Wider public consultation is not deemed appropriate as whilst this is a published policy, it is an internal facing operational document and with it being linked to legislation there is not the ability for members of the public or the businesses to influence the options available. That said, all cases will be considered in a fair and equitable manner to determine the most appropriate action based on the individual circumstances.

- **Step 3 – What we already know and where there are gaps**

No.	Item	Details
3.1	List any existing information/data you have/monitor about different diverse groups in relation to this policy. Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.	Licensing applicants, complainants, officers and members are likely to be age 18 or above. There is no data available for age, disability, gender, marriage, race, religion etc as planning breaches could impact all groups within the identified stakeholders. We do not request this information of a complainant or the person who is being investigated.
3.2	What does this information / data tell you about diverse groups? If you do not hold or have access to any data or information on diverse groups, what do you need to begin collating / monitoring	It is unclear how this would be helpful to monitor as complaints of licensing non-compliance are not proactively sought. Similarly, there are no restrictions as to who can make a licence application and each application will be considered in line with the relevant legislation and determined on its own merits.

- **Step 4 – Do we need to seek the views of others? If so, who?**

No.	Item	Details
4.1	Considering the answers given in Step 2, do you need to consult with specific groups to identify needs / issues? If not explain why.	This policy collates information about the Council's processes and procedures in dealing with non-compliance with various licensing legislation. All internal stakeholders have been consulted with. There is no requirement to consult with external stakeholders.

- **Step 5 – Assessing the impact**

Table 5.1

Protected Characteristic	Positive / Negative Impact and Explanation
Age	No negative impact is identified. Anyone of any age can make a complaint where there is an alleged unlicensed activity being undertaken . Certain licenses have age restrictions embedded in them such as the sale of alcohol which must be complied with.

Protected Characteristic	Positive / Negative Impact and Explanation
Disability <ul style="list-style-type: none"> • Physical • Visual • Hearing • Learning Disabilities • Mental Health 	<p>No negative impact is identified</p> <p>Customers can contact the Council in a variety of ways to report non-compliance with licensing legislation in accordance with the Council's complaints and customer service policies.</p> <p>There are no restrictions on who can make an application for a licensable activity.</p> <p>Officers will provide support to customers to assist them to complete application forms or to make a relevant complaint through either on line forms or through direct contact with the council. By appointment customers can talk with one of the licensing team to support them through the process.</p>
Gender Reassignment (Transgender)	<p>No negative impact is identified</p> <p>Anyone of any gender can make licence application or make a complaint of non-compliance or unlicensed activity taking place</p>
Race	<p>No negative impact is identified</p> <p>Anyone of any race can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Religion or Belief (Includes no belief)	<p>No negative impact is identified</p> <p>Anyone of any religion or belief can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Sex (Gender)	<p>No negative impact is identified</p> <p>Anyone of any sex / gender can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Sexual Orientation	<p>No negative impact is identified</p> <p>Anyone of any sexual orientation can make licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Other protected groups <ul style="list-style-type: none"> • Pregnancy & maternity • Marriage & civil partnership 	<p>No negative impact is identified</p> <p>Anyone can make a licence application or make a complaint of non-compliance or unlicensed activity taking.</p>
Other socially excluded groups <ul style="list-style-type: none"> • Carers • Low literacy • Priority neighbourhoods • Health inequalities • Rural isolation • Asylum seeker and refugee communities • Current and ex-armed HM forces personnel (Veterans) 	<p>No negative impact is identified</p> <p>No one is excluded from make licence application or make a complaint of non-compliance or unlicensed activity taking</p>

No.	Item	Details
5.2	Where potential barriers and negative impacts have been identified, and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.	NA
5.3	Summarise your findings and give an overview as to whether the policy will meet the Council's responsibilities in relation to equality and diversity	There is no negative impact identified on any protected characteristics. The policy will help reduce any negative impact of licensable activities for all groups of people impacted.

- **Step 6- Monitoring, evaluation, review**

No.	Item	Details
6.1	Are there processes in place to review the findings of this assessment and make appropriate changes? How will you monitor potential barriers and any positive/negative impact?	The Policy is proposed to be reviewed every five years or in accordance with changes in legislation, guidance or other circumstances which may impact on the principles set out in the policy. Appendix E identifies key performance indicators which will be reported to the Licensing Committee on an annual basis.
6.2	How will the recommendations of this assessment be built into wider planning and review processes?	This policy will inform the annual enforcement plan and fulfil the actions and recommendations arising from the audit of licensing function undertaken by the internal audit team during 2022/23. The policy will be reviewed thereafter every 5 years following approval.

- **Step 7- Action Plan**

Table 7.1

Ref. No.	Action	Responsible Officer	Target Date
1	Review the policy	Head of Regulatory Services	Nov 2028

- **Step 8 - Who needs to know about the outcomes of this assessment and how will they be informed?**

Table 8.1

	Who needs to know	How will they be informed <i>(We have a legal duty to publish EIAs)</i>
Employees	Licensing officers, Environmental Health officers, legal officers,	Circulation of the document along with policy and its appendices
Service Users	License applicants, members, complainants	Publication online
Partners & Stakeholders	Police	Publication online
Others	SLT, Cabinet	Cabinet report- 13 th December 2023

No.	Item	Details
8.2	To ensure ease of access, what other communication needs / concerns are there?	None

- **Step 9 – Please forward your completed assessment to checkandchallenge@melton.gov.uk for scrutiny and approval**
- **Step 10 - Conclusion (to be completed and signed by the Service Head) following internal scrutiny by the Check & Challenge group**

I agree / ~~disagree~~ with this assessment

Signed: 

Date: 17/11/2023

Name: Laura Swift

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Cabinet

13 December 2023

Corporate Performance and Progress Report for Quarter 2 2023-24

Report Author:	Martin Guest , Policy and Communications Manager 01664 502413 mguest@melton.gov.uk
Chief Officer Responsible:	Dawn Garton , Director for Corporate Services 01664 502444 dgarton@melton.gov.uk
Lead Member/Relevant Portfolio Holder	Councillor Margaret Glancy , Deputy Leader and Portfolio Holder for Governance, Environment and Regulatory Services
Corporate Priority:	All Corporate Priorities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No
Key Decision:	No
Subject to call-in:	No Not key decision

1 Summary

- 1.1 This report provides an update to Cabinet on progress on delivering the aspirations set out in the Council's Corporate Strategy 2020-2024. It includes a commentary on each of the Council's Corporate Priorities and is supported by the Council's Corporate Performance Measures which are appended to the report. The report specifically focusses on the quarter 2 end position of the financial year 2023-24.

2 Recommendation(s)

That Cabinet:

- 2.1 **Note the contents of the report and provide any observations or actions to the relevant officers accordingly**

3 Reason for Recommendations

- 3.1 Having established a Corporate Strategy in September 2020, is it important the Council regularly receives and considers performance information to evaluate progress. The Council's Corporate Performance Measures are used to focus on key priority services and projects and seek to help inform the Cabinet, Members and Officers with regard to the formation of policy and oversight of delivery. This report will be provided to Cabinet twice a year and will also be provided to the Scrutiny Committee to enable them to consider appropriate areas for their Workplan.

4 Background

- 4.1 In September 2020, the Council approved a Corporate Strategy 2020-24. The Strategy has six priority themes and a range of objectives which seek to respond to local needs and issues, corporate aspirations and the impacts arising from Covid. To enable progress to be effectively monitored, a refreshed basket of corporate performance measures was established. The purpose of the corporate measures is to ensure that Cabinet and senior managers have effective oversight of key corporate activity, service performance and progress against the Council's aspirations. The corporate measures are supported by a range of service measures overseen by operational managers.
- 4.2 At its meeting on 23 September 2021 the Council approved a Performance & Risk Management Framework which sets out the Council's approach to managing performance and risk as it seeks to ensure delivery of its Corporate Strategy priorities, as well as ensuring effective service performance and organisational governance. The document sets out an annual calendar which demonstrates how performance and risk management will be more closely aligned and help inform the development of policies and the council's budget. This report is in line with this framework and calendar. This will be reviewed and updated as part of the development of the new Corporate Strategy for publication in 2024.
- 4.3 For 2023/24 a refreshed basket of indicators see Appendix A, will form the reporting against the final year of the Corporate Strategy 2020-24. Alongside this we will be required to report against a number of performance measures to the newly created Office for Local Government (Oflog). The final list of indicators continues to be developed but as at the current position, this will focus on indicators in the following service areas for which we are responsible. These are:

Initial areas with metrics delivered in July 2023:

- Finance
- Waste Management

Areas with metrics currently being shared for comment:

- Corporate and Finance
- Planning

- Waste Management (fly-tipping)

4.4 The Council is developing its new Corporate Strategy for 2024-28. It is working through a process to establish a refreshed set of focus areas and priorities which most effectively respond to the challenges faced by both our community and the Council. The new Corporate Strategy will be built around a 2036 Vision and a framework to deliver on these alongside our budget and medium-term financial strategy to ensure any aspirations can be effectively and affordably resourced. It is anticipated that the strategy will be approved alongside the Council's budget in February 2024, taking effect in April 2024.

5 Main Considerations

5.1 Within each section below a summary of progress against each of the six Corporate Priorities is provided. The summaries provide an update on progress towards delivering key objectives and projects as set out within the Strategy. They also highlight key areas of achievement, as well as performance or delivery challenges and risks. Where issues are highlighted, actions to address and improve are also set out.

5.2 The Corporate Performance Measures Dashboard, used to support the monitoring and oversight of delivery are contained at Appendix A. Where applicable, and to enable trends to be analysed, the Dashboard provides a rolling two years' worth of data on the key performance measures against each priority. Where available, benchmarking and comparator data is also provided. More detailed progress updates on key corporate projects are also included.

5.3 Overall position

5.3.1 Corporate performance

5.3.2 The report below shows a summary position of the Council's performance on its progress against delivering the aspirations set out in the Council's Corporate Strategy 2020-2024. This shows the overall performance against these measures and against each of the 6 Corporate Priorities. This is a snapshot relating to the position as at the end of quarter 2 (30th September 2023) of the financial year 2023-24.

5.3.3 The Red, Amber, Green (RAG) assessments used in this report are based on this quarter 2 outturn information or have been projected against the latest reported performance where no quarter 2 performance is available.

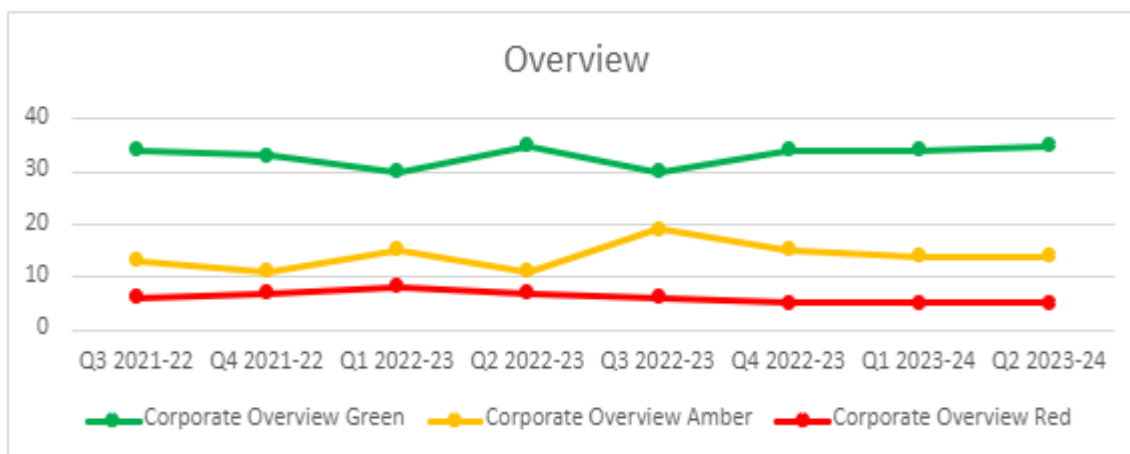
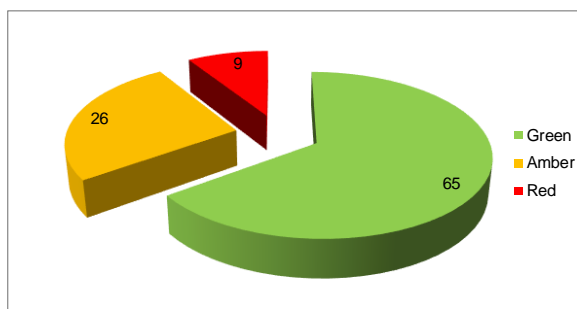
5.3.4 The overall position shows impressive performance with 65% (35) of 54 measures being on track against target with 26% (14) within tolerance and 9% (5) not hitting target. This shows an improvement against previous quarters.

Corporate Measures overall

Summary of Corporate Measures Performance

Corporate Measures set

Live measures	%	Number
Total	100	54
Green	65	35
Amber	26	14
Red	9	5



5.4 Summary of Progress against each Corporate Priority

5.4.1 Helping People - Priority 1: Excellent services positively impacting on our communities

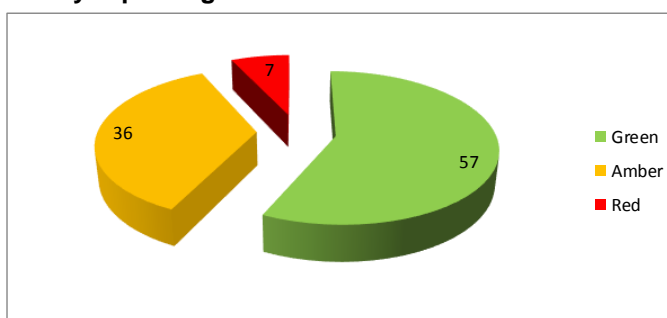
5.4.2 In the Corporate Strategy 2020-24 we set out what we will do under this priority:

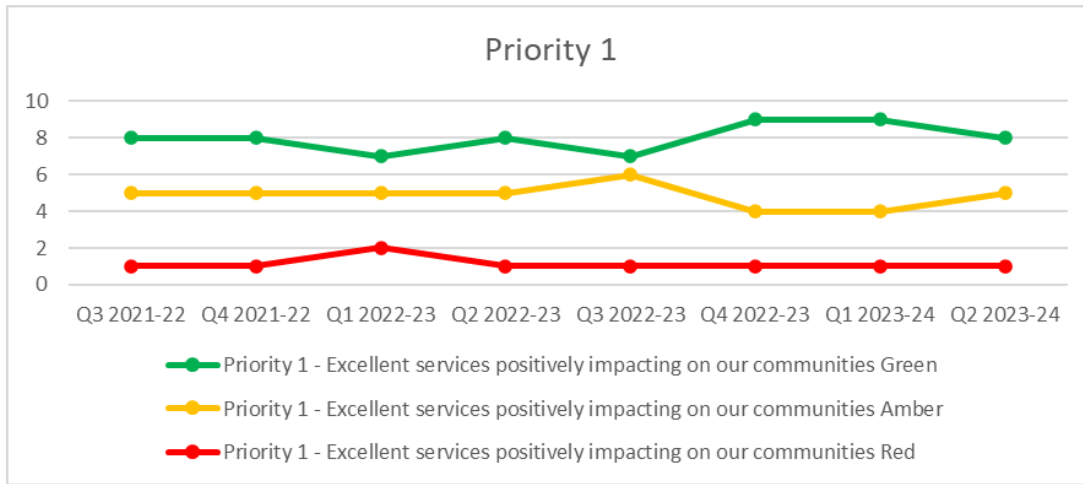
- Fundamentally redesign customer facing processes.
- Improve website and customer access.
- Implement a new self-service platform.
- Establish integrated community-based teams in our Priority Neighbourhoods.
- Create council-wide integrated supporting people offer.
- Maintain commitment to veterans and Armed Forces Covenant.

5.4.3 Performance Overview

Priority 1 - Excellent services positively impacting on our communities

Live measures	%	Number
Total	100	14
Green	57	8
Amber	36	5
Red	7	1





5.4.4 Case study on a high performing area

% benefit claims processed within 5 working days of all information received

Improvement on the Q1 outturn and this has returned to Q4 2022-23 performance levels.

5.4.5 Areas for improvement

Homelessness - % cases where homelessness was prevented

The service is dealing with around 80 cases, and this is a similar volume to last quarter. However due to the reduction in the number of officers managing these cases from three to one full time equivalent and an increase in refugee and asylum pressures has meant that this quarter this indicator has declined. The team has recruited 3 officers (2 Housing Options Officer and a Temporary Accommodation Officer) who will start in quarter 3 to bring the Housing Options team back up to strength which means that performance should start to improve in this area from quarter 4.

5.5 Helping People - Priority 2: Providing high quality council homes and landlord services

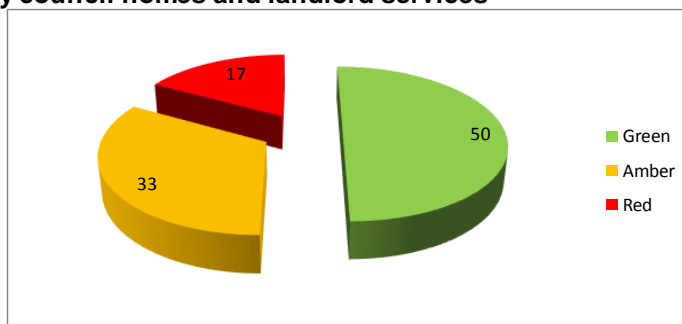
5.5.1 In the Corporate Strategy 2020-24 we set out what we will do under this priority:

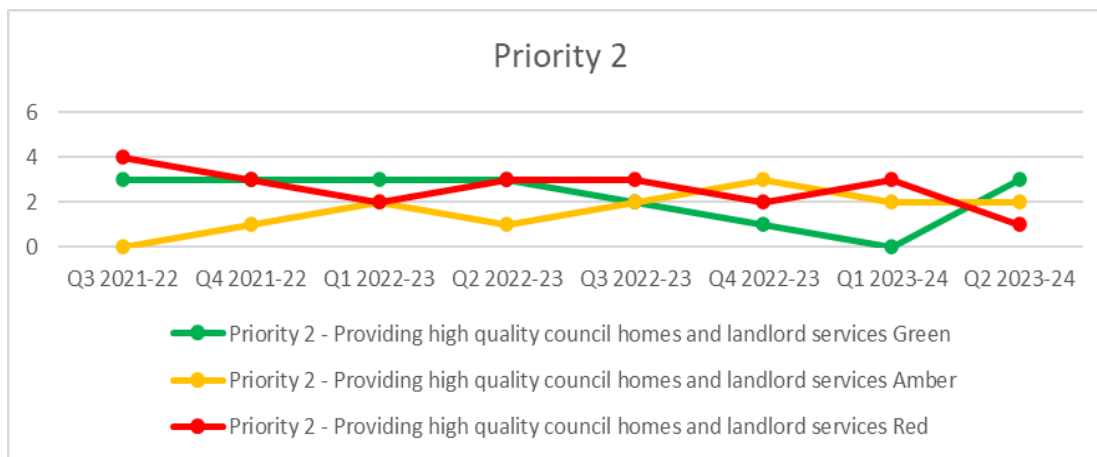
- Deliver better and temporary accommodation for those who need it.
- Engage with tenants to ensure our services meet their needs.
- Improve the quality and value-for-money of our repairs and maintenance services.
- Ensure our properties meet the Decent Homes Standard.
- Provide new high quality council homes.

5.5.2 Performance Overview

Priority 2 - Providing high quality council homes and landlord services

Live measures	%	
Total	100	6
Green	50	3
Amber	33	2
Red	17	1





5.5.3 Case study on a high performing area

Average void time (Excluding Development Voids) in days [monthly averages expressed as quarterly averages]

The Council has worked hard to address long term voids across council homes and has seen the positive performance on average void time being maintained following the improvements in quarter 1 where this reduced to 10.16 days from 165.15 days as at the end of 2022/23. In quarter 2 we have seen 16 type 1 voids let maintaining our strong start to the year and being below the target of 20 days at 16.21 days per property. This performance at the start of the current year follows extensive work by officers and contractors to repair and re-let all historic long-term voids. As of the end of quarter 2 the Council has no long-term voids and the work to track and monitor voids within the housing directorate will ensure continued grip and focus on void works and re-let arrangements to ensure that void times are minimised - this is important to ensure housing is available to those who need it, and to minimise periods of rent loss to the council.

% of decent Homes (public)

A plan to review the way in which data is being reported has been agreed and is being implemented, leading to the ability to report improved decent homes performance. This programme of work has identified that the council was reporting based on accurate data but had not added into its system configuration process some automation of reporting, leading to reporting being limited to 'age' of component (e.g. kitchen) rather than 'age and condition' of component. An action plan is being worked through methodically, and decent homes reporting is showing an improved position to approx. 95% decency with further work still to do, which is expected to further improve this position.

The remaining 5% is around 90 properties of our stock which do not currently meet the Decent Homes Standard. Of these, around half fail due to the age or condition of a component of the property (kitchen, bathroom, etc). These will be addressed through the capital programme. A small number fail due to thermal efficiency, which will be addressed through the energy strategy proposed in the Asset Management Plan. Around a third of the properties fail due to a Housing Health and Safety Rating System hazard, with the majority of these relating to an issue with the kitchen layout. These are being addressed through the capital programme and some minor repairs. The Asset Management Plan commits us to achieving 100% decency by 2028.

Areas for improvement

Rent collected as % of the rent due (in year)

Rent collection has improved over the first two quarters of this year and is 2.5% better than at the same period last year. However, this is still outside of tolerance and the team will be working towards the year-end target of 99.98%. Action is still required to improve and stabilise rent arrears performance, to support the team to 'go further, faster' to recover the current position. Planned future actions include a detailed diagnostic of performance, implementation of improvements to procedures and processes and increased staffing capacity alongside a range of measures to reduce the risk of tenants falling into arrears, such as the use of direct payment arrangements and pre tenancy checks. Further additional staffing capacity is proposed to accelerate progress in addressing arrears backlog, in addition to changes to reporting arrangements to SLT and Cabinet. Further to approval of additional temporary staffing capacity, recruitment arrangements are underway. This capacity will support the service in improving rent collection and supporting tenants to ensure their rent is paid and debt is managed effectively.

5.6 Shaping Places - Priority 3: Delivering sustainable and inclusive growth in Melton

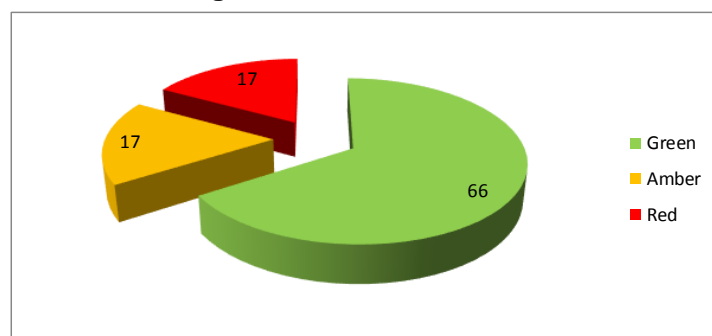
5.6.1 In the Corporate Strategy 2020-24 we set out what we will do under this priority:

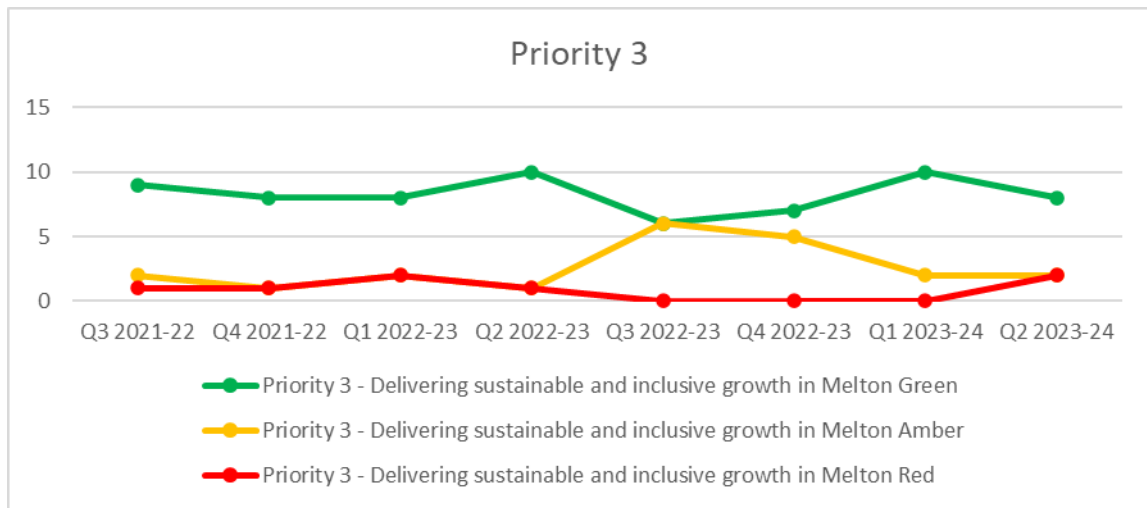
- Launch the Discover Melton brand, website and supporting events programme.
- Develop a package of support to hospitality/farming sector to mitigate impact of COVID-19.
- Facilitate access to business support to mitigate negative economic impact of COVID-19.
- Respond to COVID-19 impacts and implement increase vitality, vibrancy, footfall and spend in town centre.
- Secure investment and deliver the Food Enterprise Centre and Manufacturing Zone sites.
- Use the council's resources and powers to reduce homelessness and increase affordable home ownership.
- Confirm plans, secure funding, and develop our assets to generate income and provide housing and jobs.
- Develop proposals for the best use of the Melton Sports Village and future leisure provision in the borough.
- Work with partners to support the delivery of the new road and wider Melton Mowbray transport strategy.
- Campaign for a second GP surgery.

5.6.2 Performance Overview

Priority 3 - Delivering sustainable and inclusive growth in Melton

Live measures	%	
Total	100	12
Green	66	8
Amber	17	2
Red	17	2





5.6.3 Case study on a high performing area

% of food hygiene inspections undertaken at newly registered food businesses within 28 days of opening OR date of registration

Focused work by the team has seen the % of food hygiene inspections undertaken improve markedly over the last three quarters from 63% to 93.33%.

5.6.4 Areas for improvement

Planning

% Non-major planning decisions taken within 8 weeks, or agreed timetable

64 out of 75 applications were determined in agreed timetable. The number determined has fallen this quarter as a result of two main factors, the first is the number of issues experienced when determining refusals and second is down to agents not always agreeing to extensions when there are significant delays in applications.

% applications that are approved first time

33% of applications were amended to overcome either concern or a reason for refusal, this number has increased from last quarter, but it shows the commitment to try and negate refusals and listen to the community and technical consultees.

5.7 Shaping Places - Priority 4: Protect our climate and enhance our rural natural environment.

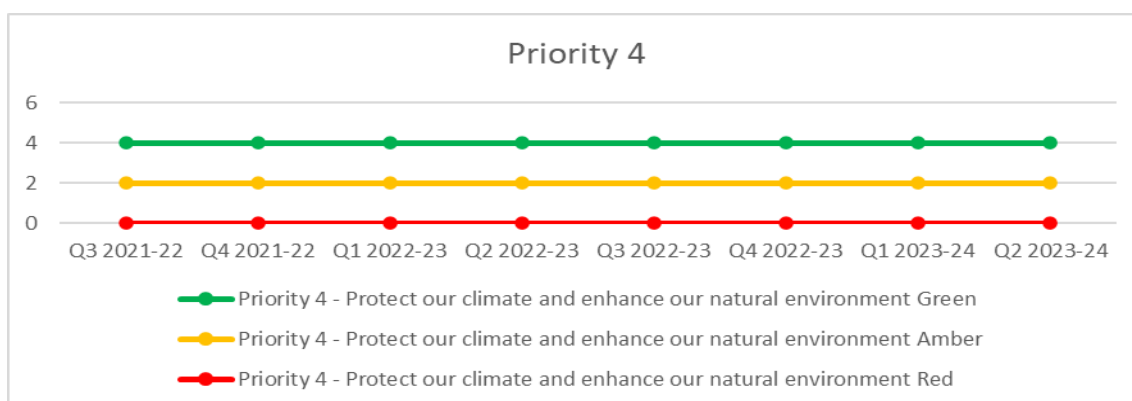
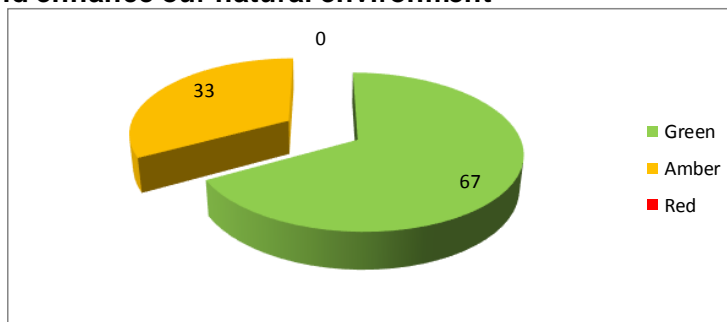
5.7.1 In the Corporate Strategy 2020-24 we set out what we will do under this priority:

- Reduce emissions across all council activities.
- Promote and encourage more walking and cycling opportunities.
- Use education and enforcement to tackle issues which blight our communities.
- Respond to Planning White Paper and improve processes and customer experience in planning services.

5.7.2 Performance Overview

Priority 4 - Protect our climate and enhance our natural environment

Live measures	%	
Total	100	6
Green	67	4
Amber	33	2
Red	0	0



5.7.3 Case study on a high performing area

Number of reported fly tips:

The number of reported fly tips dropped markedly from 86 in quarter 1 to 66 in quarter 2. The Council undertook local targeted actions and worked alongside the county and other districts on a county wide fly tipping campaign in quarter 2 which raised awareness and promoted the means to report a fly tip and deter fly tipping. The campaign included visible messaging on refuse vehicles and targeted spot checks with waste carriers alongside education and support to businesses and residents. The position on this will be closely monitored to see if this trend continues and to monitor the impact of any future changes to the opening hours of the Melton Mowbray Recycling and Household Waste Site. The Council is part of the Leicestershire Waste and Resources Partnership and has recently approved the countywide Waste and Resources Strategy, which includes action to address fly tipping as a collective pledge.

Areas for improvement

No areas noted.

5.8 Great Council - Priority 5: Ensuring the right conditions to support delivery.

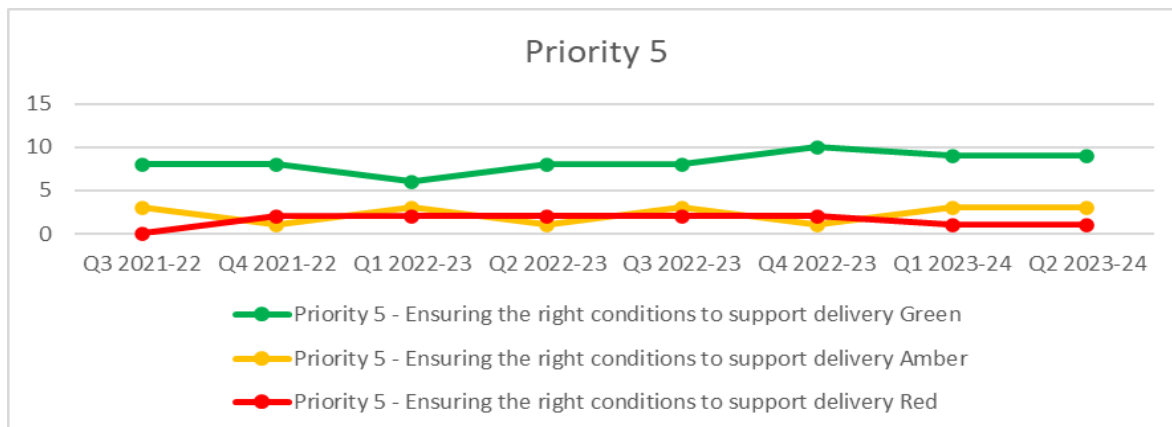
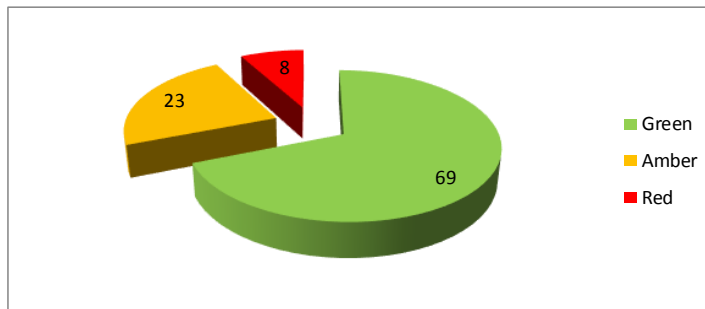
5.8.1 In the Corporate Strategy 2020-24 we set out what we will do under this priority:

- Redefine how we work – more agile, more flexible, and more responsive.
- Develop the Procurement Unit as a commercial proposition.
- Mitigate the financial impact on the council of the COVID-19 crisis and recovery, to ensure the council is financially sustainable.
- Invest in a new finance system.

5.8.2 Performance Overview

Priority 5 - Ensuring the right conditions to support delivery

Live measures	%	
Total	100	13
Green	69	9
Amber	23	3
Red	8	1



5.8.3 Case study on a high performing area

Staff absence – days sickness per employee (cumulative)

The outturn of 2.6 days per employee as at the end of quarter 2 represents a significant improvement on the same period last year which was at 4.4 days per employee (cumulative). There has also been a reduction in the number of long-term sickness absence cases.

5.8.4 Areas for improvement

NNDR collection efficiency (%)

The Council is performing at 56.33% which is well below the quarter 2 target of 66.7% and over 10% below the same period last year. September was an anomaly and looking back at the last few years (excluding 22/23 which was an abnormally high performance, due to retail relief and covid grants being paid to businesses last year which increased payment levels) is in tolerance with targets. One of our largest assessments has recently gone through a revaluation process and this has increased the amount to be paid. This has now been billed and the business has started paying in quarter 3, this is reflected in October's performance outturn. We are also working with a number of debtors to put payment plans in place to bring these in line. We are closely monitoring this on a monthly basis.

5.9 Great Council - Priority 6: Connected with and led by our Community.

5.9.1 In the Corporate Strategy 2020-24 we set out what we will do under this priority:

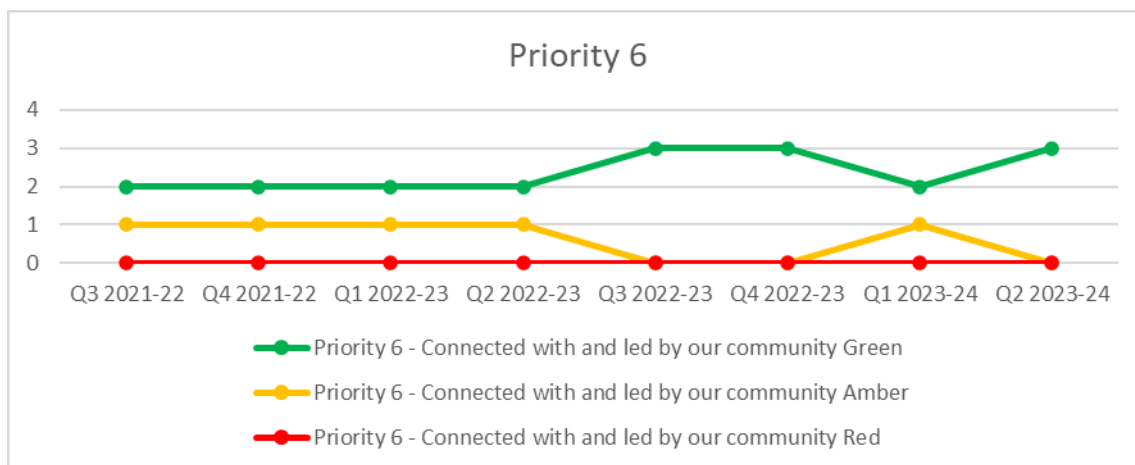
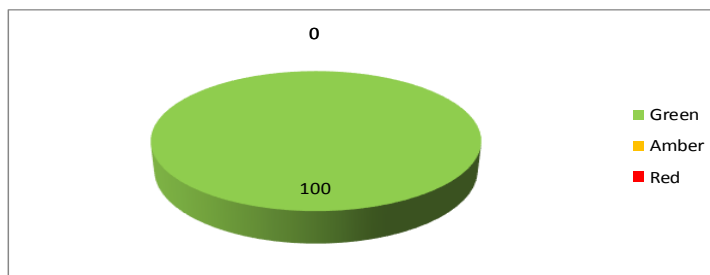
- Make council meetings and the leadership of the council more digitally accessible.
- Harness community spirit and establish a new “deal” between the council and the communities we serve.
- Strengthen relationships and work more closely with our Parish Councils.

- Maximise the impacts of our community grants.

5.9.2 Performance Overview

Priority 6 - Connected with and led by our community

Live measures	%	
Total	100	3
Green	100	3
Amber	0	0
Red	0	0



5.9.3 Case study on a high performing area

No areas of high performance

Areas for improvement

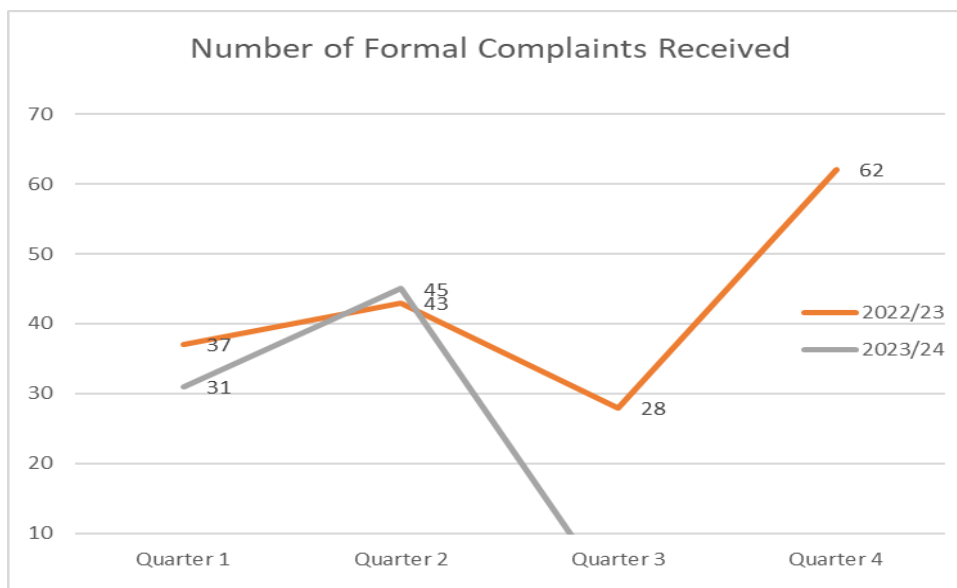
Number of decision-making meetings which are digitally accessible

Two of the meetings not broadcast (Licensing Sub Committee and Employment Committee) were because the proceedings took place in private session due to the subject under consideration. The final meeting (Audit and Standards in September) suffered from a technical issue and therefore the decision was taken not to broadcast.

Corporate Complaints

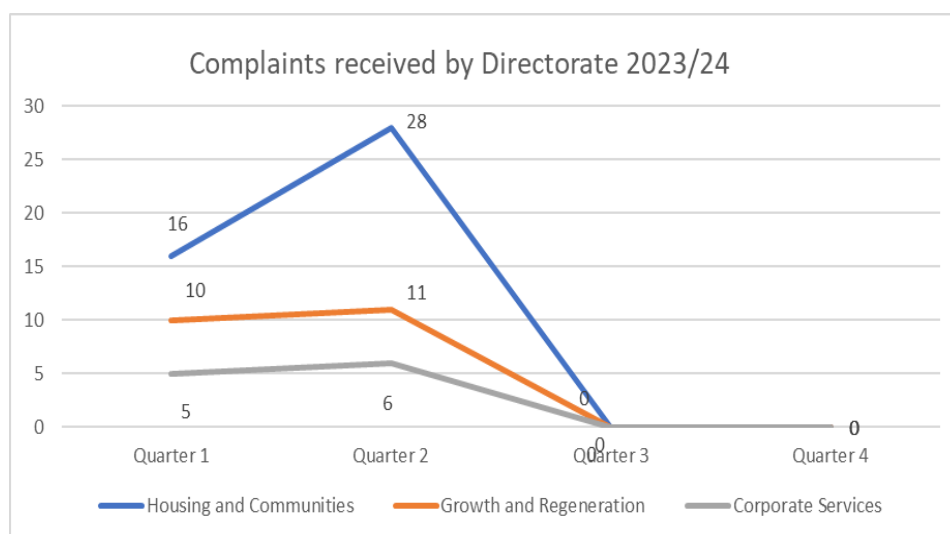
- 5.10 The Council recognises that complaints are a valuable opportunity to gain feedback, learn and improve services. The Council wants to provide a positive response to complaints and encourages feedback so that positive action can be taken.
- 5.11 The Corporate Complaints process comprises a two-stage internal process comprising stage one complaints which are dealt with by Service Managers and stage two complaints where a Director or Assistant Director reviews the stage one response. Where a complainant remains dissatisfied with the Council's response, they can refer the matter for independent review by the Local Government and Social Care Ombudsman or Housing Ombudsman.
- 5.12 Whilst there is a process in place to record and respond appropriately to complaints, there has been a gap in being able to analyse complaints to generate insights, understand trends and embed learning. This will be included in reports during 2023/24.

5.13 In Quarters 1 and 2, the Council received 76 formal complaints from customers. The number of formal complaints was a decrease compared to 80 received in the same period last year.



5.14 Complaints by Directorate

5.14.1 Of the 76 formal complaints received from customers from the first two quarters in 2023/24, the vast majority relate to the more customer facing departments of Housing and Communities and Growth and Regeneration. Given the outward facing nature of these directorates this is not unexpected. We saw a significant increase in the number of Repairs complaints from 11 in quarter 1 to 18 in quarter 2. The breakdown of these complaints by Directorate is shown below.



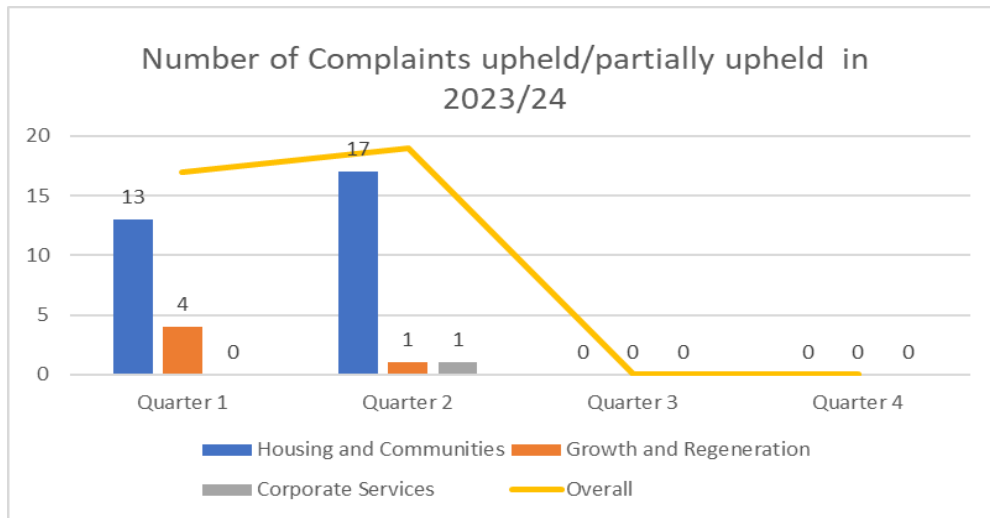
5.15 Complaints upheld or partially upheld.

5.15.1 Of the 76 formal complaints so far received this year from customers, 36 of these have been upheld or partially upheld by the Council. The largest number of these took place in Repairs where 21 of the complaints were upheld or partially upheld of the 29 complaints received (72%). Of the 19 complaints made on Planning so far this year only five were upheld or partially upheld which is a much lower percentage at 26%.

5.15.2 The majority of the 21 repairs upheld complaints at stage 1 of the complaints process in this quarter related to the quality of service provided. Further analysis of these complaints and lessons learned shows that there have been issues with keeping tenants up to date with

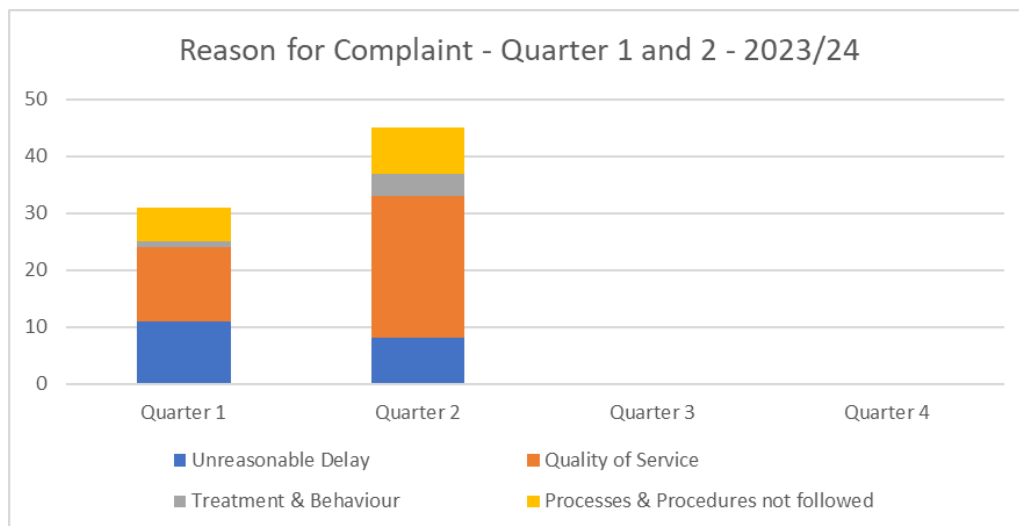
progress in complaints along with missed appointments with our staff and with contractor performance in these quarters. We have seen an increase in the number of formal complaints logged since the new policy was introduced. We are also actively encouraging tenants to submit formal complaints where appropriate.

5.15.3 The breakdown of upheld complaints is shown below.



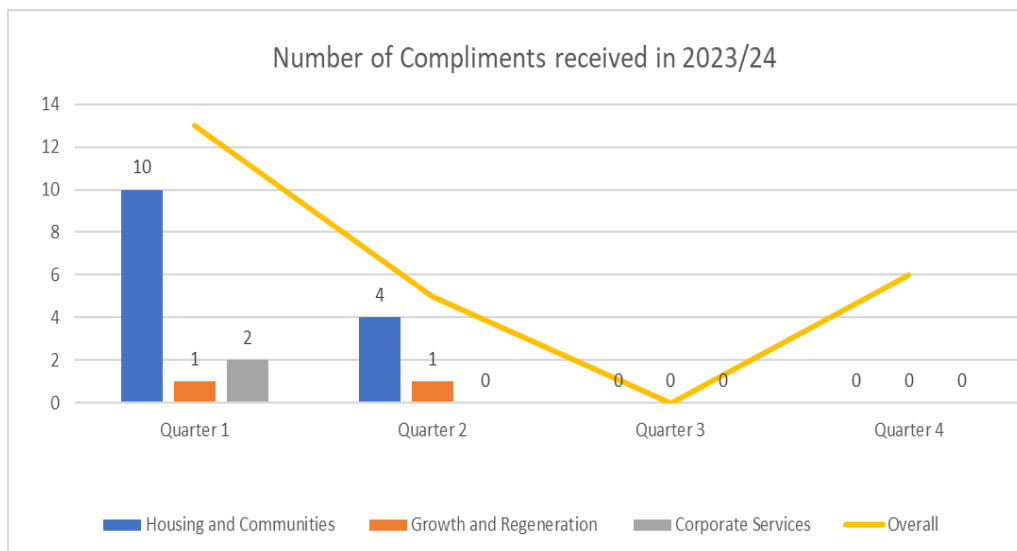
5.16 Why were these formal complaints made?

5.16.1 In terms of the 76 complaints received so far in 2023/24, there are four main themes as to why our customers were not satisfied with the service we provided and felt the need to put a complaint in to the Council. These are shown below with the quality of service being the main reason cited followed by the treatment and behaviour impacting on the individual making the complaint.



5.17 Exceptional service provided by employees.

5.17.1 We also receive formal praise through compliments to recognise the splendid work our employees undertake in delivering quality services for our customers. We have received compliments so far in 2023/24 which have been broken down by Directorate and are shown below.



5.18 Compensation paid out as part of the complaints process

5.18.1 As part of the complaints process and in line with our Customer Complaints and Feedback Policy and the guidance set out by the Housing Ombudsman, we may at times pay out an amount in compensation as part of a resolution of a complaint. Shown below is a summary of the compensation paid out so far this year as part of these remedies in complaints resolution.

Service Area	Amount (£)
Quarter 1	
Housing Repairs	650
Quarter 2	
Housing Repairs	812
Housing Management	300

6 Options Considered

6.1 No alternatives were considered as a decision is not required.

7 Consultation

7.1 The performance data contained in the report and the appendix are to inform the Cabinet. Individual performance items may be taken up by the Scrutiny Committee, as part of their enquiries into the effective operations of the Council.

8 Next Steps – Implementation and Communication

8.1 The current position regarding performance and delivery of the Corporate Priorities will be communicated to all members and will be placed on the Council's website.

9 Financial Implications

9.1 There are no specific financial implications in the report with compensation payments already being met from existing budgets.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

10.1 There are no specific Legal implications in the report.

- 10.2 Regular reporting on an agreed performance dashboard is to be welcomed from a governance point of view, as it provides a transparent mechanism for reporting on performance and provides senior officers and members with strategic oversight.

Legal Implications reviewed by: Senior Solicitor

11 Equality and Safeguarding Implications

- 11.1 There are no specific Equality and Safeguarding implications in the report.

12 Data Protection Implications (Mandatory)

- 12.1 A Data Protection Impact Assessments (DPIA) has not been completed for the following reasons because there are no risks/issues to the data collated for the purpose of this report.

13 Community Safety Implications

- 13.1 There are no specific Community Safety implications in the report, however there are specific indicators reporting on Community Safety performance.

14 Environmental and Climate Change Implications

- 14.1 There are no specific Environmental and Climate Change implications in the report, however as part of priority 4 there are Environment and Climate Change targets monitored as part of the corporate performance measures.

15 Other Implications (where significant)

- 15.1 The performance shown against the performance measures in Appendix 1 is important performance feedback information for directorates and their services, which is intended to provide them with data to enable them to act towards the improvement of the operation of their services, or to provide confirmatory evidence of what is currently working.

16 Risk & Mitigation

- 16.1 There are no direct risks arising from this report, all risks from the individual activities or projects will be managed through individual projects and by the relevant Directorates.

17 Background Papers

- 17.1 No background papers are included with this report.

18 Appendices



- 18.1 Appendix A – Corporate Performance Measures Dashboard, Quarter 1 and 2 2023-24
18.2 Appendix B – Corporate Complaints Dashboard, Quarter 1 and 2 2023-24

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CORPORATE PERFORMANCE MEASURES	POLARITY	WHAT THIS MEASURE TELLS US	2020-21 Q2	2020-21 Q3	2020-21 Q4	2021-22 Q1	2021-22 Q2	2021-22 Q3	2021-22 Q4	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2023-24 Q1	2023-24 Q2	TREND	KEY EXPLANATORY COMMENTARY
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Helping People
1. Excellent services positively impacting on our communities



SERVICE																			
Satisfaction with Council services	High is good	Whether residents are satisfied with the Council's services														62.90%	↔	maintained	Last figure was 62.9% in 2022-23 from the last Residents Survey.
% of demand resolved at first contact in customer services	High is good	We want to resolve customer demand at first contact whenever possible			n/a	n/a	73.0	71.3	66.3	69.0	70.0	67.3	72.0	74.0	77.0		↑	improvement on previous quarter	We have seen an improvement in the amount of contact with customers that has been resolved at first contact. This has increased by 3% on the last quarter and 7% on the same time last year.
Proportion of value demand coming in to Customer Services	High is good	Value demand delivers what the customer wants - we want to minimise contact that does not give value			n/a	n/a	83.3	84.7	85.3	87.0	85.0	89.3	90.91	89.00	86.00		↓	slight drop on previous quarter	Performance has dropped slightly over the last three quarters but is still above target and is higher than at the same period last year.
% of customer demand accessed through digital channels	High is good	To identify customer contact through our website so we can ensure our digital offer is working for residents			20.33	26.33	23.00	24.70	32.00	22.00	27.00	22.00	44.90	50.00	50.00		↔	maintained from Q1 2023-24	The amount of demand through our digital channels has been maintained at 50% over the last two quarters which is nearly double as at the same quarter last year.
% of complaints to MBC upheld	Low is good	How many complaints are being upheld and in which areas to enable a more focused approach when improving services	0	13.6	0	5.7	18.75	5.26	3.13	5.41	2.33	3.57	24.00	53.13	44.4		↓	slight drop on previous quarter	20 of 45 complaints in Q2 upheld or partially upheld - this may be a reflection of a more accurate balance of substantive complaints to overall complaints.
No. of ombudsman complaints upheld	Low is good	To identify how many complaints are not resolved internally and subsequently upheld by the Ombudsman to enable a more focused approach when improving services			1				1					0			↓	improvement	
Homelessness - % cases where homelessness was prevented	High is Good	This shows how effective we are at preventing homelessness, which is beneficial for the individuals and the community	14	n/a	pending	19.4	30.8	18.6	15	40	35	69	48	37	33		↓	further fall from previous quarter	The service is dealing with around 80 cases and this is a similar volume to last quarter, however due to the reduction in the number of officers managing these cases from 3 to 1 FTE and an increase in refugee and asylum pressures has meant that this quarter this indicator has declined. The team has recruited 2 further FTE Housing Options Officer and a Temporary Accommodation Officer who will start in quarter 3 to bring the team back up to strength which means that performance should start to improve in this area from quarter 4.
Average time spent in temp accommodation (calendar days)	Low is good	This measure helps us understand how effective we are at helping people to exit homelessness rapidly			pending	27.69	24.65	27.10	10.67	141	113	71	71	82	84		↔	largely unchanged from Q1	1 household was delayed in a property and then was offered a property that was not suitable and this took 338 days which has added to the average time figure.
Number of Households living in temporary accommodation	Low is Good	This measure helps us understand how effective we are at helping people to exit homelessness rapidly	52	46	42	46	32	26	18	20	21	25	27	16	22		↑	some deterioration on previous quarter	The service has had difficulty with properties being ready to let or available which has meant a lot of people are waiting to move on to more permanent accommodation.
% benefit claims processed within 5 working days of all information received	High is good	To identify how efficient and effective we are at processing benefits claims	99	97.67	98.7	97.67	97.00	99.33	96.33	100	94.67	95.00	98.33	93.00	98.00		↑	improvement on Q1 2022-23	Performance has improved on the last quarter and is ahead of the same period last year.
Number days taken for payment to be made after initial application for Housing Benefit	Low is good	To monitor how quickly we are able to make a payment of Housing Benefit, this assists with preventing resident debt	7	9	8	8.33	10.33	9.67	11.67	13	12	16	11	14	11		↔	remains within bandwidth	Improvement on the Q1 outturn and this has returned to Q4 2022-23 performance levels.
Attendance at Council Leisure facilities (WLC and MSV combined)	High is good	To monitor the use of leisure facilities as a key part of helping residents stay fit and healthy	16945	15534	0	73919	75222	65652	85130	83817	80472	73098	99380	93630	92520		↔	remains well above target	Consistent attendances across both sites. Improved numbers of users coming through junior gym and swim school.





Attendance at physical activity outreach programmes within the community	High is good	To identify the take-up of activity classes taking place in the community, part of helping residents stay fit and healthy	2510	3508	888	869	1696	1660	1875	1855	3161	2013	1923	1980	3128	 significant increase	We have seen a spike in attendance with Let's Get Moving Melton Day and this has boosted attendance in quarter 2 but otherwise numbers across other activity has remain pretty consistent. Attendees are similar to the same period last year.
CORPORATE PERFORMANCE MEASURES	POLARITY	WHAT THIS MEASURE TELLS US	2020-21 Q2	2020-21 Q3	2020-21 Q4	2021-22 Q1	2021-22 Q2	2021-22 Q3	2021-22 Q4	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2023-24 Q1	2023-24 Q2	TREND	KEY EXPLANATORY COMMENTARY
Number of ASB cases per 1000	Low is good	To monitor how many antisocial behaviour cases are closed to understand the effectiveness of the Council's management of community safety				3.42	3.00	3.42	3.01	2.98	2.76	1.20	1.14	0.89	1.31	 increase on Q1 2023-24	Over the last 2 months there has been a large increase in noise complaints, mainly relating to dog noise and general noise nuisance. Performance has declined since quarter 1 but is still half the level of ASB complaints than at the same time last year.

ACTIVITIES/PROJECTS

Implementing phase 2 of the new finance system – budget management	A modern supported finance system that is easy for all staff to utilise and provides accurate user friendly	The project has stalled recently due to resourcing issues with key project personal. Interim resource secured enabling the project to move forward from Mid-Oct. Revised timeline for set up and roll out will be presented at next Great Council Programme Board on 27 November.
Customer Service Review	To ensure the Council is improving its offer to residents in providing effective support when needed	Baseline Assessment has been completed and the Project Charter in development and was taken to Helping People Board on the 22nd November. There have been some delays due to changes in personnel but this is expected to progress now the Project Charter has been agreed.
Narrative on outcomes from supporting people with complex needs	To demonstrate and give examples of how the Council's support offer impacts on the life opportunities of residents	The team continue to deliver in relation to performance indicators, whilst working on numerous projects incl. the UKSPF Work & Skills contract. The Work & Skills Coordinator is achieving against set targets, linking in with partners incl. SMB Group to deliver qualifications, Severn Trent to deliver Employability Skills and the DWP re Jobs Fairs. The ARAP scheme - the team are supporting 4 families living in Melton Mowbray, incl. links to schools/GP's, benefits, work, ESOL, qualifications and more.
Local issues, trends, and crimes within the community and community engagement event attended.		Over July we conducted several events, with public surgeries at local supermarkets and MacDonalDs. This was in line with the national ASB awareness week. September sadly saw a murder incident in Long Clawson, the team have conducted several door-to-door reassurance patrols to our residents.

Helping People
2. Providing high quality Council homes and landlord services


SERVICE																	
% decent Homes (public)	High is good	This helps us understand the quality of the Council's housing stock when tested against the Decent Homes Standard	76.11	77.79	77.84	77.84	77.84	77.84	77.84	71.00	72.10	72.10	75.30	74.20	95.10	 significant improvement above target of 85%	A plan to review the way in which data is being reported has been agreed and is being implemented, leading to the ability to report improved decent homes performance. This programme of work has identified that the council was reporting based on accurate data but had not added into its system configuration process some automation of reporting, leading to reporting being limited to 'age' of component (e.g. kitchen) rather than 'age and condition' of component. An action plan is being worked through methodically, and decent homes reporting is showing an improved position to approx. 95% decency with further work still to do, which is expected to further improve this position. The remaining 5% is around 90 properties of our stock which do not currently meet the Decent Homes Standard. Of these, around half fail due to the age or condition of a component of the property (kitchen, bathroom, etc). These will be addressed through the capital programme. A small number fail due to thermal efficiency, which will be addressed through the energy strategy proposed in the Asset Management Plan. Around a third of the properties fail due to a Housing Health and Safety Rating System hazard, with the majority of these relating to an issue with the kitchen layout. These are being addressed through the capital programme and some minor repairs. The Asset Management Plan commits us to achieving 100% decency by 2028.
Average void time (Excluding Development Voids) in days [monthly averages expressed as quarterly averages]	Low is good	This measure shows how quickly we re-let the Council's dwellings when a tenancy ends, preventing income loss	34.61	30.38	79.02	68.33	58.70	76.47	88.78	119.02	147.44	149.80	165.15	10.16	16.21	 continuing significant improvement	The Council has worked hard to address long term voids across council homes and has seen the positive performance on average void time being maintained following the improvements in quarter 1 where this reduced to 10.16 days from 165.15 days as at the end of 2022/23. In quarter 2 we have seen 16 type 1 voids let maintaining our strong start to the year and being below the target of 20 days at 16.21 days per property. This performance at the start of the current year follows extensive work by officers and contractors to repair and re-let all historic long-term voids. As of the end of quarter 2 the Council has no long-term voids and the work to track and monitor voids within the housing directorate will ensure continued grip and focus on void works and re-let arrangements to ensure that void times are minimised - this is important to ensure housing is available to those who need it, and to minimise periods of rent loss to the council.












% of stock with a current valid gas safety check	High is good	This shows how well the Council is managing gas safety in its housing stock, which is a key landlord responsibility		100	100	100	99.99	99.99	100	100	100	99.79	99.68	99.78	100.00	 improvement to 100%	
Satisfaction with housing repairs	High is good	This measure tests how satisfied Council tenants are with the repairs that are needed to their homes			91.40	91.83	92.75	97.57	97.53	97.3	98.1	96.7	97.3	n/a	n/a		To be completed from tenant survey - now TSM measure TP02 Satisfaction with the overall repairs service from [your landlord] over the last 12 months. These will be available from quarter 3.
Rent collected as % of the rent due (in year)	High is good	The Council's rental income pays for the repair and maintenance of the housing stock - this measure shows how effective we are at collecting the rent	87.48	91.56	97.92	89.41	93.22	93.54	94.85	88.10	92.21	93.70	94.42	89.73	94.51	 Outside of tolerance but better than Q2 2022-23	Rent collection has improved over the first two quarters of this year and is 2.5% better than at the same period last year. However, this is still outside of tolerance and the team will be working towards the year-end target of 99.98%. Action is still required to improve and stabilise rent arrears performance, to support the team to 'go further, faster' to recover the current position. Planned future actions include a detailed diagnostic of performance, implementation of improvements to procedures and processes and increased staffing capacity alongside a range of measures to reduce the risk of tenants falling into arrears, such as the use of direct payment arrangements and pre tenancy checks. Further additional staffing capacity is proposed to accelerate progress in addressing arrears backlog, in addition to changes to reporting arrangements to SLT and Cabinet. Further to approval of additional temporary staffing capacity, recruitment arrangements are underway. This capacity will support the service in improving rent collection and supporting tenants to ensure their rent is paid and debt is managed effectively.
% new tenants satisfied with their new home (overall)	High is good	This helps us understand the experience of new Council tenants			n/a	84	87.77	68	87.50	77	91.67	88.90	n/a	n/a	87.50	 new process for the measure	JULY - total of 14 new tenants. We could only make contact with 7 of the new tenants (1 was dissatisfied) AUGUST - total of 17 new tenants. We could only make contact with 5 of the new tenants (1 was dissatisfied) SEPTEMBER - total of 15 new tenants. We could only make contact with 4 of the new tenants (all were satisfied)
Number of new Council homes provided	High is good	This shows how well the Council is delivering against its ambition to increase its social housing stock		5					0				0			 new measure	We have Cabinet approval to acquire 8 houses from a developer in Old Dalby. So far, construction work on two has been completed and the purchase of these is going through Legal. The remaining six are due to complete by the end of December 2023.

CORPORATE PERFORMANCE MEASURES	POLARITY	WHAT THIS MEASURE TELLS US	2020-21 Q2	2020-21 Q3	2020-21 Q4	2021-22 Q1	2021-22 Q2	2021-22 Q3	2021-22 Q4	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2023-24 Q1	2023-24 Q2	TREND	KEY EXPLANATORY COMMENTARY
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ACTIVITIES/PROJECTS																	
Progress towards implementation of Housing Improvement Plan		To report on progress to improve the housing and asset management of the Council's housing stock	HIP is now complete. Review of HIP actions still to be completed and it is expected that work underway in the HRA Business Plan and Asset Management Plan will continue the great progress we are making in sustaining the improvements we are making in Housing.														
Implementation of new integrated housing system (Northgate)		To report on progress and business improvements through improvements to the Council's integrated housing management system	Project complete.														
Update on Delivery of programme of new Council Homes		To provide information on the Housing Revenue Account development programme	We have Cabinet approval to acquire 8 houses from a developer in Old Dalby. So far, construction work on two has been completed and the purchase of these is going through Legal. The remaining six are due to complete by the end of December 2023.														
Delivering better temporary accommodation for those who need it		To monitor the supply and quality of temporary accommodation offered to those who need it	Safety certificates for B&B in Melton and procurement policy written to ensure better temporary accommodation is delivered.														

Shaping Places
3. Delivering sustainable and inclusive growth in Melton

SERVICE																	
Number of new homes delivered through the planning process	High is good	Whether we are meeting, exceeding or falling below the targets set for housing growth in the area to accommodate the growing population and		310						367					368	 performance maintained	Again, substantially over the target, proves that the local plan is delivering

Number of new affordable homes delivered through the planning process		Whether the number of affordable homes - and the share of overall homes they represent - is increasing to keep up with need			90				47				125			 improvement		
% Major planning decisions taken within 13 weeks, or agreed timetable	High is good	End to end processing times for major applications (those over 10 houses and equivalents for industry, retail etc) - service efficiency	67	80	80	100	83	75	100	86	93	100	100	100	100	 performance maintained	5 out of 5 Majors determined in agreed timetable	
% Non-major planning decisions taken within 8 weeks, or agreed timetable	High is good	End to end processing times for most applications - service efficiency	90	89	70	83	70	75	78	87	95	91	94	95	85	 return to 2022-23 Q1 performance	64 out of 75 applications were determined in agreed timetable. The number determined has fallen this quarter as a result of two main reasons, the first is the number of issues experienced when determining refusals and secondly due to agents not always agreeing to extensions when there are significant delays in applications.	
% applications that are invalid	Low is good	Whether recent changes to how we validate planning applications has broken through delays at this traditional 'bottleneck' - service efficiency		10	6	6.35	4.8	6	7	n/a	n/a	16	29	15	14	 performance maintained	36 out of the 252 applications received were made invalid with the most common reason being the adequacy of the plans or missing information to enable determination.	
% applications that are approved first time	High is good	Whether we are being able to overcome problems and negotiate improvements to planning submissions to bring them to a standard. Whether, and the degree to which, those paying for planning applications are satisfied with the service they have received .	90	94	100	85	66	85	84	n/a	n/a	86	80	86	67	 significant drop	33% of applications were amended to overcome either concern or a reason for refusal, this number has increased from last quarter but it shows the commitment to try and negate refusals and listen to the community and technical consultees.	
Applicant satisfaction (from questionnaire): % of total 'satisfied' or 'very satisfied'	High is good					n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		new measure	Due to current backlogs and delays in the team a survey is not considered appropriate at this time.
Community satisfaction with planning service	High is good	Whether the community are satisfied with the outcomes being produced by planning decisions									37.90%					 slight improvement only	Last figure was 37.9% in 2022-23 from the last Residents Survey.	
CORPORATE PERFORMANCE MEASURES	POLARITY	WHAT THIS MEASURE TELLS US	2020-21 Q2	2020-21 Q3	2020-21 Q4	2021-22 Q1	2021-22 Q2	2021-22 Q3	2021-22 Q4	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2023-24 Q1	2023-24 Q2	TREND	KEY EXPLANATORY COMMENTARY	
Land Charges: Average turnaround time	Low is good	End to end processing times for searches. To measure service efficiency and highlight fluctuations needing intervention	24.64	28.95	20.3	5.27	3.28	1.76	2.73	4.08	5.35	2.99	3.27	3.77	3.77	 performance maintained from Q3 2022-23	Q2 Average is 3.77 days, exactly the same as Q1, which is performing well below the government target of 10 days. Performance is also 1.5 days below the same period last year.	
Corporate Assets - Level of compliance to health and safety regulations (%)	High is good	Percentage of non-housing assets meeting the legal requirements for health and safety compliance	90	94.3	99	100	100	100	100	100	100	91	100	100	100	 improvement - return to 100%	100%; The team carry on seeking advice from the Health and Safety Officer to enable to be compliant across all sites.	
% of occupied commercial units in Council ownership	High is good	Efficiency at letting commercial units and generating income for the Council	95	95	95	95	95	95	95	100	100	100	100	100	95	 performance maintained within bandwidth	Vacant possession secured on U54 at Snow Hill - due to be re let.	
% of food hygiene inspections undertaken at newly registered food businesses within 28 days of opening OR date of registration	High is good	The proportion of Environmental Health inspections we have completed as planned			52.33	13	72	94.3	100	79	72	75	63	76.67	93.33	 improvement on previous 5 quarters	Focused work by the team has seen the % of food hygiene inspections undertaken improve markedly over the last three quarters from 63% to 93.33%.	
% Food businesses Broadly Compliant at inspection [monthly figures averaged for the quarter]	High is good	We inspect food premises on an annual basis to make sure that they are preparing food safely. This measure tells us who has complied with legislative	95.27	96.20	94.93	95.3	96.7	96.6	96.5	96.8	95.8	95.3	95.1	95.7	95.37	 performance broadly maintained from Q3 2022-23	Performance on this indicator has remained steady above the target of 95% for the last six quarters.	

ACTIVITIES/PROJECTS
Local plan review

Council papers were presented & approved on 28 September on Local Plan Review; Local Development Scheme Update & Local Plan Update Issues & Options Consultation commenced mid November.

Establishment of Food Enterprise Centre
Update on feasibility of establishing a Health and Leisure Park and securing a sustainable future for leisure provision
Asset development programme & Asset Management Plan

Project is near completion, with some quotes received for underspend towards the roof of the indoor market, meeting grant conditions & our obligations towards space for food production & preventing return of funds.
Country Park Master Plan to be finalised & signed off for presentation to Members with options. Obtaining quotes to use £9k left in budget for CGI imagery of facility without GP Surgery to aid future investment. Business Case is written & being reviewed ready to upload to LLEP system.
ICB report is awaited on 17th October. This will inform all future options. Members working group is on 26th October. A clear steer from Cabinet is required. Work continues on procuring energy audits for Parkside and Phoenix House to feed into future design options.

Shaping Places
4. Protect our climate and enhance our rural natural environment
SERVICE

<p>Tonnes of carbon emissions produced by MBC operations</p> <p>Satisfaction with waste service</p> <p>Satisfaction with cleanliness</p> <p>% waste recycled/composted [rolling average of 4 quarters]</p> <p>Kg of residual waste per household quarterly [rolling average of 4 quarters]</p> <p>Page 33</p> <p>Number of reported fly tips</p>	<p>Low is good</p> <p>High is good</p> <p>High is good</p> <p>High is good</p> <p>Low is good</p> <p>Low is good</p>	<p>In order to measure the progress the council is making (from its own operations) to its carbon neutral target in 2030</p> <p>Biennial Place Survey question to the public</p> <p>Biennial Place Survey question to the public</p> <p>Recycling and composting keeps materials out of landfill</p> <p>Reducing waste keeps materials out of landfill and helps protect our climate</p> <p>Fly tipping is illegal dumping of waste in land or in water. This measure tells us how many of these incidents have been reported to the Council.</p>												5,812 tCO2e (2019 figure for baseline)				new measure, no trend defined	The Climate Change Strategy is now in second draft, should commence consultation in November 2023
													86.60%					improvement	Current figure was 86.6% in 2022-23 from the last Residents Survey.
													54.10%					slight deterioration	Current figure was 54.10% in 2022-23 from the last Residents Survey.
			43.00	43.38	43.35	42.88	43.73	43.78	43.18	44.23	43.03	42.58	42.65	42.28	Available in Q3 2023-24		slight deterioration		
			132.09	135.07	136.55	135.34	135.30	132.45	131.45	128.0	125.31	124.74	123.72	124.19	Available in Q3 2023-24		broadly maintained		
			114	90	184	94	92	91	140	91	85	74	101	86	66		improvement compared to Q2 2022-23	The number of reported fly tips dropped markedly from 86 in quarter 1 to 66 in quarter 2. The Council undertook local targeted actions and worked alongside the county and other districts on a county wide fly tipping campaign in quarter 2 which raised awareness and promoted the means to report a fly tip and deter fly tipping. The campaign included visible messaging on refuse vehicles and targeted spot checks with waste carriers alongside education and support to businesses and residents. The position on this will be closely monitored to see if this trend continues and to monitor the impact of any future changes to the opening hours of the Melton Mowbray Recycling and Household Waste Site. The Council is part of the Leicestershire Waste and Resources Partnership, and has recently approved the countywide Waste and Resources Strategy, which includes action to address fly tipping as a collective pledge.	
CORPORATE PERFORMANCE MEASURES	POLARITY	WHAT THIS MEASURE TELLS US	2020-21 Q2	2020-21 Q3	2020-21 Q4	2021-22 Q1	2021-22 Q2	2021-22 Q3	2021-22 Q4	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2023-24 Q1	2023-24 Q2	TREND	KEY EXPLANATORY COMMENTARY		
Number of dog fouling requests	Low is good	How many requests for dog fouling we have received.		0	4	3	3	5	3	3	4	2	3	5	5		unchanged from Q1		

ACTIVITIES/PROJECTS
Local issues, trends, and crimes within the community and community engagement event attended
Update on progress made through the Climate Change Task Group

Over July we conducted several events, with public surgeries at local supermarkets and MacDonalDs. This was in line with the national ASB awareness week. September sadly saw a murder incident in Long Clawson, the team have conducted several door-to-door reassurance patrols to our residents.
Various funding schemes through LAD,ECO and HUG. Updates to the Climate Change Strategy for adoption late 2023.

Great Council
5. Ensuring the right conditions to support delivery
SERVICE

Staff satisfaction - overall % who are very or quite satisfied working for MBC	High is good	Whether staff are satisfied in their employment at the council												82		slight improvement	Employee satisfaction has risen slightly from 80% at the last employee survey to 82% this year.
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Staff turnover – annual	Low is good	The level of staff turnover is an indication of staff satisfaction with terms and conditions and working practices within the Council.														↔ rate maintained from previous yr	Turnover has remained consistent based on last year and remains a slight increase on the year before. This is in line with the national trend and other local district councils.
Staff absence – days sickness per employee (cumulative)	Low is good	Whether sickness is being managed well within the council and welfare support is at a good level to help ensure a healthy workforce.	2.2	4.0	5.8	2.0	4.4	6.6	8.9	2.2	4.4	7.3	10	1.7	2.6	↓ significant improvement	A significant improvement on the same period last year which was at 4.4 days per employee (cumulative). There is a reduction in the number of long term sickness absence cases.
% Increase in followers on Facebook and Twitter compared to previous quarter	High is good	How effective our digital communications is at attracting interest from the public	2.64	4.33	3.95	0.87	3.74	3.00	8.28	2.74	1.98	1.56	2.08	1.19	1.43	↑ growth remains above target, but has slowed	Continuing to steadily build up our followers on our social media platforms
Website Accessibility score (%)	High is good	How accessible our website is in meeting all users needs.	78	77	71	70	100	100	100	99	99	100	100	100	100	↔ performance maintained	100% compliance with the WCAG Level AA scoring. 99.9% compliant with the WCAG Level AAA scoring
% of positive customer satisfaction responses vs negative as a % of all customer satisfaction vs number of incidents (population) (Customer Satisfaction with IT)	High is good	How well the Council's ICT provider performs for users								94.34	90.14	92.21	96.25	98.00	93.55	↔ overall performance maintained	A slight dip in customer satisfaction against IT incidents. This represents 5 people who were dissatisfied. 155 people completed the survey which is more than double the last quarter when only 62 surveys were completed.
% Variance between forecast outturn and actual outturn	Low is good	Effectiveness of budget setting and monitoring and delivering services in line with the finances provided.				4				6				2		↑ marked improvement	Forecast outturn reported to was a £58k underspend compared to a forecast overspend of £37k reported to members in Feb 2023
Total fees and charges as a proportion of service expenditure	High is good	Effectiveness of budget setting and monitoring and delivering services in line with the finances provided.								15.15				15.03		○ new measure	There have been a number income streams which were lower than budget including, planning fees and leisure as 2 significant income lines.
Council tax collection efficiency (%)	High is good	Efficiency at collecting council tax payments due in a timely manner thereby reducing long term debt.	57.26	85.66	98.35	30.30	58.01	85.82	98.87	29.99	57.91	85.86	98.61	29.86	57.65	○ within tolerance	The Council is performing at 57.65% which is just below the quarter 2 target of 57.9% and marginally below the same period last year.
NNDR Collection efficiency (%)	High is good	Efficiency at collecting business rates payments due in a timely manner thereby reducing long term debt.	58.53	84.24	99.78	26.95	56.58	83.42	98.82	39.12	67.65	87.43	98.28	31.18	56.33	● outside of tolerance	The Council is performing at 56.33% which is well below the quarter 2 target of 66.7% and over 10% below the same period last year. One of our largest assessments has recently gone through a revaluation process. This has now been concluded and is reflected in October's performance outturn. September was an anomaly and looking back at the last few years excluding 22/23 which was abnormally high. Performance is in line with targets. We are working with a number of debtors to put payment plans in place to bring these in line. We are monitoring this on a monthly basis.
Sundry Debtor Collection Rate (Cumulative) %	High is good	Efficiency at collecting sundry debt payments due in a timely manner thereby reducing long term debt.												96.54	92.65	○ new measure	
CORPORATE PERFORMANCE MEASURES	POLARITY	WHAT THIS MEASURE TELLS US	2020-21 Q2	2020-21 Q3	2020-21 Q4	2021-22 Q1	2021-22 Q2	2021-22 Q3	2021-22 Q4	2022-23 Q1	2022-23 Q2	2022-23 Q3	2022-23 Q4	2023-24 Q1	2023-24 Q2	TREND	KEY EXPLANATORY COMMENTARY
% Undisputed invoices paid within 30 days [monthly figures averaged for the quarter]	High is good	How many suppliers are paid in a timely manner ensuring the council does not create cashflow issues for its suppliers.	86.73	88.87	90.03	n/a	95.75	93.07	96.72	90.67	97.33	91.16	96.00	95.64	96.33	↑ improvement	Performance has remained on target for the whole of Q2 and actually exceeded the target in Sept.
% Requests for information responded to within statutory deadlines	High is good	How well the Council complies with its responsibility to respond to information requests in a timely manner.	100	95.1	93.24	84	90.96	96.91	88.7	90.45	89.87	90.71	95.75	100.00	99.46	↓ minor dip	There was 1 request over time during quarter 2.

ACTIVITIES/PROJECTS

Development of Corporate Strategy by April 2024

This project is well underway and work has been undertaken through Member Policy Working Groups on the Town Centre and the Asset Development Programme to inform the discussions and debate at the State of Melton Debate on 20th September. Further work is ongoing to refine the 2036 Vision and Corporate Strategy Action Plan. Members broadly comfortable with a long term 2036 vision with short term plan with tangible measures. Themes to be agreed with priorities & projects under themes to be identified.

Great Council
6. Connected with and led by our community

<p>SERVICE</p> <p>The percentage of respondents who believe the Council listens to concerns of local residents (annual)</p>
<p>Number of decision making meetings which are digitally accessible</p>
<p>% Agendas and reports to be published 5 working days before the meeting [monthly figures averaged for the quarter]</p>

High is good
High is good
High is good

Whether people feel listened to by the Council

Tells us how many of our formal meeting we have streamed on YouTube

Tells us whether we have complied with legislative requirements

														55.8%														
14	13	12	11	13	14	16	14	8	15	14	5	12 (of 13)																
100	100	100	100	100	100	100	100	100	100	100	100	100	100															

	improvement	Results from 2019 Residents Survey suggested that residents thought the Council listened to concerns - a great deal (3.9%) or a fair amount (46.6%) (combined total 50.5%) and the 2022 Survey showed improvement on this, in spite of Covid in the intervening period between surveys.
	improvement	Two of the meetings not broadcast (Licensing Sub Committee and Employment Committee) were not because the proceedings took place in private session due to the subject under consideration. The final meeting (Audit and Standards in September) suffered from a technical issue and therefore the decision was taken not to broadcast.
	unchanged	

ACTIVITIES/PROJECTS

UKSPF E9.2 - Community Grant schemes

What benefit has been delivered to the community through the grants scheme

Application period now open for new Grant fund applications.

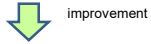
EXPLANATORY NOTES

1 RAG RATING OF TREND The RED, AMBER, and GREEN colours used for each quarter's performance are based on the detailed definitions of the performance measures provided by the directorates

2 TREND ARROWS The size of the trend arrow is NOT related to the size of the performance trend, and only indicates the direction of the trend

3 POLARITY AND TREND ARROWS The direction of the TREND arrow reflects the POLARITY of the performance measure, or the Activity/Project risk trend

For example: Where a performance measure has the POLARITY equal to **Low is Good**, improvement will be a GREEN arrow pointing DOWNWARDS towards LOW (which is GOOD in this case)



improvement

Where a performance measure has the POLARITY equal to **Low is Good**, deterioration will be a RED arrow pointing UPWARDS towards HIGH (which is BAD in this case)



deterioration

And: Where a performance measure has the POLARITY equal to **High is Good**, improvement will be a GREEN arrow pointing UPWARDS towards HIGH (which is GOOD in this case)



improvement

and so on

An UNCHANGED trend is indicated by a horizontal double ended arrow. The colour of the arrow shows the (unchanged) trend

For example: unchanged

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Corporate Complaints Measures Dashboard SLT Headline Report

DIRECTORATE	SERVICE AREA	POLARITY	No. of Complaints Received				EXPLANATORY NOTES ARE AT THE END OF THE REPORT		No. of Complaints Upheld				Compliments				
			Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	TREND	KEY EXPLANATORY COMMENTARY	Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	
			2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4			2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	
Housing & Communities	Tenancy Management	Low is Good	4				↓ Improvement	Reduction from 4 to 0	2, 1 part					2			
	Voids	Low is Good															
	Rent Arrears	Low is Good															
	Housing Repairs	Low is Good	11	18			↑ Increase	Increase from 11 to 18	8, 2 part	7, 4 part			5	1			
	Housing Capital Programme Work	Low is Good															
	Landlord Health & Safety	Low is Good															
	Intensive Housing Management (incl. Gretton Court)	Low is Good		4			↑ Increase	Increase from 0 to 4		1, 3 part							
	ASB	Low is Good											1				
	Housing Options	Low is Good		2			↑ Increase	Increase from 0 to 2									
	Customer Services	Low is Good	1				↓ Improvement	Decrease from 1 to 0					1	1			
	Community Support	Low is Good											2				
	Safeguarding	Low is Good															
	Private Lifeline	Low is Good															
	Leisure	Low is Good															
	Waste Management	Low is Good		2			↑ Increase	Increase from 0 to 2		1			1				
Environmental Maintenance & Cemeteries	Low is Good		2			↑ Increase	Increase from 0 to 2		1 part								
Growth & Regeneration	Planning	Low is Good	8	11			↑ Increase	Increase from 8 to 11	2, 2 part	1 part			1				
	Building Control	Low is Good															
	Land Charges	Low is Good															
	Licensing	Low is Good															
	Environmental Health	Low is Good											1				
	Local Plans & Planning Policy	Low is Good															
	Emergency Planning	Low is Good															
	Corporate Property & Assets	Low is Good	1				↓ Improvement	Decrease from 1 to 0									
	Regeneration	Low is Good	1				↓ Improvement	Decrease from 1 to 0									
Corporate Services	Organisational Development	Low is Good											1				
	Democratic Services	Low is Good															
	Elections	Low is Good											1				
	Legal inc RFI/Complaints	Low is Good	1	1			↔ Unchanged										
	Finance	Low is Good															
	Revenues (Council Tax)	Low is Good	3				↓ Improvement	Decrease from 3 to 0									
	Revenues (Business Rates)	Low is Good															
	Revenues (Debt Recovery)	Low is Good															
	Benefits	Low is Good	1	5			↑ Increase	Increase from 1 to 5		1 part							
ICT	Low is Good																
TOTAL COMPLAINTS RECEIVED		Low is Good	31	45	0	0	↑ Increase	Significant increase in comparison to last quarter	12, 5 part	9, 10 part	0	0	13	5	0	0	

Reason for Complaint	Where stated	2023-24 Q1	2023-24 Q2
Quality of Service		13	25
Treatment & Behaviour		1	4
Unreasonable Delay		11	8
Issue not resolved informally			
Processes & Procedures not followed		6	8

EXPLANATORY NOTES

1 RAG RATING OF TREND

The RED, AMBER, and GREEN colours used for each quarter's performance are based on the detailed definitions of the performance measures provided by the directorates

2 TREND ARROWS

The size of the trend arrow is NOT related to the size of the performance trend, and only indicates the direction of the trend

3 POLARITY AND TREND ARROWS

The direction of the TREND arrow reflects the POLARITY of the performance measure.

For example:

Where a performance measure has the POLARITY equal to **Low is Good**, improvement will be a GREEN arrow pointing DOWNWARDS towards LOW (which is GOOD in this case)



improvement

Where a performance measure has the POLARITY equal to **Low is Good**, deterioration will be a RED arrow pointing UPWARDS towards HIGH (which is BAD in this case)



deterioration

And:

Where a performance measure has the POLARITY equal to **High is Good**, improvement will be a GREEN arrow pointing UPWARDS towards HIGH

(which is GOOD in this case)



improvement

An UNCHANGED trend is indicated by a horizontal double ended arrow. The colour of the arrow shows the (unchanged) trend

For example:



unchanged

Complaints Annual Self-Assessment

Report Author:	Martin Guest , Senior Corporate Policy Officer 01664 502413 mguest@melton.gov.uk
Chief Officer Responsible:	Dawn Garton , Director for Corporate Services 01664 502444 DGarton@melton.gov.uk
Lead Member/Relevant Portfolio Holder	Councillor Margaret Glancy - Portfolio Holder for Governance, Environment and Regulatory Services (Deputy Leader)

Corporate Priority:	1. Excellent services positively impacting on our communities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	None required
Exempt Information:	No
Key Decision:	No
Subject to call-in:	No

1 Summary

- 1.1 The report set out the complaints annual self-assessment, shown in Appendix A as required by the Housing Ombudsman (HO) as part of their Complaints Handling Code.
- 1.2 Our submission sets out our position against this as at the end of 2023 and is supported by evidence to meet the requirements of the eight sections of the self-assessment.
- 1.3 Once noted by Members, this annual self-assessment will be published on the Council’s website by the end of December 2023.

2 Recommendations

2.1	That Cabinet note the findings of the complaints self-assessment for 2023.
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3 Reason for Recommendations

- 3.1 Cabinet should note the position of the Council against this self-assessment and reflect on the performance on complaints.

- 3.2 Over the last 12 months the Council has updated its Customer Feedback and Complaints Policy and associated processes to ensure that we remain fully compliant with the HO's Complaint Handling Code.

4 Background

- 4.1 Landlords must carry out an annual assessment against the HO Complaints Handling Code to ensure their complaint handling remains in line with its requirements and publish the results. These do not need to be submitted to the Ombudsman. Non-compliance could result in the Ombudsman issuing complaint handling failure orders.
- 4.2 Key areas of the Complaints Handling Code include:
- 4.2.1 Universal definition of a complaint.
 - 4.2.2 Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the HO Service.
 - 4.2.3 The structure of the complaint's procedure - only 2 stages necessary and clear times set out for responses.
 - 4.2.4 Ensuring fairness in complaint handling with a resident-focused process.
 - 4.2.5 Taking action to put things right and appropriate remedies.
 - 4.2.6 Creating a positive complaint handling culture through continuous learning and improvement.
 - 4.2.7 Demonstrating learning in annual reports.
 - 4.2.8 Annual self-assessment against the Code.
- 4.3 The Code was introduced as part of the Ombudsman's new powers in the revised HO Scheme. The Code acts as a guide for residents setting out what they can and should expect from their landlord when they complain. The requirements in the Code also provide residents with information about how to make a complaint and how to progress it through the landlord's internal complaints procedure.
- 4.4 Our Customer Feedback and Complaints Policy covers our complaints under both the HO and Local Government and Social Care Ombudsman (LGSCO). The HO covers all complaints about social housing, including councils' role as social landlords whereas the LGSCO covers all other services including complaints about most council housing services other than social housing.

5 Main Considerations

- 5.1 An annual assessment was undertaken of our approach to dealing with complaints, this is shown in Appendix A, this is set out in the responses to the eight sections contained in the self-assessment. These are:
- 5.1.1 Definition of a complaint
 - 5.1.2 Accessibility and awareness
 - 5.1.3 Complaint handling personnel
 - 5.1.4 Complaint handling principles
 - 5.1.5 Complaint stages
 - 5.1.6 Putting things right

- 5.1.7 Continuous learning and improvement
- 5.1.8 Self-assessment and compliance
- 5.2 The purpose of the self-assessment is to demonstrate to an organisation, its service users, and its governing body that it is complying with the Code. Every organisation must complete one for all areas covered by the Code. Our self-assessment shows us to be compliant with all of the mandatory elements of the HO's Complaints Handling Code. The LGSCO does not currently have a self-assessment for the non-Housing related complaints that we receive as a Council. By achieving this compliance, our Customer Feedback and Complaints Policy and associated process are considered fit for purpose and give us a strong level of assurance in this area.
- 5.3 In terms of simplifying and aligning the complaints framework for local authorities the LGSCO have recently consulted on a joint Complaint Handling Code with the HO. They are currently analysing the responses to this and if this is to be adopted, the updated Code will then apply to all local councils in England.
- 5.4 Given that most councils are within both Ombudsman's jurisdictions, this new joint Code will become the single gold standard for complaint handling in the local government sector. If this comes in force, then the joint Code will make it easier for Melton to demonstrate that it is employing best practice and for local people to hold councils and social landlords to account.
- 5.5 Both the HO and LGSCO may also look at this self-assessment as part of the consideration of individual complaints relating to complaint handling. The HO has a statutory duty to monitor compliance with the Code and will consider compliance through a review of submissions and associated intelligence.
- 5.6 The Complaints Handling Code requires each landlord to report the findings contained in the self-assessment to their Members each year. Complaints at Melton are under the Portfolio Holder for Governance, Environment and Regulatory Services (Deputy Leader).
- 5.7 Following the presentation of this report to members, the self-assessment will be published on the Council's website by the end of December 2023.
- 5.8 From 2024, officers will bring one single report to members each year in quarter 3 which will include a self-assessment against the Complaints Handling Code for that year, a breakdown of complaints received by the Council and details of those cases that have been taken by the HO or LGSCO.

6 Options Considered

- 6.1 The Council's self-assessment for 2023 sets out how we comply with the HO's Complaint Handling Code and the evidence to support this position. If this was to not be completed or submitted, the Council would risk non-compliance with the Complaints Handling Code.

7 Consultation

- 7.1 No formal consultation has been undertaken, the self-assessment was completed by officers reviewing our processes and performance against the principles of the Complaints Handling Code.

8 Next Steps – Implementation and Communication

- 8.1 The current position regarding the self-assessment will be communicated to all members and will be placed on the Council's website.

9 Financial Implications

9.1 There are no specific financial implications in the report.

Financial Implications reviewed by: Director for Corporate Services

10 Legal and Governance Implications

10.1 There are no specific Legal and Governance implications in the report.

Legal Implications reviewed by: Senior Solicitor

11 Equality and Safeguarding Implications

11.1 There are no specific Equality and Safeguarding implications in the report.

12. Data Protection Implications (Mandatory)

12.1 A Data Protection Impact Assessments (DPIA) has not been completed for the following reasons because there are no risks/issues to the data collated for the purpose of this report.

13. Community Safety Implications

13.1 There are no specific Community Safety implications in the report.

14 Environmental and Climate Change Implications

14.1 There are no specific Environmental and Climate Change implications in the report.

15 Other Implications (where significant)

15.1 There are no other significant implications in the report.

16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	Non-compliance with the HO's Complaint Handling Code.	Very Low	Critical	

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low				

	2 Very Low			1	
	1 Almost impossible				

Risk No	Mitigation
1	The Council's has recently reviewed its Customer Feedback and Complaints Policy and will keep this under regular review to ensure that we comply with the HO's Complaint Handling Code.

17 Background Papers

17.1 None

18 Appendices

18.1 Appendix A – Melton Borough Council's Self-Assessment Form 2023

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Appendix A – Melton Borough Council’s Self-Assessment Form 2023

This self-assessment form should be completed by the complaints officer and discussed at the landlord’s governing body annually.

Evidence should be included to support all statements with additional commentary as necessary.

Explanations must also be provided where a mandatory ‘must’ requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

Section 1 - Definition of a complaint

Mandatory ‘must’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.2	A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.</i>	Yes	This is the definition within the Customer Feedback and Complaints Policy (policy). (Paragraph 3.1)
1.3	The resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord’s complaints policy.	Yes	Set out within the policy. Paragraphs 3.1 and 4.1
1.6	... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	Set out within the policy. Paragraph 6.1 / 6.2
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	An explanation of what does not constitute a Complaint is set out clearly in the policy. Paragraphs 3.2 and 3.4

1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	Yes	Paragraphs 3.2 and 3.4
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	Yes	Explicit within the policy. Paragraph 3.4

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a service request , where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	Yes	Policy clear that issue that requires further investigation to resolve satisfactorily regarded as a complaint. Table 5.1.
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	Yes	Will be included in future surveys – for example, residents survey and annual tenant satisfaction survey.

Section 2 - Accessibility and awareness

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	Yes	Options: Email, telephone, online form, face to face Paragraph (section) 4
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	Yes	Paragraph 6.1 / 6.2 On our website and available on request to all customers. Tenants made aware through sign up process.
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	Yes	See 4.3.3 Weblink: Give a compliment, leave feedback or make a complaint – Melton Borough Council
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	Yes	Policy refresh completed. EIA completed and reviewed by check and challenge group representatives. Paragraph 21. Equalities training is a mandatory training requirement for staff. See paragraph 21.1
2.6	Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.	Yes	Policy on website. Included as standing item on all tenant newsletters. Include in Your Choice residents' meetings.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	Information supplied on both stage 1 and stage 2 letter for residents. Detailed within the policy
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	Yes	Template for stage one response to customers includes this information. Explicit reference made within the revised policy (paragraph 6.1. 6.4 6.6)

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	Oversight of social media channels through communications team who have dialogue with relevant teams in response to dissatisfaction expressed on social media channels.

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	Yes	Email address for our complaints team is complaints@melton.gov.uk Weekly tracker communicated by lead business support officer to managers to ensure visibility and progress on resolution. Complaints performance reported to Senior

			Leadership Team / Cabinet. Corporate management and oversight of the process.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	A complaint handler is allocated upon receipt of complaint. Details are communicated to the complainant. Officers managing complaints are provided with training. The process offers different levels of managers/directors to review complaints where they may have been part of the initial decision.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	Complaint handlers should: <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. 	Partially	Complaints training has been undertaken with all staff involved in the process

Section 4 - Complaint handling principles

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt .	Yes	We aim to acknowledge all complaints within 3 working days of receipt.
4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	Our acknowledgement to all complaints includes this detail.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Has to be someone not linked to the initial decision. We have different people investigate complaints at stage one and at stage two.
4.7	The complaint handler must: <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind • take measures to address any actual or perceived conflict of interest 	Yes	

	<ul style="list-style-type: none"> consider all information and evidence carefully keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 		
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Operate a case-by-case request, but normally contact them initially in the method they contact us to arrange a discussion and if any further contact is required, we contact them as required during the process.
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> set out their position comment on any adverse findings before a final decision is made. 	Yes	Two stage process allows for comments and further investigation before a final decision is made. Investigation would include dialogue with complainant and staff where applicable.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	For Housing related complaints, tenants have the right to access the Housing Ombudsman Service throughout their complaint. Details of how to contact the Housing Ombudsman in the policy.
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	Yes	<p>Two stage process is clear on escalation.</p> <p>For Housing related complaints, tenants have the right to access the Housing Ombudsman Service throughout their complaint. Details of how to contact the Housing Ombudsman in the policy.</p>

			Details of when a complaint would not be considered a complaint set out at section 3.4 of the policy
4.15	A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	Yes	Full records are kept with a specific complaints reference for each case. A tracker is maintained and progress is monitored.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Yes	Unreasonably persistent complaints are dealt with in the policy itself (section 16).

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	Paragraph 10.2. Case by case basis approach.
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	Yes	
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	Yes	Paragraph 3.1 and 4.1 Case by case basis approach.
4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	Case by case basis approach.

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	This is the case but is dependent on the nature of the specific complaint.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Timescales set and adhered to and extensions if required must be agreed.
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	Yes	To be considered as a key agenda item for 'your choice' tenant engagement panel. This information will form part of the tenant satisfaction measures collected from 2023. 'TP09 Satisfaction with the landlord's approach to handling complaints'
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	Yes	Learning is reviewed from complaints to highlight trends and issues with services. Has been strengthened through appointment of customer insight officer and the production of an annual complaints report to look at learning from complaints. Policy reference 1.3 / 9.1 / 9.71 / 19.2.6
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	The Equality Act applies to all complainants. The policy includes Equality Access considerations and clearly sets out how Unreasonably Persistent Complainants are identified; How the Council will deal with Unreasonably Persistent Complainants and how an Unreasonably Persistent Status is reviewed and considered for withdrawal of that status.

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	Responses times and extensions are covered in the policy. 6.1
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.	Yes	Response outcomes are collated. Complaints where actions still in progress are monitored on a case-by-case basis, overseen by the investigating officer. Further work will be done to ensure effective tracking on this.
5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Yes, and guided by template letters.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	Yes	All these are set out in a template letter to be updated dependant on the complaint.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	MBC does not exclude requests to go to stage 2 and approach ombudsman.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	Via 2 stage process.
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	Yes, stage 2 process is clear.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	
5.13	Landlords must respond to the stage two complaint <u>within 20 working days</u> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint 	Yes	In the response letter to the complainant.

	<ul style="list-style-type: none"> the reasons for any decisions made the details of any remedy offered to put things right details of any outstanding actions <p>and</p> <ul style="list-style-type: none"> if the landlord has a third stage, details of how to escalate the matter to stage three if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 		
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Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	N/A	MBC does not have a stage 3 complaint process
5.20	Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: <ul style="list-style-type: none"> the complaint stage the complaint definition the decision on the complaint the reasons for any decisions made the details of any remedy offered to put things right details of any outstanding actions details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied 	N/A	

Best practice 'should' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	This is done by email via the complaint's inbox. Requests for extension (10-day max unless exception reason for longer) are made by the investigating officers and must be justified.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Yes	The policy sets out the timescales and we give the contact details of the Ombudsman in section 6.1.
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	Yes	All taken into the account of the complaint if it has been a long-term issue to ensure a full understanding is required. Complaint tracking in place.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	If raised with the complaint handler at that time it will be included into the investigation and complaint. Referenced in table in 6.1.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	Email to complainant. Opportunity to escalate to ombudsman if not in agreement.
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	Yes	Opportunity to escalate to ombudsman if not in agreement.

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <u>within 20 working days</u> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	MBC does not have a stage 3 complaint process
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	N/A	

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	Actions and changes are logged in the response letter. Policy reference 9.6.
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	Yes	Reference to Ombudsman guidance used to help determine remedy.
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	Actions in the letters should be clear and followed up.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	Yes	Section 19 of the Complaints Policy.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	Complaints and trends reviewed by senior manager. Appointment of customer insight officer has further strengthened this and provided analysis on trends and patterns in complaints to aid organisational learning.

6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	<p>These cases will be reviewed on a case-by-case basis with our Legal Team for a guidance.</p> <p>We are also developing a compensation policy which will cover any redress as part of the resolution of any complaints.</p>
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Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	<p>Corporate oversight via reports to SLT and Cabinet.</p> <p>Included in your choice meetings and newsletters. Annual review report on of tenant engagement will include learning from complaints.</p> <p>Corporate complaints audit proposed for 24/25.</p>

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	<p>Portfolio Holder for Housing and Landlord Services. Portfolio Holder for Governance, Environment & Regulatory Services.</p> <p>Reports to SLT and Cabinet.</p>

			Appointment of customer insight officer has further strengthened this culture.
7.4	<p>As a minimum, governing bodies should receive:</p> <ul style="list-style-type: none"> • Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders • Regular reviews of issues and trends arising from complaint handling, • The annual performance report produced by the Ombudsman, where applicable • Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge. 	Yes	<p>Via portfolio holders / cabinet.</p> <p>Individual ombudsman outcomes are shared with SLT and relevant PFH and are reported to Cabinet by legal team.</p> <p>Self-assessment is reported to cabinet on an annual basis.</p>
7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	<p>Reviewed at Housing Leadership Meetings.</p> <p>Appointment of customer insight officer has furthered strengthen this.</p>
7.6	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	<p>Teams and encouraged to work together around complaints and issues across services and looking role out a training programme to all staff around complaints.</p> <p>MBC has a no blame culture within the authority and looks at complaints as a method of learning.</p>

Section 8 - Self-assessment and compliance

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	Yes	This document has been updated following the successful implementation of our new Customer Feedback and Complaints Policy which was reported in our last self-assessment undertaken and published in February 2023. This is the annual self-assessment for 2023.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	N/A	
8.3	Following each self-assessment, a landlord must: <ul style="list-style-type: none"> report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents include the self-assessment in their annual report section on complaints handling performance 	Yes	This self-assessment will be reported to elected members at cabinet on 13 th December and will be published on our website by the 31 st December 2023. The self-assessment will be available as part of the Housing annual report in 2024.