



Please ask for Charlotte Kearsey
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The Chair and Members of Cabinet

11 July 2022

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 19 JULY 2022 at 10.30 am in Committee Room 1, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 5 - 12)

To approve as a correct record the Minutes of the Cabinet meeting held on 21 June, 2022.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

Items Recommended to Cabinet via Cabinet Members

Deputy Leader

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, Text: 07960 910 264, Email: info@chesterfield.gov.uk

www.chesterfield.gov.uk

5. Period 2 Budget Monitoring (Pages 13 - 24)

Cabinet Member for Economic Growth

6. Biodiversity Net Gain receptor sites (Pages 25 - 76)

Cabinet Member for Governance

7. Equality and Diversity Annual Report (Pages 77 - 122)

Cabinet Member for Housing

8. Private Sector Housing report (incorporating EPC and HMO Amenities and Space Standards) (Pages 123 - 168)
9. Park Homes Licensing and Fit and Proper Person Policy (Pages 169 - 192)

Leader, Cabinet Member for Economic Growth and Cabinet Member for Health and Wellbeing

10. UK Shared Prosperity Fund (Pages 193 - 222)
11. Exclusion of the Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.”

Part 2 (Non Public Information)

Cabinet Members for Economic Growth and Town Centres and Visitor Economy

12. Peak Gateway Round Two Levelling Up Fund bid (Pages 223 - 252)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

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CABINET

Tuesday, 21st June, 2022

Present:-

Councillor P Gilby (Chair)

Councillors Blank
Holmes
J Innes
Ludlow

Councillors Mannion-Brunt
Sarvent
Serjeant

Non Voting P Innes
Members

*Matters dealt with under the Delegation Scheme

8 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

9 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Collins.

10 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 17 May, 2022 be approved as a correct record and signed by the Chair.

11 **FORWARD PLAN**

The Forward Plan for the four-month period 1 July to 31 October, 2022 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

12 DELEGATION REPORT

Decisions taken by Cabinet Members during April to June, 2022 were reported.

***RESOLVED –**

That the Delegation Report be noted.

13 COUNCIL PLAN - ANNUAL PERFORMANCE REPORT 2021/22

The Service Director – Corporate presented the Annual Performance Report for the financial year 2021/22.

The Council Plan 2019 – 2023 identified the Council’s key priorities, objectives, and commitments over a four-year period and the officer’s report the Council’s performance against the 2021/22 delivery plan.

Appendix 1 of the officer’s report detailed the positive progress made against the 41 milestones which were tracked during 2021/22 and the impact of the Covid-19 pandemic on the Council’s ability to deliver on some elements of the delivery plan.

***RESOLVED –**

That the significant achievements made against the priority areas within the Council Plan Delivery Plan for 2021/22 be noted.

REASONS FOR DECISIONS

To progress delivery of the Council Plan 2019 - 2023 and maximise positive outputs and outcomes for our communities.

14 GENERAL FUND BUDGET OUTTURN 2021/22

The Service Director - Finance submitted a report detailing the General Fund Revenue and Capital Outturns for 2021/22.

The report provided details of variations from the revised estimates, documented the level of General Fund Revenue reserves and provisions

at year end and set out the rationale for a number of carry forward requests.

***RESOLVED –**

1. That the General Fund Revenue and Capital Outturn reports for 2021/22 be noted.
2. That the proposal to make a contribution to the Business Rates Reserve to meet the 2022/23 deficit on business rates income, as set out in paragraph 4.10 of the officer's report, be approved.
3. That whilst the 2021/22 distribution from the Business Rates Pool which was yet to be announced, it be agreed that any surplus over the assumed £300k be transferred to the Business Rates Reserve, as set out in paragraph 4.12 of the officer's report.
4. That the General Fund Revenue carry forward requests, as detailed in paragraph 4.13 of the officer's report, be approved.
5. That the implementation of the £9.90 per hour real living wage from 1 April 2022 be funded from the underspend in 2021/22 and included within the Medium-Term Financial Plan (MTFP) for future years, as detailed in paragraphs 4.14 to 4.17 of the officer's report.
6. That the use of the Budget Risk Reserve to fund the cost of Chesterfield Pride Sponsorship, as detailed in paragraph 4.18 of the officer's report, be approved.
7. That the level of and movement in the General Fund Revenue Reserves and Provisions, as outlined in paragraphs 4.19 to 4.24 and Appendix A of the officer's report, be approved.
8. That the proposal to transfer the General Fund Revenue surplus for the financial year 2021/22 to the Budget Risk Reserve, as outlined in paragraphs 4.25 to 4.26 and Table 4 of the officer's report, be approved.
9. That the General Fund Capital financing arrangements, as set out in Appendix B of the officer's report, be approved.
10. That it be recommended to Full Council that the report be noted.

REASONS FOR DECISIONS

1. This report forms a key part of formal revenue and capital monitoring against the 2021/22 budget. There will be a separate report for the Housing Revenue Account covering both the revenue and capital elements. The information in these reports will be incorporated into the published Statement of Accounts 2021/22.
2. The approval of the budget outturn, in-year movements, carry forward requests and reserves are required by corporate financial procedures.
3. To consider the reserves position given the challenges facing the Council over the period of the MTFP.

15 **DRIIVE (DERBYSHIRE RAIL INDUSTRY INNOVATION VEHICLE)**

The Skills Delivery Officer submitted a report detailing the DRIIVe (Derbyshire Rail Industry Innovation Vehicle) project and seeking approval to accept the Government's Towns Fund funding and proceed with the delivery of the project.

On the 22 February, 2022 Cabinet granted approval for DRIIVe as one of three council led projects featured in the Staveley Town Deal Town Investment Plan (TIP), to be added to the council's Capital Programme.

The DRIIVe project focussed on the delivery of a number of key objectives against 4no. project themes:

- Commercial Space for SMEs
- Training Provision
- Research and Development
- Community Outreach

On the 18 March, 2022 the full business case had been submitted to the Staveley Town Deal Board and funding of £3,735,000 for DRIIVe had been approved.

***RESOLVED –**

1. That the Council's ongoing role in the delivery of the DRIIVe project, accepting the Towns Fund Grant and giving authority to move to delivery, be approved.
2. That the grant contribution from the Council, via the business rate retention scheme, to provide up to £790,000 match funding for the project, be approved.
3. That it be recommended to Full Council that match funding be included in the Capital Programme update which was due to be considered in July 2022.
4. That, in line with grant funding conditions, it be agreed that the Council would cover any cost overruns associated with the physical delivery of the project.
5. That the Service Director for Economic Growth, in consultation with the Deputy Leader, Cabinet Member for Economic Growth and the Council's Property, Procurement and Contracts Manager, be granted delegated authority to finalise legal arrangements in relation to the existing lease and management agreement in respect of the commercial structure, management and operation of DRIIVe.

REASONS FOR DECISIONS

1. The successful delivery of the DRIIVe project will support the growth of the rail sector and contribute to the future regeneration of the Borough through the development of specialist skills, research and development provision.
2. The recommendations are made to ensure that Cabinet is provided with clarity regarding the role the council will undertake in the delivery of the DRIIVe project and to enable delivery to commence.

16 COMMUNITY INFRASTRUCTURE LEVY (CIL) EXPENDITURE 2020/21

The Strategic Planning and Key Sites Manager presented a report recommending a number of projects for Community Infrastructure Levy (CIL) investment from receipts received in 2020/21.

The CIL allowed local planning authorities to raise funds from new development in order to contribute to the cost of infrastructure that is, or will be, needed to support future development.

Bids for funding were invited in Autumn 2021 and were assessed in line with the CIL Expenditure Strategy. A summary of the assessment and recommendations of funding awards was attached at Appendix 2 of the officer's report.

***RESOLVED –**

1. That the progress report on receipts achieved from the CIL be noted.
2. That the recommendations made in relation to proposed awards of strategic CIL funding for 2021, be approved.

REASONS FOR DECISIONS

1. To ensure that CIL expenditure takes place in accordance with the Community Infrastructure Regulations 2010 (as amended) and the council's CIL Expenditure Strategy.
2. To ensure that CIL expenditure supports planned growth and sustainable development and Chesterfield's continued vitality.

17 HOUSING REVENUE ACCOUNT (HRA) FINAL ACCOUNTS 2021/22

The Service Director - Finance submitted a report on the Housing Revenue Account Final Accounts for 2021/22.

The report provided details of variations from the revised estimates and set out the rationale for a number of revenue and capital carry forward request.

***RESOLVED –**

1. That the report be noted.
2. That the revenue carry forward request, as detailed in paragraph 4.7 of the officer's report, and the capital carry forward requests in

respect of schemes which were not finalised during 2021/22, as detailed in paragraph 4.9 of the officer's report, be approved.

REASONS FOR DECISIONS

This report forms a key part of the formal revenue and capital monitoring arrangements against the original 2021/22 HRA revenue and capital budget estimates. The information in this report will be incorporated into the published Statement of Accounts for 2021/22.

18 EXCLUSION OF THE PUBLIC

RESOLVED –

That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972.

19 ABSENCE OF MEMBER OF THE COUNCIL

The Senior Democratic and Scrutiny Officer submitted a report enabling the Cabinet to consider, for the purposes of Section 85(1) of the Local Government Act 1972, the reasons for the absence of a Member of the Council from meetings of the Authority.

Councillor Ian Callan had been prevented from attending meetings of the Authority since his last attendance on 25 October, 2021 due to illness.

***RESOLVED –**

That, for the purposes of Section 85(1) of the Local Government Act, 1972, the continued absence of Councillor Ian Callan from meetings of the authority be authorised through until 30 September, 2022.

REASON FOR DECISIONS

To meet the requirements of Section 85(1) of the Local Government Act 1972.

For publication

Month 2 Budget Monitoring Report 2022/23

Meeting:	Cabinet
Date:	19 July 2022
Cabinet portfolio:	Deputy Leader
Directorate:	Finance

1.0 Purpose of report

- 1.1 To provide Cabinet with an assessment of the Council's forecast outturn position for the General Fund Revenue Account, General Fund Capital Programme and Housing Revenue Account (HRA), based on activity to the end of period 2 (May) 2022.
- 1.2 To meet the requirement in the Financial Procedure Rules to provide Council with regular updates on the Council's financial position.

2.0 Recommendations

- 2.1 To note the position of the General Fund Revenue Account at the close of month two of the financial year 2022/23.
- 2.2 To approve the ringfencing of **£200k** from the Budget Risk Reserve to support any interim or recruitment agency costs which may be required to mitigate recruitment pressures (para 4.5).
- 2.3 To note new burdens funding of **£140k** which will be used to strengthen council tax and rent recovery and provide increased levels of customer support (Para 4.10).
- 2.4 To approve the updated General Fund Capital Programme and financing (paras 4.15 to 4.17).
- 2.5 To note the position of the Housing Revenue Account Revenue and Capital budgets at the close of month two of the financial year 2022/23 (paras 4.18 to 4.24).

3.0 Reasons for recommendations

- 3.1 This periodic report summarises the current assessment of the Council's forecast outturn and enables formal monitoring and active management against the 2022/23 budget.
- 3.2 This is the first monitoring report for the 2022/23 financial year and comes at a time when the Council is experiencing financial pressures due to the current economic situation, the high levels of cost inflation and the ongoing impact of the Covid-19 pandemic.

4.0 Report Details

General Fund Revenue Account

- 4.1 The Council approved the original General Fund Revenue Account budget for 2022/23 on 23 February 2022. The Band 'D' Council Tax was set at **£179.89**.
- 4.2 The budget was constructed in accordance with the Council's budget principles and the Medium-Term Financial Plan (MTFP) was balanced for the first two financial years with an expectation that the gaps in the latter two years of the MTFP would be met from savings delivered through the Council's Organisational Development programme.
- 4.3 The budget assumed the in-year delivery of new savings and efficiency proposals amounting to **£477k** and these are on track for delivery in 2022/23.
- 4.4 The budget for 2022/23 was produced against the backdrop of the ongoing Covid-19 pandemic and some of the medium and long-term effects of the pandemic relating to the demand for Council services were difficult to project. The budget assumed that income from fees and charges and expenditure levels would return to pre-Covid levels from 2022/23 with the exception of Sports Centre income which was anticipated would take one year longer to recover.
- 4.5 In the months since the MTFP was approved, the national fiscal and economic situation has changed dramatically and a number of spending pressures have emerged These include:
 - Assumptions around the recovery of income streams following the Covid-19 pandemic have not materialised at the levels expected. With the increased pressures on the cost of living, we are seeing that behaviours and habits have changed as disposable income and secondary spend is impacted.
 - Inflation is currently at 9% and the Bank of England has warned it could peak at 11% later this year (the highest rate in around 40 years). This is due to oil, gas and food prices which have been affected by the Ukraine conflict and the expected rise in the energy price cap in October 2022. In May 2022, the Bank of England voted to increase the Bank rate by 0.25%

percentage points to 1% (the highest level in 13 years) and warned that the cost-of-living crisis could push the economy into recession this year. The cost-of-living crisis will not only impact on the Council's own expected future costs of supplies, but also on local business' financial viability and the ability of our tenants and residents to pay their bills.

- The level of inflation and the increases in utilities and fuel costs are significantly above that which the Council could have reasonably assumed in setting the budget for 2022/23 and for the medium term. Further work will need to be undertaken to establish the financial impact on council services.
- The 2022/23 budget included the additional costs relating to the pay award for 2021/22 and the increase in the National Insurance contribution. It also included an assumption of a 2% pay award for 2022/23. Provision has also been made for the recent increase of the Real Living Wage to £9.90 per hour. Negotiations are ongoing at a national level on the Local Government Pay Award, and it may be some months before the actual award is known; however, it is estimated that an additional 1% award would cost the Council **c£200k**.
- The Covid-19 pandemic and Brexit has fundamentally changed the skills landscape, with many local employers struggling to attract, recruit and retain people with the right skills. This has led to skills gaps in the current workforce and skills shortages and difficulties in recruiting across all sectors.

Failure to recruit is a significant issue for the Council and the availability of suitably qualified candidates to fill vacant posts has been an issue for the Council over the past few months. There are business critical roles across the council which are either vacant and/or need to be filled with suitably qualified staff in order to ensure the effective operation of a number of the Council's services. The Council will need to utilise interim arrangements until appropriate, permanent recruitment is secured. It is therefore recommended that **£200k** is earmarked from the Budget Risk Reserve to offset any interim or recruitment agency costs which may be required to mitigate workforce pressures.

- 4.6 These additional financial challenges are being considered as part of the Council's ongoing medium term financial planning. The impact will reach beyond the current financial year and presents a real risk that the Council may not be able to manage its obligations within the resources available without further financial support from the Government.
- 4.7 A high-level assessment of the forecast outturn has been undertaken based on the budgetary position at the end of the first two months of the financial year and this is set out in Table 1. However, this excludes the implications in relation to many of the pressures and challenges set out in 4.5, as it is too early in the financial year to provide a robust assessment and further work

will be required to provide a better understanding of the financial impact for both the in-year position and for the MTFP.

- 4.8 As at the end of May 2022, the Council is forecasting a year-end overspend within services of **£694k** based on quantifiable pressures but this is likely to be significantly higher once we have more certainty on the impact of the cost pressures set out in 4.5. A summary of the key variances is provided in Table 1 and further details in the section below:

Table 1: Summary of main variances based on May 2022 forecast		
Budget Movement	£000	Total £000
Income		
Pavements Shopping Centre	96	
Town Centre - Retail Units	16	
Car Parks		
Saltergate	104	
New Beetwell Street	152	
Surface	201	
Vicar Lane Rental	96	
Sport Centre - increased income	(100)	
Net Reduced Income		565
Increased Costs		
By Election	10	
Travellers Eviction	17	
Refuse Contract indexation	97	
Other	5	
Increase Costs		138
Forecast Deficit @ period 2		694

- Pavements Shopping Centre - Rental income from the Pavements is forecast to be **£59k** lower than expected due to the renegotiation of leases to retain tenants and non-renewal of leases. The budgeted income for 2022/23 is **£1.183m**. Additional business rates on vacant units are estimated to be **£37k**.
- Town Centre - Empty retail units in the town centre and in Falcon Yard are anticipated to reduce annual budgeted income of **£287k** by **£16k**.
- Car Parks – Income from all car parks is lower than expected due to the longer than expected recovery of the economy post pandemic, the ongoing economic impact on town centre footfall (the impact of cost inflation on shopping habits and higher fuel prices) and slippage on expected increases in demand arising from the Northern Gateway retail offers and the opening of the Holywell Cross Enterprise Centre. The forecast reductions are:
 - Saltergate – reduction of **£104k** on a budget of **£432k**

- Beetwell St – reduction of **£152k** on a budget of **£340k**
- Surface car parks – reduction of **£201k** on a budget of **£1,988k**
- Sports Centres – The MTFP assumed that levels of expenditure and income would return to post pandemic levels from 2022/23 with the exception of Sports Centres income which we anticipated would take one more year to recover. The income budget was therefore reduced by **£240k** to **£3.5m** for 2022/23 to reflect the impact of the Covid-19 pandemic on sports centre usage. The final months of 2021/22 saw an increase in numbers using the sports centres and this has continued into 2022/23. The forecast for income has been increased by **£100k** to reflect this upturn. Work will continue to monitor and validate this increase in activity.
- By Election - An unexpected by-election has arisen in 2022/23 leading to additional costs of **£10k**.
- Travellers' evictions - Additional spend of **£18k** has been incurred as the eviction of travellers this year has been carried out by bailiffs instead of the usual method due to backlogs in the magistrate's court.
- Refuse Contract - Indexation of the refuse contract is based on the prevailing rate of CPI in March and is applied from May. The CPI rate to be applied to the contract was higher than the rate included in the budget assumptions, at 7.04%, leading to additional costs of **£97k** on the contract of **£1.95m**.

4.9 In other areas income remains significantly below pre-pandemic levels and there is a risk that they may never recover. Difficult choices will need to be made in relation to service delivery in these areas. To support this, a full review of income from fees and charges has been commissioned which will provide greater clarity and insight on which to base management action and decisions. The outcome of this work will be reported to Cabinet as part of financial monitoring reporting and to provide a strong foundation for the 2023/24 budget setting process.

4.10 Additional new burdens funding of **£140k** will shortly be received in recognition of the work which the council has undertaken to deliver additional Revenues and Benefits activities for a neighbouring council. This funding will be retained within the Customers, Revenues and Benefits budget, so that the service can continue to strengthen council tax and rent recovery and provide increased levels of customer support.

Reserves

4.11 The General Fund Working Balance has been maintained at **£1.5m** to recognise the financial risks and uncertainties that the Council is currently facing. In addition to this, the Council operates several other reserves and many of these are earmarked for specific purposes.

4.12 The Council has also established a Budget Risk Reserve as a supplement to the General Fund Working Balance to provide a further contingency for unforeseen items. The General Fund Draft Outturn 2021/22 was presented to

Cabinet in June 2022 and recommended that **£440k** of the 2021/22 surplus be prudently transferred to the Budget Risk Reserve to mitigate the forecast risks and pressures for 2022/23. This increased the balance on that reserve to **£2.066m**.

- 4.13 There is significant volatility at present in the economy that makes projecting forwards the impact of inflation and energy prices challenging and, whilst the forecast position will continue to be monitored closely and mitigations identified to enable a balanced outturn, there is an expectation that the Council will need to utilise the Budget Risk Reserve to achieve a balanced outturn position for 2022/23. This will reduce the Council's financial resilience and flexibility for future years.
- 4.14 As part of the MTFP process, consideration will be given to including ongoing contingency sums to support inflationary cost pressures – this is a prudent measure and will provide some mitigation from changing market conditions and inflationary increases over the medium term.

General Fund Capital Programme

- 4.15 General Fund Capital Spend – the original capital budget for 2022/23 of **£10.9m** was approved at Council in February 2022. The programme has been revised to include the slippage of **£6.2m** from the 2021/22 capital programme. In addition, the Disabled Facilities Grant element has been reprofiled to reflect the latest funding allocations from the Better Care Fund. There have been no new additions to the original 2022/23 capital programme. The revised programme of **£16.8m** is set out in Appendix A.
- 4.16 Net Capital Financing – The 2022/23 capital programme is to be funded by **£0.642m** of capital receipts, **£12k** from a contribution from reserves and **£11.8m** from Grants and Contributions. Borrowing of **£4.4m** will be required in 2022/23 due to the inclusion of slippage from the 2021/22 capital programme. An updated Capital Programme will be reported to Cabinet as part of the quarter two monitoring to Cabinet in September 2022.
- 4.17 Capital receipts of **£1.1m** have been earmarked to finance flexible capital receipts expenditure in respect of the Council's Organisational Development programme. Any further capital receipts from the disposal of surplus assets are to be ringfenced for reinvestment in the council's existing operational assets as part of the 10-year maintenance programme.

Housing Revenue Account (HRA)

- 4.18 **HRA Revenue** – The Council approved the original Housing Revenue Account budget for 2022/23 in February 2022. The table below summarises the position for the working balance.

Table 2: HRA summary Working Balance

	Revised Budget 2021/22 £'000	Outturn 2021/22 £'000	Original Budget 2022/23 £'000
Balance at 1 st April 2021	(20,460)	(20,460)	(6,338)
Decrease in HRA Balance	14,122	6,888	2,902
Closing Balance	(6,338)	(13,572)	(3,436)

- 4.19 The improved out turn position at 31st March 2022 was primarily due to a reduction in direct revenue support for capital expenditure. The pandemic had a detrimental impact on the delivery of the capital programme and approval was granted to carry the underspend of **£10.765m** into 2022/23 to enable the schemes to be completed. Cabinet approved the carry forward requests on 21st June 2022.
- 4.20 Rent arrears as at 31st May 2022 total **£2.232m**. This is an improved position from 31st March 2022 when arrears totalled **£2.623m**. The current provision for bad debts is **£1.4m** which is deemed appropriate for the level of arrears. Budget monitoring will continue to ensure the provision is sufficient. The cumulative impact from loss of rental income from void properties amounts to **£21k** to the end of May. Further work is ongoing to bring void properties in to use.
- 4.21 Employee costs are currently under budget as at 31st May 2022 by **£220k**. This is largely due to phasing in recruitment relating to the phase 1 restructure. The budget assumed additional costs for the restructure from 1 April 2022, however, it is now anticipated that the structure will be in place from 1st August. Budgets will be adjusted to reflect the underspend for this financial year.
- 4.22 Further work is being undertaken to understand the impact of the backlog on both capital programme activity and repairs and maintenance work. Whilst all responsive repairs works have recommenced, the material supply chain of timber and building products has caused delays to some workstreams. Resourcing has been focused on delivering and addressing the backlog in responsive repairs which has had a detrimental impact on planned and capital programmed works. Resourcing levels are currently under review to ensure there is sufficient capacity to meet tenants needs. It is anticipated that the responsive repairs budget will be fully utilised in 2022/23.
- 4.23 **Housing Capital Programme** – The original capital programme for 2022/23 of **£22.932m** was approved at Council in February 2022. The programme has been revised to take account of slippage of **£10.765m** from 2021/22. The revised programme for 22/23 is **£33.696m** and at the end of month two, HRA Capital Programme expenditure stands at **£2.9m** compared with the budgeted profile of **£5.6m**. Work has now completed on the Mallard and

Leander schemes. The new build works on the Middlecroft Cluster and the Aston Court refurbishment works have commenced.

- 4.24 **HRA Business Plan** - The 30 Year HRA Business Plan is currently being updated to reflect the impact of the Covid-19 pandemic including the slippage in the capital programme and the backlog in repairs and maintenance. An updated Business Plan will be presented to a future meeting of Cabinet for consideration.

5 Alternative Options

- 5.1 There are no alternative options to consider.

6 Implications for consideration – Council Plan

- 6.1 The third of our three council priorities is to deliver value for money services. This report monitors progress against the financial estimates agreed by Council in February 2022 for the current financial year 2022/23.
- 6.2 The Council is managing a multitude of pressures including the financial impacts of recovery from the Covid-19 pandemic which are still being quantified. If these pressures are not carefully and successfully planned for and managed effectively over the short, medium, and long term, there is a risk of delivery failure against Council Plan priorities.

7 Implications for consideration – Financial and value for money

- 7.1 The report in its entirety deals with financial and value for money implications.

8 Implications for consideration – Legal

- 8.1 It is a statutory requirement under Section 33 of the Local Government Finance Act 1992 for the Council to produce a balanced budget. Further work is required over the coming months to be able to set a balanced budget for 2022/23.

9 Implications for consideration – Human resources

- 9.1 There are no human resource implications to consider in this report.

10 Implications for consideration – Risk management

- 10.1 Budget forecasting, particularly over the medium term is not an exact science. Assumptions are made at the time of writing, but the final outcome could be vastly different e.g., reductions or increases in government grants, pay awards, cost inflation, and investment returns; and the ongoing impact of the Covid-19 pandemic on the demand for our services and levels of income from

fees and charges. A full risks and uncertainties scenario analysis will be included as part of the final budget setting reports.

- 10.2 There are several significant risks inherent in any budget forecasting exercise and these risks increase as the period covered increases. The most significant budget risks have already been referenced, in summary form within the report.

11 Implications for consideration – community wellbeing

- 11.1 Although there are no direct community wellbeing implications to consider in this report, the ability for the Council to appropriately manage its day-to-day finances and to be able to achieve a balanced budget position is critical to the continued delivery of the full range of council services that are targeted at supporting community wellbeing across the borough.

12 Implications for consideration – Economy and skills

- 12.1 Although there are no direct economy and skills implications to consider in this report, the ability for the Council to appropriately manage its day-to-day finances and to be able to achieve a balanced budget position is critical to the continued delivery of the full range of council services that are targeted at supporting the economy and skills agenda across the borough.

13 Implications for consideration – Climate Change

- 13.1 Individual climate change and environmental impact assessments are not required for the budget process. These are included as part of the decision-making processes for specific spending options.

14 Implications for consideration – Equality and diversity

- 14.1 Individual equality and diversity impact assessments are not required for the budget process. These are included as part of the decision-making processes for specific spending options.

Decision information

Key decision number	1112
Wards affected	All

Document information

Report author	Contact number/email
Theresa Channell	Theresa.channell@chesterfield.gov.uk
Background documents	

These are unpublished works which have been relied on to a material extent when the report was prepared.

This must be made available to the public for up to 4 years.

Appendices to the report

Appendix A	Revised Capital Programme 2022/23
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GENERAL FUND CAPITAL PROGRAMME JUNE 2022/23

Code	CAPITAL SCHEME	Original 22/23 £'000	Revised June 22/23 £'000	23/24 £'000	24/25 £'000	25/26 £'000
8295	Home Repairs Assistance	554	786	525	275	275
8292	Disabled Facilities Grants	2,256	2,386	1,225	475	475
8296	Green Homes Grants	0	1,409			
8968	Waterside Office Space	720	1,926			
8973	Northern Gateway - Public Realm	0	149			
8974	Northern Gateway - Enterprise Centre	0	493			
8670	Brushfield Recreation Ground	50	50			
8991	IT Project	276	395	1,028	180	75
8971	Tatpton Terrace Flood Resilience Work	0	33			
8969	Hollis Lane Link Road Phase 1	0	1,405			
8530	Stephenson Memorial Hall	2,457	2,579	8,934	5,052	
8531	Staveley Town Deal - DRIIVe	3,100	3,202	448		
8532	Staveley Town Deal - Construction Skills Hub	65	88	67	52	
8533	Staveley Town Deal - Staveley 21 (Town Centre)	500	642	2,557	1,300	256
8534	Town Centre Transformation	359	604	2,815	6,647	
8995	Calow Lane Industrial Units	312	357			
8678	HS2 Station Masterplan	280	292			
	Total Expenditure	10,929	16,796	17,599	13,981	1,081
		Original 22/23 £'000	Revised June 22/23 £'000	23/24 £'000	24/25 £'000	25/26 £'000
	CAPITAL FINANCING					
	Borrowing	1,588	4,375	1,028	3,789	75
	Capital Receipts	0	642	0	1,084	0
	Contributions from Revenue/Reserves	0	12	1,000	149	0
	Grants and Contributions	9,341	11,767	15,571	8,959	1,006
	TOTAL FINANCING	10,929	16,796	17,599	13,981	1,081
		Original 22/23 £'000	Revised June 22/23 £'000	23/24 £'000	24/25 £'000	25/26 £'000
	CAPITAL GRANTS					
	Flood Risk Management Grant - EA		21			
	Disabled Facilities Grants (BCF / Derbys PCT)	2,810	3,172	1,750	750	750
	Green Homes Grants		1,409			
	Business Rate Growth Grant - Revitalising the Heart of Chesterfield	150	496		450	
	Level Up Funding (Stephenson Memorial Hall)	2,457	2,553	7,859		
	Level Up Funding (Town Centre Transformation)	209	108	2,815	5,813	
	Arts Council Grant (Stephenson Memorial Hall)		26	75	594	
	Staveley Town Deal Funding	3,665	3,932	3,072	1,352	256
	Brushfield Recreation Ground - Viridor	50	50			
	Grants Total	9,341	11,767	15,571	8,959	1,006

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For publication

Biodiversity Net Gain Receptor Sites Pilot

Meeting:	Cabinet
Date:	19 July 2022
Cabinet portfolio:	Cabinet Members for Economic Growth and Leisure, Culture and Community Wellbeing
Directorate:	Economic Growth and Leisure, Culture and Community Wellbeing
For publication	

1.0 Purpose of the report

1.1 This report seeks approval for the council to pilot the conservation and enhancement of biodiversity on its landholdings as a paid service in order to support delivery of Biodiversity Net Gain (BNG) policy, in cases where planning proposals are unable to deliver the required measurable net gain in biodiversity 'on-site'. Delegated powers are sought to enable officers to instigate and implement net gain schemes on a basket of Public Open Space (POS) sites for a pilot period.

2.0 Recommendations

2.1 It is recommended that Cabinet:

2.2 Authorise officers to implement a pilot scheme which seeks to create units for biodiversity enhancement to be used to support off-site provision of habitat where applicants have been unable to provide a measurable net gain in biodiversity on-site as part of applications for planning permission.

2.3 Authorise officers to assess the council's full land portfolio in order to identify potential medium-long term Biodiversity Net Gain opportunity sites which could form a 'habitat bank' to support nature recovery across the borough, dependent on subsequent Cabinet approval following an evaluation of the pilot schemes.

2.4 Authorise officers to work with partners to determine sites of strategic significance for biodiversity within the borough, with the aim that officers bring back a future strategy document for BNG to Cabinet which is informed by the results of the pilot.

3.0 Reason for recommendations

3.1 Enabling the council to become a provider of off-site Biodiversity Net Gain (BNG) will:

- i. support the delivery of Local Plan policy CLP16 ,
- ii. support housing delivery and economic growth through the provision of a clear and accessible solution to achieving planning compliance where applicants have demonstrated that they are unable to provide BNG on-site,
- iii. support the creation and retention of appropriate habitat types within the borough, enhancing local communities and reducing the risk of developers seeking solutions outside of the borough,
- iv. support implementation of the Climate Change Action Plan.

3.2 A number of planning applications currently under consideration have demonstrated that they are unable to meet the entirety of their BNG requirement on-site. Timely assessment of sites shortlisted as suitable for re-wilding through scoping work initially undertaken by Derbyshire Wildlife Trust will maximise opportunity to deliver BNG and maintain housing growth across the borough, however further investigation is recommended around the number of BNG units these sites can accommodate. The procurement of further assessment would ensure that the council is able to sustain an offer of biodiversity units throughout the pilot period.

3.3 When the Environment Act makes BNG mandatory (which is expected to be Winter 2023) the demand for off-site biodiversity opportunities is likely to increase. Establishing a habitat bank within the council's landholdings provides an opportunity to gain best value by identifying suitable land capable of accommodating a range of habitat types, in locations which are strategically important for nature.

4.0 Report details

4.1 There is growing recognition that the natural environment has been negatively affected by development. The fragmented and incoherent nature of habitats and wildlife sites within the UK has been highlighted through research, which points to the shrinking of non-designated habitats and a continuing decline in biodiversity¹. The government response to this includes the Environment Act (November 2021) which introduces a mandatory requirement for development to provide a net gain in biodiversity following a transition period of up to two years.

4.2 Biodiversity Net Gain is an approach to planning which requires new developments to measurably improve habitats. The Environment Act makes

¹ Making Space for Nature, Lawton (2010) <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

BNG of 10% a mandatory condition for most development and requires that it is calculated through use of the Defra biodiversity Metric. Applicants for planning permission should identify enhancements through a biodiversity net gain plan. Habitat created or enhanced through the application of a biodiversity net gain plan must be secured for at least thirty years through a legal agreement required as part of the planning process.

- 4.3 The council is already committed to the implementation of the BNG approach through the adopted Chesterfield Borough Local Plan (2018-2035) and the ongoing production of Biodiversity Net Gain Supplementary Planning Document. Local Plan Policy CLP16 recognises the importance of biodiversity and expects development proposals to provide a net measurable gain in biodiversity, albeit not to any prescribed level.
- 4.4 The requirement for mandatory biodiversity net gain supports the council's commitments to the environment, particularly aiding the implementation of its Climate Change Action Plan. This report sets out a proposed approach to facilitate net gain and seeks Cabinet approval to continue with its implementation, ensuring that planning applications received are able to deliver biodiversity enhancements that benefit both biodiversity within Chesterfield and the wider ecological network.

Implementing Biodiversity Net Gain

- 4.5 Following the Environment Act 2021 coming into force, it is expected that secondary legislation and regulations will be released to set out more detail on how BNG will be delivered and monitored. However, as the existing Chesterfield Borough Local Plan (2018-2035) requires that developments demonstrate a net measurable gain in biodiversity, the authority has chosen to apply the BNG approach prior to the legislative requirements coming into force.
- 4.6 In order to demonstrate that a development is delivering a measurable net gain in biodiversity it is necessary for applicants to take a baseline measurement and compare it against a measure of the anticipated post-development outcome. The Biodiversity Metric (3.0)² – (the Metric) uses data on habitat features (including hedges, rivers and terrestrial habitat) to calculate a biodiversity value which is measured in 'units'. The Metric provides a means of assessing changes in biodiversity value in a consistent way,
- 4.7 Chesterfield Borough Council asks that the Metric is completed for all major development proposals and for all proposals that have the potential to affect a site with nature conservation interest. Applicants are expected to submit the Metric in full so that the Council is able to evidence that the policy requirement for a net measurable gain in biodiversity is to be met. The measures to be undertaken by the developer to provide a net measurable

² <http://publications.naturalengland.org.uk/publication/6049804846366720>

gain in biodiversity are submitted as part of a Biodiversity Net Gain Plan alongside a management plan and monitoring schedule.

- 4.8 Applicants for most minor developments are not expected to submit the Metric. Developers are able to use an approach such as the 'Small Sites Biodiversity Metric'³ which will become the normal for smaller development sites when the Environment Act comes into force.
- 4.9 The Local Plan's policies on biodiversity require that applicants follow the 'mitigation hierarchy' by seeking to avoid adverse environmental effects as a priority. This requires the applicant to demonstrate they have made every effort to provide mitigation on site. It would be unacceptable for a developer to compensate without first seeking to avoid and mitigate damage to habitats and species. There may however be instances where it is not possible to meet the full net gain requirements on-site and off-site provision will need to be allocated to the site. This is particularly likely for the borough's more compact development sites, sites with large areas of quality grassland or those that are situated on brownfield land with high value open mosaic habitat.

Off-site Biodiversity Net Gain Provision

- 4.10 Developments which are unable to demonstrate a net gain in biodiversity, and which are unable to accommodate a net gain on the development site are required to find, fund and deliver an appropriate scheme external to the development site. This is known as off-site BNG provision and the area of land benefitting from the provision of net gain is called a 'receptor site'. A developer could choose to use another site within their landholdings or purchase biodiversity units from a broker or agent offering 'off the shelf' BNG units.
- 4.11 Wherever possible, off-site BNG (or 'receptor sites') will be expected to have a close spatial relationship with the development site and the borough's Biodiversity Network. This is particularly important for habitat connectivity which facilitates important ecological processes. The borough has health inequalities and access to greenspace and nature is important in mitigating these. If compensation is delivered at distance, it would not benefit these communities in the same way.
- 4.12 Off-site BNG provision will be considered where the applicant has justified the need for the creation of off-site biodiversity units and has undertaken steps to ensure that the provision is both local to the development site and complementary to the borough's biodiversity network. The responsibility for locating a suitable off-site receptor site lies with the applicant.

³ Small Sites Metric - <http://publications.naturalengland.org.uk/publication/6047259574927360>

- 4.13 Should a developer be unable to arrange their own biodiversity offset project(s), then the council is able to offer biodiversity units in exchange for a financial contribution made to the Council through a S106 Agreement. Following the receipt of the contribution, the council would then take on the responsibility to organise the required off-site biodiversity units, monitor progress towards meeting the required units of biodiversity gain and adapt management where necessary to ensure the gains in biodiversity are achieved and formally report on its progress.

Identified Opportunity Sites for Biodiversity Net Gain

- 4.14 At present the opportunities for off-site BNG creation in the borough are limited as mandatory net gain is yet to come into force and a statutory biodiversity units scheme is yet to be established. There are however several planning applications currently under consideration where the applicant has evidenced that they are unable to meet the entirety of their BNG provision on-site. If the applications were to be approved, the council has no formal list of sites which are considered to be optimal locations for BNG.
- 4.15 There is therefore a risk that either the approval of a planning application might be frustrated, delayed or refused, or the developer may seek to achieve policy compliance through purchasing BNG units outside of the borough. This would enable the applicant to gain planning permission but would have a negative impact locally and result in a net loss of biodiversity within the Chesterfield Borough Council area.
- 4.16 In order to determine locations within the borough that might benefit from habitat enhancement and/or creation the Strategic Planning team undertook a piece of work in conjunction with Derbyshire Wildlife Trust during 2021 (funded through the Green Recovery Challenge Fund). The work sought to identify whether the borough's network of public open spaces presented opportunities for BNG owing to certainty regarding land ownership details and their status as allocated open spaces within the Chesterfield Borough Local Plan (2018-2035).
- 4.17 A number of potential biodiversity opportunity sites were initially identified using Natural England's Combined Habitats Network data which identifies the locations that provide the greatest opportunity for potential network enhancement and expansion. Following this desktop review, the selected sites were assessed using technical criteria.
- 4.18 The desk-based research highlighted seven sites across the borough which were particularly suited to BNG, with the potential to deliver other benefits including natural flood management and nature recovery. Following the desktop review and site survey work a number of net gain opportunity plans were created by Derbyshire Wildlife Trust to provide recommendations for

habitat enhancement with the aim of creating sites of high ecological value (see Appendix 1).

Pilot BNG Scheme on Public Open Space Sites

- 4.19 It is proposed that the sites identified by Derbyshire Wildlife Trust are taken forward through a pilot scheme. The scheme would involve establishing a cross service programme board under the leadership of service director to fix terms of reference and oversee the governance of the pilot scheme. It is anticipated that the terms of reference will cover:
- detailed investigation of the baseline position and net gain capacity for each site following procurement of an ecologist/consultant.
 - the development of a thirty-year habitat management plan setting out the required maintenance regime for each site.
 - engagement with members in wards where pilot biodiversity receptor sites are proposed.
 - the development of a structured programme and implementation of the management plans; - this will most likely require
 - initial creation of defined habitat
 - habitat maintained over thirty years in strict accordance with the management plan
 - offering and advertising the scheme to developers in need of off-site BNG units.
- 4.20 The terms of reference will also set out the process for assessing the potential suitability of the Council's wider land holding for BNG, for example on sites currently used for grazing. Insights obtained through the delivery of the receptor site pilot will form the base of a future report to Cabinet, containing a recommended medium-term approach to providing BNG receptor sites.
- 4.21 One of the identified sites (Loundsley Green Road Amenity Space) was selected for detailed investigation and an independent ecologist was commissioned to carry out a detailed assessment to understand the baseline biodiversity value, 'potential site capacity' (in biodiversity units) and maintenance plan needed to achieve biodiversity enhancement on this site. The work undertaken includes a schedule of the actions required to create (and/or enhance) and maintain the habitats for a period of thirty years.
- 4.22 The cost of creating and maintaining this site has been estimated by the Principal Open Space Manager in consultation with his team. These costs have been estimated using internal service cost data, seeking measured prices from external contractors and benchmarked against similar works carried out across the borough.

- 4.23 Alongside the cost of the works, there are two further areas of cost input required to establish an estimated 'total cost' of creating a BNG unit. These cost areas are the:
- i. cost of land – per acre, per year for 30 years;
 - ii. facilitation, administration and strategic development cost – i.e. the costs of managing and procuring site assessments and management plans, registering, reporting and monitoring credits.
- 4.24 Advice has been sought from BNP Paribas as an independent surveyor to establish an anticipated land value, based on emerging national market for similar land. Furthermore, facilitation and strategic development costs have been gaged with reference to work carried out on the sample site at Loundsley Green Road.
- 4.25 As a result of developing a detailed plan and costings for enhancing the biodiversity value of the Loundsley Green Road Amenity Space, the council is now in a position to offer to carry out this work should the need (and developer funding) for biodiversity units come forward. It is proposed that the council brings forward units on these sites through the pilot net gain scheme described at 4.19.
- 4.26 Through the pilot scheme the land would need to be specifically allocated for habitat creation and management for a period of at least thirty years through the use of a legal agreement or conservation covenant. This would support the pending determination of planning applications and ensure that the council is ready to provide an additional service offering to those seeking to invest within the borough.
- 4.27 Granting authority to assess and implement BNG on receptor sites across the borough would support the delivery of sites allocated for residential housing growth and regeneration within the Local Plan (such as Linacre Road) and other locations within the borough, where applicants have demonstrated that the possibility for on-site mitigation has been exhausted. It will also support the development of land designated for other uses, such as employment.
- 4.28 It is important to note that the local planning authority would not be able to direct developers to purchase biodiversity units from the council in preference to other vendors. Any payments taken for enhancements would need to be registered and allocated to the development site for a minimum of thirty years.

Creating a Reserve of Biodiversity Receptor Sites

- 4.29 The work undertaken in identifying opportunity areas for biodiversity on Public Open Spaces is an important first step, but there is significant value in evaluating the council's wider land portfolio in order to determine further opportunities for BNG. This is particularly true of locations where biodiversity

delivery could deliver the greatest benefit for habitat connectivity and maximise the potential for species colonisation. Habitat creation and enhancement opportunities are limited within areas of Public Open Space, owing to the limited size of some of the spaces and the need to retain multifunctionality for other uses (such as for amenity, sports and play provision).

- 4.30 Whilst off-site BNG provision is seen as a last resort, it is likely that some allocated 'brownfield' sites such as the Staveley Corridor (SS5) will carry a significant net gain requirement which may not be achievable on-site owing to the presence of open mosaic habitat. Where on-site losses are considered to be unavoidable, it is preferable that there are a range of sites available for off-site net gain schemes as close to the development site as possible in order to ensure that biodiversity gains are recorded locally.
- 4.31 Evaluating the council's wider land portfolio for BNG opportunities would permit the development of a larger and more meaningful habitat bank which could have the potential to support off-site requirements from several development sites. The council would be able to sell any recorded uplift in biodiversity value to a developer, covering the costs of any management, maintenance, monitoring and administration. Before this option can be fully costed it is necessary to understand which sites in the council's land portfolio might be suitable for use as a habitat bank and evaluate the outcomes of the pilot approach.
- 4.32 The council is also seeking potential biodiversity receptor sites from other landholders in the borough through the Local Plan 'Call for Sites'⁴ process. In these cases, the landowner would commit to managing the land for 30 years from the sale of each unit and would be required to report progress to the Local Planning Authority at a number of pre-identified stages.
- 4.33 Following an evaluation of the pilot scheme and survey of council landholdings, officers will develop a medium-term strategy for BNG and seek approval from Cabinet.

Determining Sites of Strategic Significance

- 4.34 Strategic Significance is a scoring element within the Biodiversity Metric (3.0) and is based on whether the location of a site or the habitats present/ to be created have been identified as significant for nature. Features can be given a score of 'high' 'medium' or 'low' depending on whether the habitat is located in an optimal location, or is of a type, that meets local objectives for biodiversity. The Local Authority is able to determine the local plans and strategies that will be relevant for strategic significance scoring.

⁴ <https://www.chesterfield.gov.uk/call-for-sites-2022>

- 4.35 If the Council formally identifies areas that are of strategic significance for biodiversity these sites / habitats could be attributed with a greater level of weight within Biodiversity Metric calculations. The weighting given to 'Strategic Significance' within the Metric acts as an incentive to locate habitat enhancements in ecologically desirable areas but also carries a multiplier that will disincentivise loss in these areas.
- 4.36 Determining strategic significance is dependent on the mapping of ecological networks including areas for enhancement, restoration or creation. The draft Chesterfield Greenprint⁵ identifies and assesses important habitats and species found within Chesterfield Borough and sets out actions that need to be taken forward to try and protect, enhance, restore or reconnect these habitats or species and their populations. The draft will need to be updated to address biodiversity net gain principles (such as Strategic Significance) and set out opportunity areas spatially for priority habitat types.

5.0 Alternative options

- 5.1 The alternate option is to do nothing and wait until later in the Environment Act transition period to determine whether sufficient off-site opportunity areas come forward on private landholdings through the biodiversity unit market. This option has been discounted because it is becoming evident that some current planning applicants are struggling to meet their BNG requirement on-site given the compact nature of the borough. Without having any off-site biodiversity receptor sites identified it is possible that developers will look for options outside the borough. This could lead to a net biodiversity loss within the borough.
- 5.2 Failure to identify potential receptor sites could also potentially increase the costs of development, present a barrier to and constrain housing growth, which could in turn risk development on sites which is unplanned.
- 5.3 A failure to formally identify sites of 'Strategic Significance' would also signify a missed opportunity to disincentivise the loss of habitats that are of importance for the borough's network of green infrastructure.

6.0 Implications for consideration – Financial and value for money

- 6.1 The sites identified as potential receptor sites are currently used as Public Open Space and therefore require general fund and HRA resources to manage and maintain. There is very limited opportunity for an alternative use e.g., development of these sites.
- 6.2 Detailed examination of a sample site at Loundsley Green Road has been carried out to understand potential capacity of BNG units. The findings of this research have been used by the Principal Green Space Manager to calculate a

⁵ <https://www.chesterfield.gov.uk/media/852281/draft-a-greenprint-for-chesterfield-2nd-edition.pdf>

detailed understanding of financial cost for works required to 'create' each BNG units and the subsequent ongoing cost of managing the land for the following 30 years.

- 6.3 It is anticipated that the Council will seek a contribution of £20,000 per BNG unit from developers and applicants for planning permission. This will cover:
- i. 'upfront' capital works to create the habitat,
 - ii. management and maintenance of the land for 30 years,
 - iii. facilitation, monitoring, registration and future development of off-site assessment,
 - iv. a nominal 'rent' for use of the land.
- 6.4 It is also anticipated that if approved, financial contributions from applicants would be paid 'upfront' as a lump sum before any development would commence. This would enable efficient use of resources across a pilot programme as the payment would represent spend over a 30-year period and provide initial funds to service a pipeline ahead of expected contributions on future off-site schemes.
- 6.5 If the management of some POS sites is to be achieved through a funded BNG scheme, it is likely that there will be potential for reallocation of resources to increase focus on other areas of non BNG funded open space.
- 6.6 It is recommended that an amount of £1,500 per BNG units is set aside for facilitation and administered jointly between the Strategic Planning and Open Space teams. This sum would initially enable the procurement of specialist ecologist advice to assess in detail the remaining sites initially identified by DWT and subsequently to establish capacity and implementation plans. Following initial assessment this sum would fund the council's responsibilities in maintaining a net gain site database and research into nature recovery and net gain opportunities within the borough.

7.0 Implications for consideration – Legal

- 7.1 It is anticipated that most off-site BNG requirements will need to be secured for the length of the net gain agreement through the use of a Section 106 agreement which will need to be prepared in collaboration with Legal Services. Additionally, the council would need to enter into a legal agreement with any landowners if it were to supply any off-site biodiversity units derived from enhancements carried out by the CBC Open Spaces team on council landholdings.

8.0 Implications for consideration – Human resources

- 8.1 Implementing the net gain pilot will be a substantial piece of work which will require collaboration between a number of council teams. Although the Open

Spaces team already manage the pilot sites, the net gain approach will require new planting, equipment and methods of management which will deviate from the existing approach. Administrating the scheme and looking at the use of the council's wider land portfolio would involve several council departments (Asset Management, Strategic Planning, Leisure, Housing and Legal), but the approach has the potential to become a modest source of revenue.

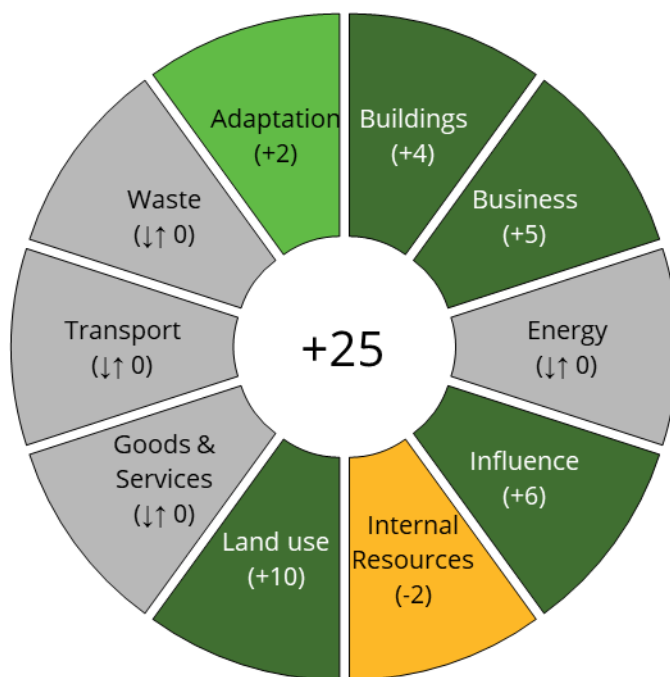
- 8.2 Initial consideration of a sample scheme at Loundsley Green Road by the Principal Open Space Manager has identified that there will be no initial requirement for additional staff resourcing. The impact on resourcing is to be carefully monitored through the pilot process.
- 8.3 A detailed desktop review and assessment of wider Council land holding will require collaboration between several internal departments.

9.0 Implications for consideration – Council plan

- 9.1 The delivery of BNG will have a positive impact on sustainability. In particular it will support the Council Plan objective of developing '*an inclusive and environmentally sustainable approach to growth*' as the approach recognises that development must mitigate against impacts on nature and seek to leave it in a measurably improved state.
- 9.2 Enhancements to the natural environment provided through the biodiversity net gain approach will have positive public health implications improving the quality of life for local people. The creation and enhancement of habitat within the borough is likely to improve access to the ecosystem services associated with nature such as improved mental wellbeing.

10.0 Implications for consideration – Climate change

- 10.1 The implementation of biodiversity net gain schemes on council owned public open spaces is anticipated to have a positive impact on the borough's resilience to climate change. The scheme will result in measurable gains in biodiversity through the provision of habitat, hedgerow and river units (via habitat creation and / enhancement).
- 10.2 Desk-based research indicated that the sites chosen for the pilot work were most suited for biodiversity net gain and had the potential to deliver other benefits including natural flood management and nature recovery network expansion. Habitat creation can increase interception and infiltration of rainwater, reducing run off - acting as a natural flood management measure.
- 10.3 The scheme will involve the use of council resources such as equipment to enable planting and maintenance, however this is expected to result in improved environmental outcomes overall.



Chesterfield Borough Council has committed to being a carbon neutral organisation by 2030 (7 years and 6 months away).

11.0 Implications for consideration – Equality and diversity

11.1 None identified.

12.0 Implications for consideration – Risk management

12.1 Below is a table of possible risks and mitigation actions which may arise as a result of approving the pilot scheme:

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Public perception – delivering BNG requires the use of open space and may create the appearance that the land is 'unkempt' leading to possible public dissatisfaction.	Medium	Medium	Detailed communication plan prior to be established prior to commencement (aimed at both Members and the public). All areas of BNG to have information boards and explore potential community engagement.		
Costs of creating and managing BNG units are higher or more complicated than anticipated.	Medium	High	A target site at Loundsley Green Road has been assessed in detail with advice procured from an external ecologist. The management plan has	low	med

			been thoroughly costed by Principal open space manager; the pilot will be carefully monitored.		
Enhancement works will not create the anticipated number of biodiversity units.	High	High	Early commissioning of ecologist assessment of the remaining suggested pilot sites, a clear understanding will be achieved at pace and minimal cost c£15-20k. Adaptive management approach to be implemented to review progress and required management practices.	low	low
Low demand – resources invested and limited future demand for units	Medium	Low	There is a visible pipeline of planning applications signalling an off-site solution will be needed. If units are not required, for development off setting, the enhancements will still achieve nature recovery strategy and assist climate change objectives. Once created and registered, The Council would have the option to 'sell' these credits to developers located anywhere in the UK.	low	low
Land used as a receptor site may develop high biodiversity value and may be precluded from future development.			Ensure that receptor site selection process takes future development needs into account.		

Decision information

Key decision number	1106
Wards affected	All

Document information

Report author
Marc Hollingworth (Housing Delivery Manager) & Laura Kinley (Planning Officer), Directorate of Economic Growth.
Background documents

These are unpublished works which have been relied on to a material extent when the report was prepared.

This must be made available to the public for up to 4 years.

Appendices to the report

Appendix 1	Chesterfield Borough Council - Biodiversity Net Gain Opportunities
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Derbyshire
Wildlife Trust



Chesterfield Borough Council - Biodiversity Net-Gain Opportunities

Phoebe Cox, Living Landscapes Advisor
December 2021

Contents

1. Introduction	4
2.1 Site Summary	5
2.2 Site Description.....	5
2.3 Key features.....	8
Modified Grassland.....	8
Mixed Broadleaf Woodland.....	9
Standing Trees	9
2.4 Nature Conservation Value.....	9
2.5 Management Recommendations	9
Site 285	9
Sites 283, 162 and 284.....	11
3.1 Site summary	13
3.2 Site Description.....	13
3.3 Key features.....	14
Other Neutral Grassland.....	16
Dense Scrub.....	16
Modified Grassland.....	16
3.4 Nature Conservation Value.....	16
3.5 Management Recommendations	17
Grassland	17
Wetland Habitat Creation.....	18
4. 1 Site summary	22
4.2 Site Description.....	22
4.3 Key features.....	23
Modified Grassland.....	23
Mixed Broadleaf Woodland.....	24



4.4 Nature Conservation Value	24
4.5 Management Recommendations	25
Woodland Creation	25
5.1 Site summary	28
5.2 Site Description	28
5.3 Key features	29
Modified Grassland	29
Mixed Broadleaf Woodland	30
5.4 Nature Conservation Value	30
5.5 Management Recommendations	31
Grassland Management	31
Hedgerow Creation	34
Appendix 1	35



1. Introduction

The purpose of this report is to record and describe the nature conservation interest of the habitats found across the selected sites, and provide recommendations for habitat improvement with the aim of creating sites of high ecological value.

The sites were selected through spatial analysis on GIS and in consultation with Chesterfield Borough Council (CBC). The potential opportunity sites, provided by CBC, were initially sifted using the Natural England's Combined Habitats Network data to identify locations that provided the greatest opportunity for potential network enhancement and expansion. Following this, the selected sites were assessed against a number of other spatial criteria, such as proximity to designated sites and flood risk, in order to identify the sites which offered the greatest opportunity to deliver against multiple natural capitals and extend existing habitat corridors. Please see Appendix 1 for the results of the desk-based assessment. The final site selection was made using professional judgement and guidance from both CBC and Derbyshire Wildlife Trust (DWT).

The desk-based research indicated that the following sites were most suited for biodiversity net gain (BNG) and had the potential to deliver other benefits including natural flood management and nature recovery network expansion:

- Inkersall Sites (285, 284, 283, 162)
- Loundsley Green Road Amenity Space (259)
- Coniston Road and Rydal Close Open Space (132)
- Wingerworth Way Open Space (147)

The sites were surveyed in October 2021, outside of the optimal survey period, and focused on the areas of lowest biodiversity value (e.g. areas of modified grassland), where most net gain could be achieved. Notes were taken on the adjoining habitats, and Loundsley Green Road Amenity Space which had greater biodiversity value than the desk-study indicated, however detailed species lists and quality scoring was not undertaken for these habitats as they were judged to be inappropriate sites for BNG.



2. Inkersall Sites

2.1 Site Summary

Table 1: Overview of Inkersall Sites	
Site Codes	285, 284, 283, 162 (see Figure 1)
Central grid reference	SK 41793 72606
Area	Total – 4.5 ha (2.2ha, 0.5ha, 0.4ha, 1.4ha)
District	Chesterfield Borough Council
Summary of ecological features	Ancient woodland (~0.54ha) in the north of Site 285 and small area of woodland in the south of Site 284. Remaining habitat consists of low to moderate quality modified grassland.
Designations	The broadleaf woodland in the north of site (285) falls partially within West Wood and Parkers Wood LWS (CH007) and partially within West Wood Ancient Woodland.
Date of walkover survey	15.10.21
Surveyors	Phoebe Cox and Hollie Fisher

2.2 Site Description

The Inkersall sites (including sites 285, 284, 283, 162) are public sites, used for amenity and recreation. The sites are dominated by open modified grassland with low to moderate species diversity. The sites also contain mature, standing trees and two areas of broadleaf woodland, one of which falls partially within an Ancient Woodland and LWS designation.



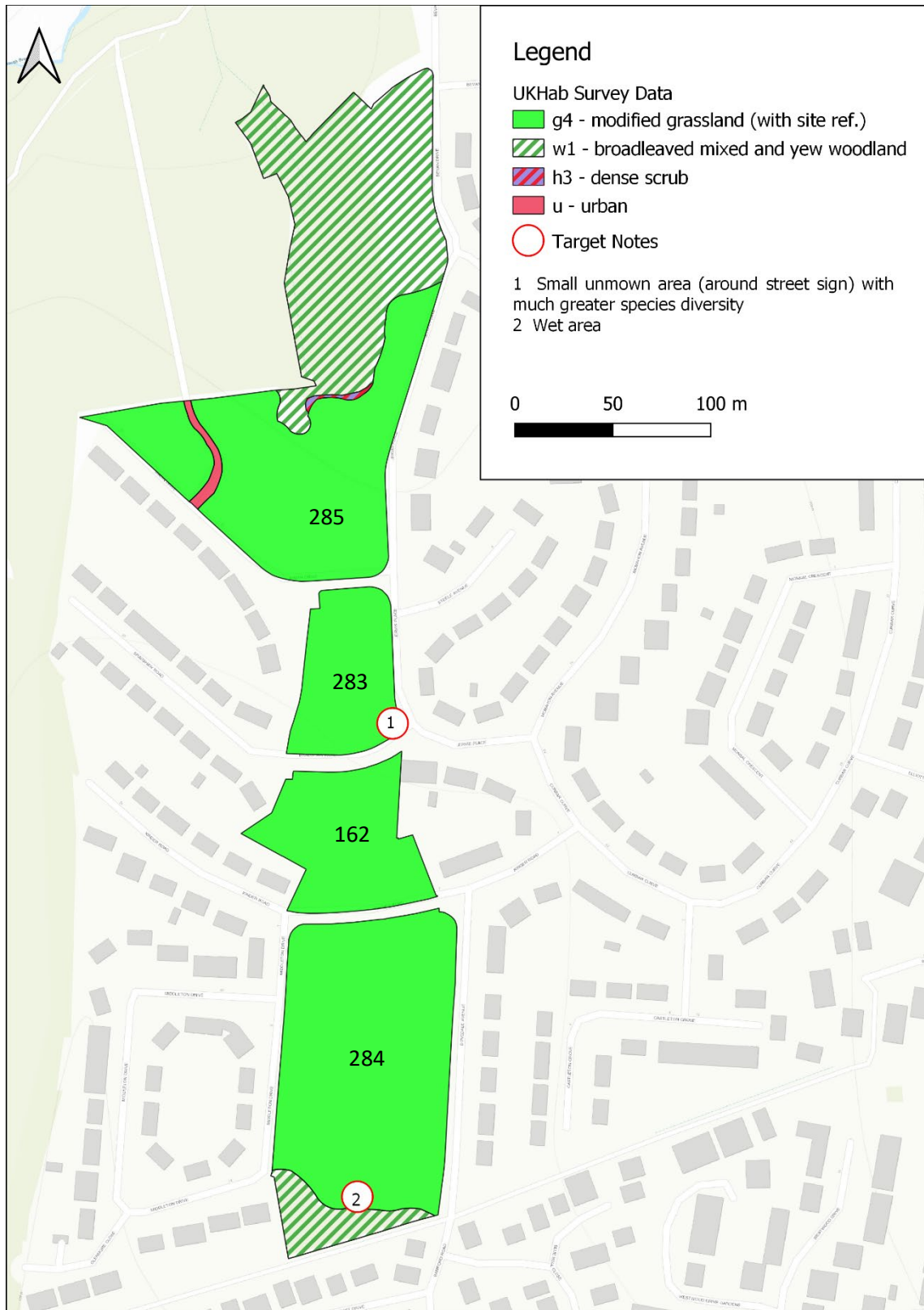


Figure 1: Inkersall Sites Habitat Plan



The Inkersall sites are in the east of the Chesterfield Borough. The habitats within the surrounding landscape consist of a sizeable woodland corridor (West and Parker's Woods) with a small stream and an area of allotments to the west. To the south and east, the landscape is dominated by suburban housing. Beyond the immediate housing estate, the area around Inkersall is predominantly agricultural land.

The Inkersall sites could act as the key aspect of a Nature Recovery Network across the landscape, extending the existing habitats of West and Parker's Woods and connecting other important habitats, allowing species the space to move freely, enabling the creation of both metapopulations and species dispersal through the landscape.



Image 1: Site 285 – looking north towards woodland.





Image 2: Site 162 – looking north towards site 283 and 285.

2.3 Key features

The sites are dominated by low to moderate quality modified grassland with two areas of broadleaf woodland, of which the area in the north is designated Ancient Woodland and a Local Wildlife Site (LWS). Images 1 and 2 and Figure 1 Habitat Plan depict the layout of the habitats on site, as covered in further detail below.

Modified Grassland

The grassland across all four sites consists of low to moderate quality, modified grassland with species including perennial rye grass, daisy, white clover, yarrow, and plantain (Site 285). The grassland is maintained for amenity purposes and as such the sward is short and mostly uniform. A small area at Target Note 1 was subject to lower management intensity, creating a slightly longer sward and providing greater levels of species diversity.

The ground at the south of Site 284, at Target Note 2, was considerably wetter than the rest of the sites.



Mixed Broadleaf Woodland

The native broadleaf woodland in the north of Site 285, falls partially within West Wood and Parker's Wood LWS (CH007) and partially within West Wood Ancient Woodland (0.54ha). Ash dieback was present within this woodland and along the woodland's southern border; bramble scrub is beginning to encroach and dominate.

A smaller area of broadleaf woodland is also present in the south of Site 284.

Standing Trees

A low number of scattered, mature standing trees are present at the perimeter of the sites.

2.4 Nature Conservation Value

The site is dominated by modified grassland used for amenity purposes and therefore these areas have limited nature conservation value.

The broadleaf woodland and scrub provide resources and habitat niches for a range of birds including dunnock, finches and corvids. In addition, the area of woodland in Site 285, will provide further value for a range of fauna species, with many of the splits and gaps in the broken stems providing key features for invertebrates, nesting birds and roosting bats.

2.5 Management Recommendations

Site 285

Natural Regeneration

As Site 285 has mature, native woodland established in north of the site, it poses the perfect opportunity for natural woodland colonisation or 'rewilding'. Using natural colonisation on appropriate non-wooded sites is preferable to planting as it results in a more accurate match to the natural woodlands in the area and will benefit from guaranteed local provenance. It also allows the development of ecotones between the different habitats.

Low levels of scrub are beneficial to numerous species and should be allowed to develop. However, a dense area of bramble scrub encroachment is currently present on the southern boundary of the woodland and will need to be managed and kept at a low level to prevent the bramble scrub suppressing the regeneration of other species. The bramble should either be continuously managed by being repeatedly cut back before it becomes dense (no woody material can be removed during nesting bird



season (March – September inclusive) or, with sections of it removed completely. To completely remove the bramble, without using chemicals, the plant needs to be cut back and the roots dug out, again outside of nesting bird season.

As Site 285 is in a residential location and rewilding is inherently ‘messy’ looking, we would recommend fencing around the site and displaying signage explaining the value of natural regeneration and urban rewilding. Derbyshire Wildlife Trust would be able to support you with messaging around this subject, if required.

Once the current amenity mowing regime is halted and the bramble scrub has been controlled, we would expect to see saplings appearing across the site within the first two to three years, and by year 10, approximately 100 tree stems per hectare.

Ash dieback

Ash dieback is present in the woodland at Site 285. To reduce the spread of spores, branches of trees most impacted should be felled and removed, this should be conducted during winter, to both avoid nesting bird season and reduce spore count. Through removing the branches and crowning the tree as opposed to felling it completely, the tree remains a habitat feature, able to age and create standing deadwood whilst reducing the spread of dieback.

Standing and fallen deadwood

Both standing and fallen deadwood are key habitat features, supporting many species and should be retained wherever possible. Where standing deadwood or standing trees need to be removed for safety issues, as is required at the site entrance, best practice should be followed:

- Wherever possible, avoid removing the whole tree, instead removing the affected branches. The stump can then either be left to regrow or, features can be manually created by cutting lines and gaps into the newly cut stump as opposed to leaving it flat.
- If the removed limb is not diseased it should be retained on site as fallen deadwood.
- All removal must be done outside of nesting bird season. However, where this is not possible the tree must be checked by a suitably experienced ecologist before removal, in order to comply with the Wildlife and Countryside Act. Failure to comply has reputational and legal risks.



Sites 283, 162 and 284

Sites 283, 162 and 284 are set slightly further back from the woodland so natural colonisation would take longer here. Additionally, if similarly, dense woodland was created at these sites, it would block the distant countryside views and may be looked on unfavorably by local residents. Hence, across these sites we recommend the planting of scattered trees and introducing a relaxed mowing regime. This would extend the current woodland habitat corridor and provide an 'edge' type habitat with more open spaces than the current woodlands. These habitats are particularly important and rare in Derbyshire.

Tree Planting

The best time to plant trees is between November and March when they are dormant for the winter and can be moved without damage. Avoid planting in waterlogged or frozen ground, as this will damage the root system.

The best trees to plant are young trees, less than 1m tall, known as 'whips'. Whips establish themselves easily, grow quickly and are cheaper to buy. They do not need staking and are a less obvious target for vandals. Larger, older trees and shrubs can be planted to create an immediate, visual effect. However, they are much more expensive and will need supporting with stakes until the root system becomes established, usually until the third spring, after planting out.

To create the appearance of scattered trees, we recommend a planting rate of 10-15 trees per hectare. The species we recommend for this includes sessile oak, pedunculate oak, sycamore, silver birch, small leaved lime, cherry, apple, sweet chestnut and rowan.

It is important to use locally sought native plants to conserve genetic characteristics. Locally sourced trees and shrubs will be better adapted to the local soil and weather conditions.

Grass Management

If possible, relax the mowing regime in some areas of the sites, aiming retain corridors of long grass for hedgehogs and other small mammals to commute through the sites. Please refer to Section 3.5 of this report for more detailed recommendations on timings of grassland cutting regimes and recommendations.

As the grassland is of relatively low species diversity, it may also be beneficial to look into sward scarifying and/or seed spreading to increase species diversity. Please refer



to Section 5.5 of this report for more detailed recommendations of increasing species diversity across modified grassland sites.



3. Loundsley Green Road Amenity Space

3.1 Site summary

Site Code	259
Central grid reference	SK 35911 72213
Area	2.7 ha
District	Chesterfield Borough Council
Summary of ecological features	Two areas of neutral grassland (managed), one area of neutral grassland exhibiting signs of succession; dense scrub and standing trees surrounding a naturally wet area dominated by tall ruderal vegetation.
Designations	No Statutory Designations. Site is one of Chesterfield Borough Council's 'Wild Areas'.
Date of walkover survey	15.10.21
Surveyors	Phoebe Cox and Hollie Fisher

3.2 Site Description

Loundsley Green Road Amenity Space is a public site, used for amenity and recreation. The site is dominated by natural grassland in differing stages of succession. The site also contains an area of dense scrub with young and mature, standing trees surrounding a wetter area of the site.

Loundsley Green Road Amenity Space is in the west of the Chesterfield borough. The site is within 100m of Ashgate Plantation LWS and is within the Holme Hall and Newbold Green Wedge. The surrounding landscape consist of a suburban housing



estate and a range of open spaces and semi-natural habitats including Holmebrook Valley Park.

The site could act as a key aspect of a Nature Recovery Network across the landscape, extending and enhancing the habitat connectivity between other important habitats and sites allowing species the space to move freely, enabling the creation of both metapopulations and species dispersal through the landscape.

3.3 Key features

The site is dominated by grassland, consisting of other neutral grassland, an area of modified grassland and an area of dense and scattered scrub with a number of mature, standing trees surrounding a wet basin as shown in images 3 and 4, and Figure 2, the Habitat Plan which depicts the layout of the habitats on site, as covered in further detail below.



Figure 2: Loundsley Green Road Amenity Space Habitat Plan





Image 3: Loundsley Green Road Amenity Space – managed grassland (Target Note 5)



Image 4: Loundsley Green Road Amenity Space – wet basin area (Target Note 3)



Other Neutral Grassland

Other neutral grassland, consisting of rank and unmanaged sward is present across the majority of the site. The grassland within the areas with Target Notes 5 and 6, contained approximately 8 species indicative of high value grassland (Note: the walkover survey conducted outside of optimal survey window and vegetation had been cut across 90% of the site, a full habitat survey within optimal season would be required to determine true value). These areas of grassland were frequented by perennial rye, meadow foxtail, creeping buttercup, sorrel, soft rush, fescue, creeping soft grass, yorkshire fog and ragwort. No one species dominated these areas, instead the sward contains a mixture of species in low density.

The area to the east, labelled with Target Note 4, is in an early successional stage, between woodland and grassland. The area of other neutral grassland to the south of this, labelled with Target Note 3, is located within a naturally wet basin in the site and is dominated by tall ruderal vegetation, including creeping thistle and willow herb. A small number of young saplings (including willow and oak) are also present in this area.

Dense Scrub

An area of dense, bramble dominated, scrub with a mix of young and mature standing trees (including oak, hawthorn and willow) surrounds the wet basin area of the site.

Modified Grassland

A small area of amenity grassland is present in the north-east of the site, the grassland has been classified as low quality, modified grassland dominated by perennial rye grass. The grassland is maintained for amenity purposes, as such the sward is short and mostly uniform.

3.4 Nature Conservation Value

The mixture of mature, standing trees and sections of dense scrub interspersed within grassland provides resources and habitat niches for a range of species.

The site is dominated by neutral grassland which appeared to have a mowing regime that allowed the grasses to grow tall and flower over the spring and summer season. Grassland areas such as this provide vital resources and shelter for a broad range of invertebrates, small mammals and reptiles. Further, the dense scrub and wooded habitat provides resources and habitat niches for a range of bird species.



3.5 Management Recommendations

Grassland

The grassland should be cut on a rotational basis, aiming to cut roughly half of the site one year and another half the next to mimic the natural, alternating grazing patterns that historically would have occurred over grasslands, creating a mosaic of sward. Additionally, it is preferable to leave some areas uncut each year to provide refuge for invertebrates. Additional measures to reduce the impact of mowing on invertebrates is to set the mower blade as high as possible and mow from the inside of the field outwards. Ideally, cutting should be undertaken with a cutter bar or rotary mower, rather than a flail mower.

The timings for grass cutting should be varied, with cuts taking place in late summer / early autumn (August to October) with a particularly late cut every three years to allow full flowering and seeding of plants, especially late bloomers, and to minimise disturbance to invertebrates. The later in the year that the cutting is left, the more plants will have the opportunity to set their seeds. Once cut, all cuttings must be removed to prevent the dead material from forming a thatch and smothering any new growth.

If possible, the cuttings should be left on the ground for a minimum of one day before being removed to allow small mammals and invertebrates to leave the vegetation and allow remaining seeds to drop. This management technique will encourage greater floristic diversity and may reduce the density of some of the more dominant species including rank grasses. The collected cuttings can then be used as a tool for habitat creation, creating a small pile of the cuttings within the undergrowth of the boundary scrub, providing a feature for invertebrates, small mammals and reptiles.

Species diversity

Under the above management regime, species diversity of the grasslands should increase over time. Diversity should be monitored over the next 3 – 5 years to assess change as a result of the updated mowing regime. Ideally, human intervention should remain minimal, instead allowing nature to lead and species to naturally move in. However, if after year 5 no clear increase in species diversity is observed, it is recommended that further management is implemented.

In this occurrence, yellow rattle is to be sown within the areas where grass is most dominant as this species is semi-parasitic and will stunt grass growth by up to 60%, opening the canopy and allowing flowering species to move in. Yellow rattle must be



sown on bare soil, either by scarifying an area or using sections which are naturally bare such as mole hills. In addition, native wildflower seeds are to be collected from a local source and sown on areas of scarified or bare ground, in the event that diversity does not naturally increase.

Wetland Habitat Creation

The wetter area of Other Neutral Grassland (Target Note 3) which is presently dominated by tall ruderal herbs, provides a perfect opportunity for wetland creation in urban Chesterfield. During the site identification phase of the project this area of the site was also identified to have high surface water flood risk.

Wetland creation would enhance the biodiversity value of the site and surrounding areas, and could also improve the appearance and use of the site, if features such as a board walk or viewing platforms were installed.

Ground clearance and re-grading of land

The design of a wetland will affect its use as a wildlife habitat. Integrating a pond into the wetland habitat will further increase the sites biodiversity value. The pond should be designed with an irregular edge, containing bays to provide shelter and habitats for different wildlife. Extending the margins and creating gently sloping banks will allow easy access for wildlife, as will keeping some areas less vegetated than others.

The initial re-grading of the land should provide the necessary stripping of vegetation to bare soil. As with grassland, high nutrient levels in wetlands can be detrimental to the establishment of young plants and seeds.

Vegetation establishment

If wetland plants are to establish, competition from vigorous weeds must be kept to a minimum. Hand weeding, ploughing, rotavating and flooding are all methods that can be used.

The simplest way to create a new wetland site is to provide the correct conditions and allow natural regeneration of wetland species. However, as the site is not in close proximity to another wetland there is no guaranteed local seed source.

Planting a seed mixture across the site is a good method of re-introducing species that may have been lost from the seed bank. When sowing a seed mixture there are several factors to consider:

- Sow in still wind conditions and bulk the seed with sand to make sowing easier.



- Ensure soil is saturated but not flooded.
- Sow on a flat, vegetation free bed or specially prepared fine ridge and furrow.
- Avoid sowing on low points or depressions.
- Sow during April or May when daytime temperatures are in the range 10-25°C and nights are frost-free.
- For bankside vegetation that includes reeds and large marginal species, sow 20-125 viable seeds per square m.
- Try to avoid flooding until the seedlings are established to a height of 10-20 cm. The bed may then be flooded to a depth of 5 cm.
- It will be difficult to sow submerged and free-floating plants as seed. These are best introduced into the wetland as young plants.

The use of pot grown plants increases the chances of success in establishing the wetland. Although it is a more expensive method, it can turn out to be more cost effective due to the greater success achieved. These must still be native and local provenance plants. Plugs can be purchased from a commercial supplier

Rhizomes and stem cuttings, sourced from pond clearance on nearby wetlands, are another method of establishing vegetation. This method has a good success rate, with failure usually due to the rhizomes drying out. Rhizomes are usually clumped together in tight mats in the soil. They will have to be dug out and the soil spread over the site at a depth of around 25-30 cm deep. This is best carried out in November to February before shoots develop.

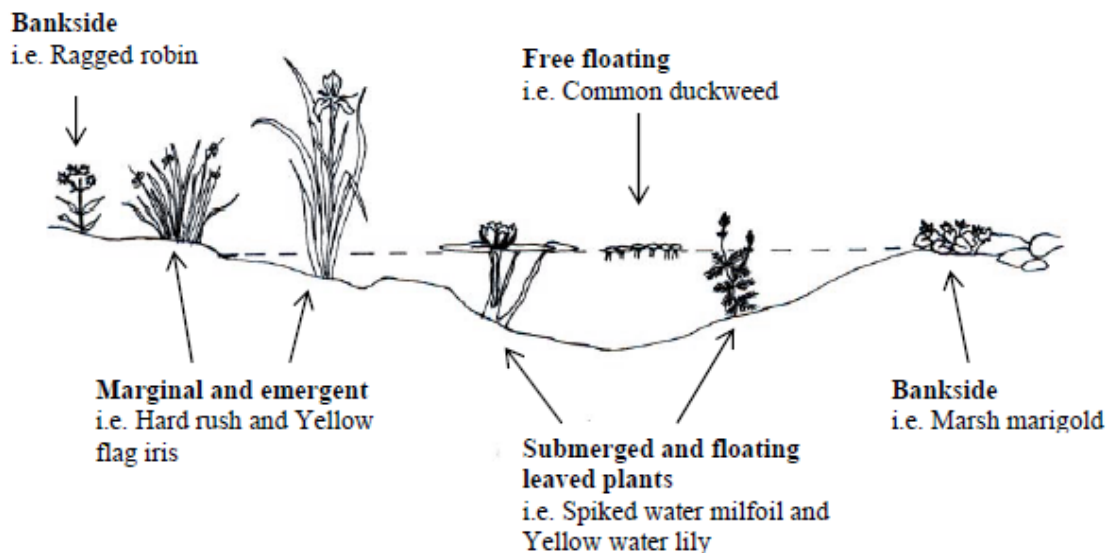
Planting

There are four zones, which can be identified on a wetland site, shown in the diagram below:

- Bankside – marshy plants found further away from the water e.g. ragged robin.
- Marginal and emergent – plants which are very wet tolerant and can stand in water at the margins of the water body e.g. yellow flag iris.



- Submerged and floating leaved – plants that are rooted under the water, around the fringes of the water body and sometimes have floating leaves e.g. white-water lily.



Species Recommendations:

Bankside Species:

Angelica sylvestris wild angelica, *Epilobium hirsutum* great willow herb, *Epilobium palustre* marsh willowherb, *Filipendula ulmaria* meadowsweet, *Galium palustre* common marsh bedstraw, *Lythrum salicaria* purple loosestrife, *Myosotis laxa caespitosa* tufted forget-me-not, *Ranunculus flammula* lesser spearwort, *Ranunculus sceleratus* celery leaved buttercup

Marginal and emergent species:

Caltha palustris marsh marigold, *Eleocharis palustris* common spike rush, *Glyceria fluitans* floating sweet grass, *Glyceria notata* plicate sweet grass, *Iris pseudacorus* yellow flag iris, *Lycopus europaeus* gipsywort, *Mentha aquatica* water mint, *Myosotis scorpioides* water forget-me-not, *Phalaris arundinacea* reed canary grass, *Phragmites australis* common reed, *Sagittaria sagittifolia* arrowhead, *Scirpus lacustris* common club rush, *Veronica beccabunga* brooklime, *Juncus acutiflorus* sharp-flowered rush, *Juncus articulatus* jointed rush, *Juncus conglomeratus* compact rush, *Juncus effusus* soft rush, *Juncus inflexus* hard rush, *Carex acutiformis* lesser pond sedge, *Carex riparia* greater pond sedge

Submerged and floating leaved plants species:

Hydrocotyle vulgaris marsh penny wort, *Myriophyllum spicatum* spiked water milfoil,
Nuphar lutea yellow water lily, *Persicaria amphibia* amphibious bistort

Free floating species:

Ceratophyllum demersum rigid hornwort, *Lemna minor* common duckweed



4. Coniston Road and Rydal Close Open Space

4.1 Site summary

Site Code	132
Central grid reference	SK 37137 73967
Area	2.2 ha
District	Chesterfield Borough Council
Summary of ecological features	Moderate quality modified grassland with four small areas of broadleaf woodland.
Designations	N/A
Date of walkover survey	15.10.21
Surveyors	Phoebe Cox and Hollie Fisher

4.2 Site Description

Coniston Road and Rydal Close Open Space is a public site. The site is dominated by open modified grassland with moderate species diversity and five small areas of mature, standing trees along the site's boundary.

Coniston Road and Rydal Close Open Space is in the north of the Cheresterfield borough and is adjacent to the Dunstone and Sheepbridge Green Wedge. The site is surrounded by a suburban housing estate and Chesterfield Panthers Rugby Club Pitches to the east. The site is approximately 500m south of large agricultural area.

The site could act as a key aspect of a Nature Recovery Network across the landscape, extending and enhancing the habitat connectivity between other important



habitats and sites allowing species the space to move freely, enabling the creation of both metapopulations and species dispersal through the landscape.



Figure 3: Coniston Road and Rydal Close Open Space Habitat Plan

4.3 Key features

The site consists of large areas of modified, amenity grassland with five small areas of mature, standing trees and woodland, shown in Image 5 and the Habitat Plan (figure 5) which depicts the layout of the habitats on site, as covered in further detail below.

Modified Grassland

The grassland across the site consists of moderate quality, modified grassland with species including perennial rye grass, daisy, white clover, yarrow, plantain,



hawksbeard and speedwell. The grassland is maintained for amenity purposes, and as such the sward is short and mostly uniform.



Image 5: Coniston Road and Rydal Close Open Space

Mixed Broadleaf Woodland

Five small areas of broadleaf woodland and standing trees are present along the site's northern boundary, with species including field maple, lime, whitebeam (only native to southern England), silver birch, horse chestnut, sycamore, elder and hawthorn.

4.4 Nature Conservation Value

The site is dominated by modified grassland and therefore has a limited nature conservation value. The small areas of woodland and standing trees have ecological value through providing resources and habitat for a range of birds.



4.5 Management Recommendations

Woodland Creation

During the site identification phase of the project, Coniston Road and Rydal Close Open Space was identified to have high surface water flood risk and fall within Flood Zone 2. In addition to this, the site was also already identified by CBC as a potential site for tree planting.

Woodland creation here, as well as increasing habitat connectivity and the site's biodiversity value, would increase interception and infiltration of rainwater, reducing run off - acting as a natural flood management measure. The site therefore poses the perfect opportunity for woodland creation which if well designed to include footpaths and to maximise water absorption, would be an asset to the local community.

All of the trees currently present on site, excluding one silver birch, are slow growing and poor seeding species; to get the positive impacts of woodland creation, planting would be preferable at this site.

Woodland Planning:

A combination of planted clumps and open areas should be used. Open areas (rides and glades) should make up around 20% of the area of the wood.

The main variables are:

- Species composition of clumps.
- Clump size.
- Spacing of trees and shrubs within clumps.
- Size of gap between clumps.
- Gradations of planted edges.
- Position, width and length of paths through the woodland.
- Size and location of larger open areas.
- Eventual height of the clumps when the trees are mature.



Variations of all these factors within the woodland will increase diversity and provide a higher number of habitat niches which different species can exploit, thus increasing the nature conservation value of the woodland. The aim should be to get a self-sustaining canopy layer, shrub layer and ground layer.

Early successional and fast-growing species such as birch and rowan will be prominent in the early years, and create pleasant, light, airy woodlands after 12-15 years. Slow growing species such as oak will take around 50-80 years to reach maturity and will eventually replace much of the early canopy species.

Tree Planting:

Trees should be planted at intervals of between 2 and 5 m, in irregular groups of 5 - 50 individuals, made up of the same species or 2 - 3 compatible species. It is important not to plant fast growing species, such as birch, close to slow growing species, such as oak. Shrubs can be planted closer together than trees, 1 or 2 metres from the trees and other shrubs is suitable.

The best time to plant trees is between November and March when they are dormant for the winter and can be moved without damage. Avoid planting in waterlogged or frozen ground, as this will damage the root system.

The best trees to plant are young trees, less than 1m tall, known as 'whips'. Whips establish themselves easily, grow quickly and are cheaper to buy. They do not need staking and are a less obvious target for vandals. Larger, older trees and shrubs can be planted to create an immediate, visual effect. However, they are more expensive and will need supporting with stakes until the root system becomes established, usually until the third spring, after planting out.

Species Recommendations:

Canopy (50%):

Betula pendula silver birch, *Quercus petraea* sessile oak, *Quercus robur* pedunculate oak

Understorey (20%)

Major: *Betula pubescens* downy birch, *Ilex aquifolium* holly

Minor: *Sorbus aucuparia* rowan, *Acer campestre* field maple, *Prunus padus* bird cherry, *Malus sylvestris* crab apple

Shrubs (10%):

Major: *Corylus avellana* hazel and *Crataegus monogyna* hawthorn



Minor: *Frangula alnus* alder buckthorn, *Prunus spinosa* blackthorn, *Rosa canina* dog rose and *Viburnum opulus* guelder rose

Open space (20%)



5. Wingerworth Way Open Space

5.1 Site summary

Table 4: Overview of Wingerworth Way Open Space	
Site Code	147
Central grid reference	SK 37944 69050
Area	1.1 ha
District	Chesterfield Borough Council
Key ecological features	Moderate quality modified grassland with a small area of native trees in the east of the site.
Designations	N/A
Date of walkover survey	15.10.21
Surveyors	Phoebe Cox and Hollie Fisher

5.2 Site Description

Wingerworth Way Open Space is a public site, used primarily by local residents and dog walkers for amenity purposes. The site is dominated by open modified grassland with moderate species diversity. The site contains a small area of mature, standing trees in the eastern corner and around the sites margin a range of vegetation including scattered scrub, ephemeral perennials and 'garden escapees' can be found.

Wingerworth Way Open Space is in the south of the Chesterfield Borough. The site is surrounded by a suburban housing estate but it within 500m of larger open areas including a sports field, golf course and agricultural land.

The site could act as a key aspect of a Nature Recovery Network across the landscape, extending and enhancing the habitat connectivity between other important habitats and sites allowing species the space to move freely, enabling the creation of both metapopulations and species dispersal through the landscape.



5.3 Key features

The site consists of large areas of modified, amenity grassland with five small areas of mature, standing trees and woodland, shown in Image 6 and the habitat plan (Figure 4) which depicts the layout of the habitats on site, as covered in further detail below.

Modified Grassland

The grassland across the site consists of moderate quality, modified grassland with species including perennial rye grass, daisy, white clover and yarrow. The grassland is maintained for amenity purposes and as such the sward is short and mostly uniform.

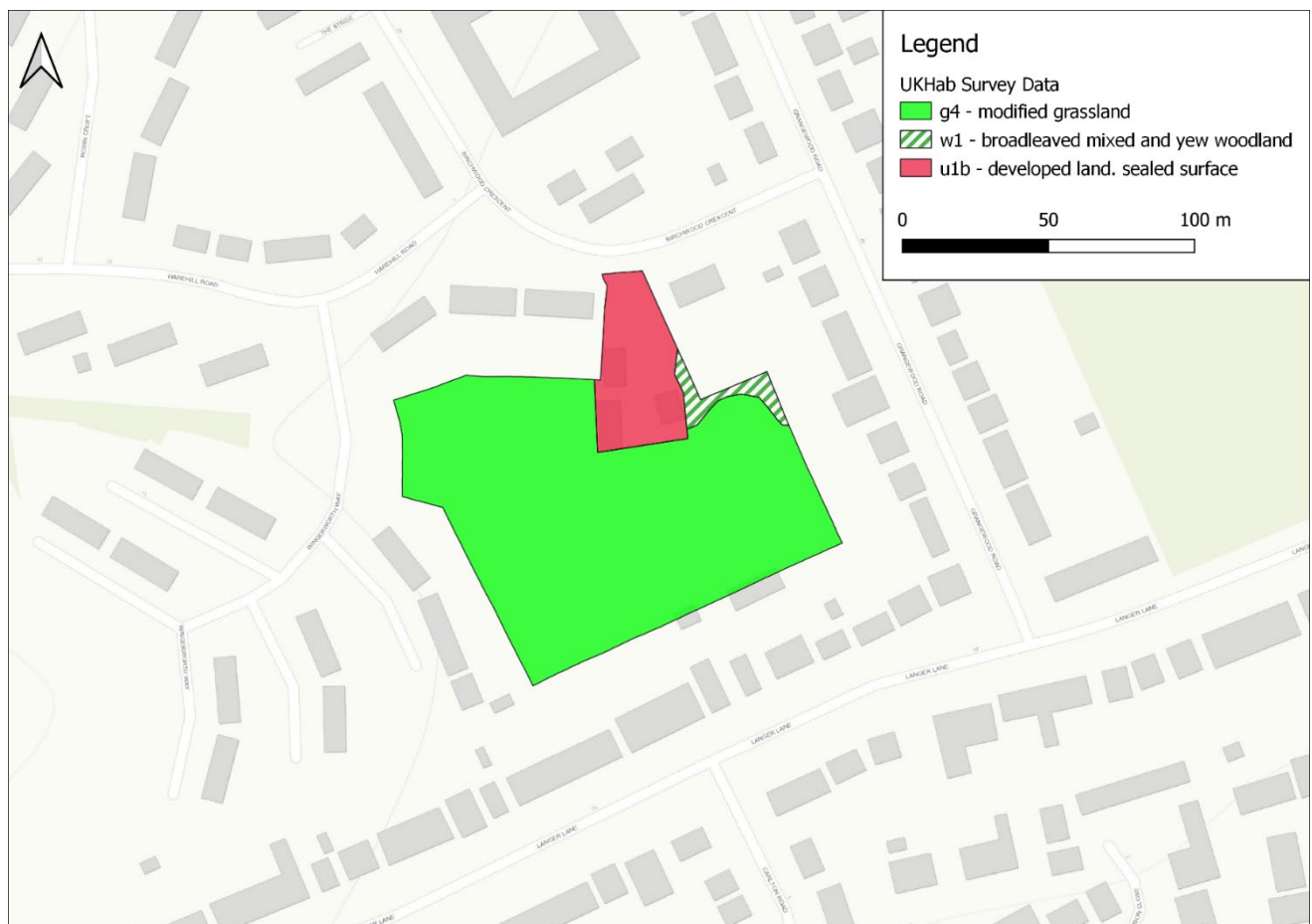


Figure 4: Wingerworth Way Open Space Habitat Plan

Ephemeral short perennials, dominated by rank species such as broadleaved dock and nettle, were found around the site's margin. In addition, other species such as buttercup, cow parsley, cleavers and wood avens were present in some of the



marginal areas. There is potential that in the summer months, more tall ruderal species could be present at the site, but this would need to be confirmed with a survey within the optimal survey window.

A few patches of marginal scrub and a number of 'garden escapees' are also present around the site's margins, including a small dug out garden area in the NE of the site.

Mixed Broadleaf Woodland

One small area of broadleaf woodland and standing trees are present along the site's eastern boundary, with species including elder, damson, cherry laurel (garden escapee).



Image 6: Wingerworth Way Open Space

5.4 Nature Conservation Value

The site is dominated by modified grassland used for amenity purposes and therefore has a limited nature conservation value.



The small area of standing trees and sporadic marginal scrub may provide resources and habitat niches for a range of birds, however only a limited number of species were noted whilst on site.

The ephemeral perennials around the sites margin will provide ecological value for invertebrate species and in turn create a food base for primary consumers. However, a survey within the optimal survey window would be required to access the true range of species present and the value they provide.

5.5 Management Recommendations

Grassland Management

Species rich grassland is one of the most commonly lost habitat types from development. As the grassland at Wingerworth Way Open Space is modified grassland with a relatively low species diversity it offers the perfect opportunity to create a species rich grassland in an urban area.

Seeding into the existing grassland is one option for increasing species diversity, although results for this are often unsuccessful without a associated change in the management regime. The development of an appropriate mowing regime on established grassland will encourage wildflowers and result in a more species-rich meadow, as it will reduce soil nutrient levels over time.

To support establishment of the sown seeds, the existing grass should be cut back hard prior to sowing and harrowed and raked or scarified to expose soil. Turf and soil can also be removed in areas or strips to reduce nutrient levels. This also removes some of the seed bank from which cultivated weeds and coarse grasses may regenerate. Any plant material raked up should be removed.

Sowing in the early autumn is advisable because the warm, moist soil, followed by a cold winter, aids germination. Seeds will naturally germinate in late autumn and in spring, so sowing in autumn will produce early results for the meadow. Recommended sowing rates vary from around 10-30kg/ha (kilogram/hectare) for a meadow, depending on the fertility of the site (the more fertile, the higher the rate). After sowing, the soil should be lightly raked and compacted with a roller to maximise seed/soil contact and encourage germination. It can sometimes be difficult to achieve an even spread of all species at low sowing rates. This is why it's a good idea to mix the seeds with an inert carrier such as sand, untreated sawdust or ground barley meal.



Proportions are not critical but a range of volumes e.g. 10-20 kg carrier: 1kg seed mix, give good results.

Species Recommendations:

The seed mix should contain around 5-10 grasses (e.g. Common bent, Sweet vernal grass, Meadow foxtail, Quaking grass, Crested dog's tail, Red fescue) and 15-20 species of wildflower in a meadow mix. The proportion of grass to flowers in a usual seed mix is around 70% grass to 30% wild flowers. However, wildflower meadows in urban areas need to be enjoyed and accepted by the people who live around them. With this in mind there can be more scope for the plants chosen, although you still need to consider the natural area that the habitat lies within. This can be achieved by using a seed mixture, which has a greater percentage of wildflowers to grasses (e.g. 25% grasses: 75% wildflowers) and selecting more colourful flower varieties, like cornfield annuals (e.g. corn poppy, ox-eye daisy, cornflower, corn cockle, Corn marigold). Further to this, unlike most wildflowers, cornfield annuals can flourish on fertile soil.

Good quality seed mixes can be sourced from a range of sources, including www.naturescape.co.uk and <https://wildseed.co.uk/>.

Other suitable species: (L=late flowering species)

Grasses:

Agrostis capillaris common bent L, *Anthoxanthum odoratum* sweet vernal grass, *Alopecurus pratensis* meadow foxtail, *Briza media* quaking grass L, *Cynosurus cristatus* crested dog's tail, *Festuca rubra* red fescue, *Phleum pratense* timothy

Major herbs:

Achillea millefolium yarrow L, *Alchemilla vulgaris* Lady's mantle, *Centaurea nigra* black knapweed L, *Conopodium majus* pignut, *Hypochoeris radicata* common cat's ear, *Knautia arvensis* field scabious, *Lathyrus pratensis* meadow vetchling L, *Leontodon autumnalis* autumn hawkbit L, *Leucanthemum vulgare* ox eye daisy, *Lotus corniculatus* common bird's-foot-trefoil, *Trifolium pratense* red clover, *Vicia cracca* tufted vetch

Minor Herbs:

Galium verum Lady's bedstraw, *Listera ovata* common twayblade L, *Pimpinella saxifraga* burnet saxifrage, *Potentilla erecta* tormentil L, *Primula veris* cowslip, *Prunella*



vulgaris self heal, *Sanguisorba officinalis* great burnet L, *Stachys officinalis* betony L, *Trifolium dubium* lesser trefoil, *Vicia sativa* common vetch, *Vicia sepium* bush vetch, *Vicia linifolius* bitter vetch, *Carex flacca* glaucous sedge

Mowing Regime

Grasslands must be managed by cutting if they are to retain high species diversity. Regular cutting in the first half of the first year will prevent the meadow becoming dominated by coarse grasses. After meadows are cut, material should then be raked off to prevent the smothering of other plants and increased fertility that results when the material rots down.

After year one, the grassland should be cut on a rotational basis, aiming to cut roughly half of the site one year and another half the next to mimic the natural, alternating grazing patterns that historically would have occurred over grasslands, creating a mosaic of sward. Additionally, it is preferable to leave some areas uncut each year to provide refuges for invertebrates. Additional measures to reduce the impact of mowing on invertebrates is to set the mower blade as high as possible and mow from the inside of the site outwards, ideally using a c.

The timings for grass cutting should be varied, with cuts taking place late summer / early autumn (August to October) with a particularly late cut every three years to allow full flowering and seeding of plants, especially late bloomers, and to minimise disturbance to invertebrates. The later in the year that the cutting is left, the more plants will have the opportunity to set their seeds. Once cut, all cuttings must be removed to prevent the dead material from forming a thatch and smothering any new growth.

If possible, the cuttings should be left on the ground for a minimum of one day before being removed to allow small mammals and invertebrates to leave the vegetation and allow remaining seeds to drop. This management technique will encourage greater floristic diversity and may reduce the density of some of the more dominant species including rank grasses. The collected cuttings can then be used as a tool for habitat creation, creating a small pile of the cuttings within the undergrowth of the boundary scrub, providing a feature for invertebrates, small mammals and reptiles.

To accommodate existing site users who use the site to walk their dogs, an area of the site could continue to maintain the existing, more intense management regime.



Hedgerow Creation

To further increase the biodiversity value of the site, native trees and hardy hedge species could be planted around the site's boundary. Hedgerows have huge potential benefits for wildlife, both as a food and shelter resource and as corridors along which birds, mammals and invertebrates can move to other habitats.

When planning a hedge use only locally common native species, as this will increase its value for wildlife. No one species should comprise more than 75% of the species used. As a general rule: 75% should comprise hawthorn and / or blackthorn and 25% a mix of other locally common species (e.g. holly, hazel, field maple, alder buckthorn, dog rose, guelder rose)

All planting should take place between November to March, but avoid waterlogged or frozen soil conditions that would damage the roots of new plants. To achieve a thick hedge, it is advisable to plant in double staggered rows, with 6 - 8 plants per m. Ensure that the plants are well watered and if possible, they should be watered well in their first summer. Weed control can be achieved by using a mulch mat around the base of the whip, or through regular weeding.

Suitable hedge plants to buy are bare rooted two-year-old whips (small plants up to 80cm), which will establish better than larger and older plants. When planting out ensure that the roots of the plants are never exposed as they are easily damaged.

In the first spring after planting you can cut the hedge plants back to a height of 45-60 cm to promote bushy growth resulting in a thicker hedge. Also, remember to replace any dead plants in the hedge line to prevent gaps. All management on hedges should take place between November and March, but the later you can leave it the better. Cut the hedge on a rotation of every two to three years as fruit will only develop on two-year-old growth. Also try to cut different hedges in different years to leave some hedges undisturbed. The thicker and taller the hedge is, the better for wildlife.

To improve the wildlife value of the hedge you are planting, include trees in the hedge line. Plant trees every 10 to 20 m, particularly at junctions with other hedges. These act as song posts for birds and add habitat interest. Suitable tree species for hedgerows include sessile oak, pedunculate oak, rowan, field maple and hazel.





Appendix 1

Table A.1: Potential sites – analysis summary.

KKP_Ref	Site Name	Land Use	Shape Area (ha)	Sift	Flood Risk				Green Wedge	AW	Priority Habitat	LWS	Notes
					EA FZ2	EA FZ3	SWFR (1 in 30)	SWFR (1 in 1000)					
125	Netherthorpe Recreation Ground	Amenity greenspace	0.94	Round 2 - NEZ2				X	X				
126	Land to West of St Philips Drive	Amenity greenspace	0.37	Round 2 - NEZ2									
132	Coniston Road and Rydal Close	Amenity greenspace	2.15	Round 1 - NEZ1	X		X	X	X				FZ2, high surface water flood risk. Large site – good BNG potential.
147	Wingerworth Way Open Space	Amenity greenspace	1.14	Round 2 - NEZ2	X		X	X					FZ2, high surface water flood risk
160	Tansley Drive Woodland	Semi / Natural greenspaces	1.38	Round 3 - NEZ			X	X					Band of high SWFR
162	Dovedale Avenue	Amenity greenspace	1.39	Round 2 - NEZ2									Forms part of a chain of sites (284, 285, 283, 162).
163	Cottage Close	Amenity greenspace	0.63	Round 3 - NEZ			X	X			DW		Site adjacent to deciduous woodland priority habitat - potential natural regeneration site. Low SWFR
165	Haddon Close 2 Amenity Space	Amenity greenspace	0.72	Round 3 - NEZ			X	X			DW		Low to medium SWFR.
227	Land Adjacent Baines Wood Close	Amenity greenspace	0.29	Round 3 - NEZ									
252	Hassop Road Amenity Space	Amenity greenspace	0.81	Round 1 - NEZ1	X		X	X					Only very small areas of flood risk on the periphery of the site.
259	Loundsley Green Road Amenity Space	Amenity greenspace	2.71	Round 1 - NEZ1			X	X	X				Close proximity to priority lowland meadows habitat. High SWFR in southernmost corner. Largest site - greatest BNG potential?
260	Brushfield Road Amenity Greenspace	Amenity greenspace	0.18	Round 2 - NEZ2					X				Site adjacent to Traditional Orchard.

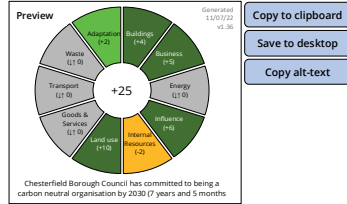
265	Hasland Green Corridor	Semi / Natural greenspaces	1.75	Round 1 - NEZ1			X	X				TO	
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Climate Change Impact Assessment Tool (v1.36)

Developed by Chesterfield Borough Council 2021

Report Name Biodiversity Net Gain Receptor Sites Pilot
Report date
Report author Laura Kinley
Project Notes Use this space for a brief overview of the project and any extra notes on things that aren't covered below.
Export filename Biodiversity Net Gain Receptor Sites Pilot_CCIA_11.07.22.png



- Copy to clipboard
- Save to desktop
- Copy alt-text

Page 75

Category	Impact	Notes / justification for score / existing work (see guidance sheet or attached notes for more information)	Score (-5 to +5)
Buildings	Building construction	No expected impact.	-
Buildings	Building use	No expected impact.	-
Buildings	Green / blue infrastructure	The scheme will have a positive impact on both green and blue infrastructure within the borough. Use of the biodiversity Metric will result in a measurable gain in biodiversity through the provision of habitat, hedgerow and river units (via habitat creation and / enhancement). The receptor sites identified through the pilot scheme and to be identified through a review of council landholdings will be assessed in terms of their potential to enhance the connectivity of the borough's ecological network (i.e. green/blue infrastructure is set to be provided in the locations which are most beneficial for nature).	+4
Business	Developing green businesses	No expected impact.	-
Business	Marketable skills & training	Maintenance staff will need to be trained in how to manage habitat on net gain receptor sites in order to reach the expected target conditions. Such training is likely to benefit other areas of land managed by CBC (and therefore have a positive impact on resilience to climate change).	+2
Business	Sustainability in business	Managing open space sites to improve habitat condition (therefore creating biodiversity units) represents a shift towards an ecologically friendly form of grounds maintenance.	+3
Energy	Local renewable generation capacity	No expected impact.	-
Energy	Reducing energy demand	No expected impact.	-
Energy	Switching away from fossil fuels	No expected impact.	-
Influence	Communication & engagement	The scheme has the potential to increase the awareness of climate change, particularly where information boards / communications are designed to explain the benefits of re-wilding / using open spaces to enhance nature. The Local Plan already requires developers to demonstrate a net gain in biodiversity, however the provision of suitable sites allows CBC to lead the way in providing for biodiversity in Chesterfield with very few alternate schemes available in the borough at present.	+3
Influence	Wider influence	Potential community engagement opportunities to be explored (e.g. working with local interest groups).	+2
Influence	Working with communities	The scheme involves no direct involvement with partners at present.	+1
Influence	Working with partners	The scheme will involve the use of council resources (e.g. equipment, planting and maintenance equipment).	-1
Internal Resources	Material / infrastructure requirement	The activity will require staff time for the creation / maintenance of biodiversity units. Administration requirements will also draw on staff time given the need to develop legal agreements with developers and formally registering net gain sites.	-1
Internal Resources	Staff time requirement	There is unlikely to be a significant impact on staff travel time as the open space sites highlighted within the pilot External funding has already been used to aid the site selection work for the pilot and has provided a template for	-
Internal Resources	Staff travel requirement		-
Internal Resources	External funding		-
Land use	Carbon storage	The project is likely to enhance carbon storage capabilities because of habitat planting / enhancement.	+3
Land use	Improving biodiversity adaptation	The project is set to improve the extent of habitats and the connectivity between them as one of the conditions for selection was how well the sites would fit with the borough's ecological network.	+4
Land use	Natural flood management	Desk-based research indicated that the sites chosen for the pilot work were most suited for biodiversity net gain and had the potential to deliver other benefits including natural flood management and nature recovery network expansion. Habitat creation can increase interception and infiltration of rainwater, reducing run off - acting as a natural flood management measure.	+3
Goods & Services	Food & Drink	No expected impact.	-
Goods & Services	Products	No expected impact.	-
Goods & Services	Single-use plastic	No expected impact.	-
Goods & Services	Services	No expected impact.	-
Transport	Decarbonising vehicles	No expected impact.	-
Transport	Improving infrastructure	No expected impact.	-
Transport	Supporting people to use active travel	No expected impact.	-
Waste	End of life disposal / recycling	No expected impact.	-
Waste	Waste volume	No expected impact.	-
Adaptation	Drought vulnerability	Management plans are yet to be fully developed. It is expected that where new planting is introduced, resilient species will be chosen.	-
Adaptation	Flooding vulnerability	Management plans are yet to be fully developed. It is expected that where new planting is introduced, resilient species will be chosen. In addition the project is designed to reduce vulnerability to flooding through initial site selection (natural flood management).	+2
Adaptation	Heatwave vulnerability	Management plans are yet to be fully developed. It is expected that where new planting is introduced, resilient species will be chosen.	-
Other	Other 1		
Other	Other 2		
Other	Other 3		
Other	Other 4		

Cheat Sheet

1. We are looking at the effects of **this** decision (not our past performance, or actions that represent future decisions)
2. We are looking at the **whole impact** of the decision (regardless of geographical location or organisational boundary)
3. We are only looking at the **climate impact** - other environmental impacts, and social, economic, wellbeing measures are recorded elsewhere.
4. We need to stay **accessible**. Click on the "copy alt-text" button above and then paste the result into the alt text box for your infographic in word. Click here for a guide
5. Your report must include some explanation as well as the infographic. **If the decision will have consequences past 2030 you must say so in your report.**
6. While there are no other specific rules for writing the summary, some of the things you may want to discuss include:
 - What are the biggest costs and benefits of this activity in terms of the climate?
 - Are there things that we will have to include in future iterations of this action - do you have a recommendation?
 - Are there measures already included in your plan to minimise the costs and maximise benefits with respect to climate change?
 - Are there other costs and benefits which are outside the scope of the CCIA? For example, does the project have high value in terms of economic or social benefit which outweighs the climate cost? Is this a valuable climate action which has a cost elsewhere?
 - What are your ambitions for this activity - what is technically feasible and what do you think we should be aiming for?
 - If we were to carry out the activity in the best possible way for the climate, what would that look like?
 - What method(s) if any are available to monitor our climate performance on this activity? This might include internal data (electricity bills, mileage claims etc.) or an external verification process. Is this feasible? If not, why not?
 - What are the constraints which stop you doing more? Time, money, expertise, political support, partner buy in, something else?

If you get stuck, contact your friendly local climate change officer

Click here to go to tutorial on adding alt text

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For publication

Equality and Diversity Annual Report 2021 - 2022

Meeting:	Cabinet Council
Date:	19 July 2022 20 July 2022
Cabinet portfolio:	Governance
Directorate:	Corporate
For publication	

1.0 Purpose of the report

To present the Council's Equality and Diversity Annual Report for 2021/22 for consideration.

2.0 Recommendations

- 2.1 That the Equality and Diversity Annual Report be approved.
- 2.2 That the Equality and Diversity Annual Report is published on the Council's website and circulated to partners.

3.0 Reason for recommendations

- 3.1 Equalities legislation and good practice require public bodies to publish annual equalities reports. The report should summarise equalities progress during the last year, and future plans.

4.0 Report details

- 4.1 The Equality and Diversity Annual Report is attached at Appendix 1. The report, which has been developed in consultation with the Equality and Diversity Forum, includes improvements and achievements over the last year, including:
 - Progress in delivering the corporate Equality and Diversity Strategy (2019-2023)
 - The continued success of the Chesterfield Equality and Diversity Forum; acting as a critical friend to the council, hosting guest speakers at online meetings to provide education and raise awareness of equality and diversity issues and hosting four events during the year

as per the Council Plan. In particular feedback following the Holocaust Memorial Day event was a that it was a very thought provoking and moving session.

- Increased focus on partnership working with a range of organisations to maximise the positive impacts we can achieve in our local communities.
- A summary of the equality impact assessments undertaken during 2021/22 around Council policies, strategies and plans.
- Progress updates on Equality and Diversity issues throughout the year.
- The report also helps the Council to show some of the steps being taken to meet the Equality Act 2010 and associated Public Sector Equality Duty.

- **Alternative options**

- The alternative approach would be to not publish the Annual Report, however, this would make it difficult to demonstrate the Council's progress in delivering Equalities outcomes.

- **Implications for consideration – Council Plan**

- The activities within the Annual Report are linked to the priority of 'Improving the Quality of Life for Local People' - Improving community cohesion, raise awareness of equality issues and celebrate our diverse communities through the delivery of a minimum of four events each year with the Chesterfield Equality and Diversity Forum.
- In addition to the Forum's activities, the report also brings together a range of activities delivered across the Council's services which support the promotion of equalities and inclusive services.

- **Implications for consideration – Financial and value for money**

- No additional resources are requested in the annual report.

- **Implications for consideration – Legal**

- The annual report provides an opportunity for the council to demonstrate compliance with the Equality Act 2010 and associated Public Sector Equality Duty, including delivery of its Equality Objectives. It is required that all relevant documents and reports are published.

- **Implications for consideration – Human resources**

- No implications identified.

- **Implications for consideration – Risk management**

This work concerns the implementation of statutory and good practice performance requirements. It is required that all relevant documents and reports are published.

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Reputational and legislative risk of not publishing the Annual Report which demonstrates compliance with Equality Annual Report.	M	L	Publish the Annual Report on the Council's website and distribute via partner mailing lists.	L	L

- **Implications for consideration – community wellbeing**
 - The annual report draws on community wellbeing activities that have a close connection with equality and diversity objectives.
- **Implications for consideration – Economy and skills**
 - The annual report draws on activities relating to the economy and skills that have a close connection with equality and diversity objectives, and protected groups.
- **Implications for consideration – Climate Change**
 - No implications identified, although continuing with a blended approach to online and face to face events and activities will support the climate change agenda.
- **Implications for consideration – Equality and diversity**
 - The annual report provides the community and relevant organisations with an update of the Council's progress in delivering equalities outcomes.

Decision information

Key decision number	1103
Wards affected	All wards

Document information

Report author
Allison Potter, Policy Officer, Corporate

Appendices to the report	
Appendix 1	Equality and Diversity Annual Report 2021/2022



Chesterfield Borough Council

Equality and Diversity Annual Report 2021 – 22



Are we accessible to you?

- We want everyone to be able to understand us.
- We want everyone to be able to read our written materials.
- We aim to provide you with what you need to read, speak and write to us.

On request we will provide free:

- Language interpreters, including British Sign Language.
- Translations of written materials into other languages.
- Materials in Braille, large print, on tape, and in Easy Read.

Please contact us:

Telephone: **01246 345247**

Text: **07960 91 02 64**

Email: enquiries@chesterfield.gov.uk

1. Introduction from Cllr Sharon Blank, Cabinet Member for Governance



Welcome to Chesterfield Borough Council's Equalities Annual Report for 2021/22. The report highlights some of the work we have been doing over the last year to promote and celebrate equality and diversity within our services and out in the wider community.

Online meetings and activities continued throughout the year and it is pleasing that they were attended by a much wider and diverse audience than previously. Once again, the Holocaust Remembrance Day event was, for me personally, such a moving and effective event managing to, somehow, take the participants into the fearful world described.

I am acutely aware of how important the various exercise programmes designed for those with or recovering from ill health are to the individuals involved - socially as well as for the physical benefits. It is fantastic that these have resumed at the leisure centres, for example "Exercise by Referral" or "Live Life Better" programmes, and out in the community, for example walking groups, giving some of the most vulnerable people a lifeline to a more fulfilling life.

We are very proud of our achievements and will continue to "Put Our Communities First", treating people fairly in everything we do as a service provider, employer and community leader. We believe we are continuing to make a real difference to the quality of life of our residents, businesses and visitors.

2. Equality and Diversity Strategy – Action Plan Progress

2.1. Our current Equality and Diversity Strategy outlines our corporate equality objectives between 2019 and 2023, and the way in which we plan to promote equality and diversity both within the Council and with our communities. The Equality and Diversity Policy and Strategy provide a framework for the Council to continue to ensure that the services we provide are fair and meet the needs of the local community, and that we discharge and progress our responsibilities under the Equality Act 2010.

2.2. In addition to reporting on our progress in implementing the strategy and action plan through these annual reports, progress is also monitored via the corporate performance management framework. The Equality and Diversity Forum also have a role in scrutinising our performance in delivering the strategy.

2.3. Below is a table which details progress during 2021/22 for the activities which contribute to the action plan outcomes for the four-year Strategy:

Objective 1: Ensuring a fair approach to the Council’s decision making, and that service changes address the needs of our communities in an equitable way, taking account of the needs of people with protected characteristics.	
Fair decision making	Update
1. Continuing to embed the Council’s commitment to equalities in its service planning and delivery by delivering a robust equality impact assessment process, and upholding the importance of this during financially challenging times.	During 2022 the Policy and Partnerships team have continued to highlight the need for EIAs to be completed for new projects, policies etc. So far more than 13 EIAs have been reviewed by the team.
2. Providing employees with training and development opportunities so that they have the skills, abilities and confidence to recognise and respond appropriately and sensitively to diversity and discrimination, both within the workplace and when delivering services. Delivering ongoing equality and diversity refresher training as required with services and a range of additional awareness raising modules on locally relevant themes.	Working with the forum, the Policy and Partnerships team have provided equality and diversity awareness training which is available for staff to attend (for example deaf awareness, online hate and presentations from the Samaritans and Deaf-initely women.) Refresher training for staff continues to be provided online via Aspire learning
3. Encouraging involvement from all communities in the shaping, development, delivery and monitoring of local services, continuing to monitor use and satisfaction with our services to identify access/accessibility issues / satisfaction with our services from different groups.	The Policy and Partnerships team continue to work closely with the Chesterfield Equality and Diversity Forum which acts as a critical friend for CBC (e.g. reviewing the Breast Feeding Policy, choosing locally relevant themes for training). Regular engagement and consultation activity throughout the year helps the shaping of local services (e.g. LGBT+ project, Leisure survey, Are You Being Served resident’s survey, STAR tenant’s survey).



	Documentation for the website is now being accessibility checked before being published.
4. Empowering local communities and organisations by publishing equality and diversity information and outcomes so that they feel they can understand the reasons for Council decisions and challenge them if they feel it necessary.	Regulatory Public Sector Equality Duty data is published on line and can be found here: https://www.chesterfield.gov.uk/living-here/people-and-families/equality-and-diversity/equality-and-diversity-data.aspx
Understanding our communities	
5. Support the planning and delivery of the local arrangements for the 2021 Census.	The 2021 Census was successfully delivered. Output from the Census is now awaited, work on analysing the data will follow. A key part of Census delivery in Chesterfield included working with the Office of National Statistics to develop local accessibility arrangements to enable harder to reach groups to take part in the Census and ensure strong response rates and data quality.
6. Maintain the State of the Borough report in line with latest available information, including Census 2021 data as available.	The State of Borough was last updated Summer 2021 and is available on the CBC website. This will be updated further in Summer 2022 when initial census data is received.
7. Ensuring that translation and interpretation made available by Chesterfield Borough Council meets the needs of local communities by reviewing and revising our current arrangements.	Census output is awaited. Once received, data will be analysed and translation / interpretation available will be adjusted accordingly. Procedures are now in place to respond to the translation needs of refugees and asylum seekers, this may mean that additional languages need translation services moving forward.



Objective 2: Supporting equitable access to high quality services that recognise the needs of different customers	
Supporting access to services	Update
<p>1. Supporting and facilitating the Chesterfield Equality and Diversity Forum to act as a critical friend, improving and championing access to the Council's services for all.</p>	<p>The Equality and Diversity Forum have met regularly and have worked together with Chesterfield Borough Council and acted as a critical friend when discussing current issues and projects and agreeing relevant topics for discussion at meetings and training events. The forum has worked with the team to plan activities for the year to meet the Council Plan objective. The forum has also been involved in reviewing / considering new initiatives (e.g. Breast feeding policy)</p>
<p>2. Making sure that our communities are able to access our bespoke health and wellbeing offer in our Theatres, parks and leisure centres, for example, by facilitating the Theatres Access Group, providing targeted activities such as autism friendly swim sessions, encouraging groups who share protected characteristics to use our parks for events, maintaining our Green Flag status for 5 parks, and promoting positive mental health and wellbeing especially in targeted and hard to reach sectors of the community.</p>	<p>Health and Wellbeing officer continues to provide this service; the cultural access group continues to work effectively, targeted sessions are being run, Green Flag status is retained.</p>
<p>3. Retaining our Customer Service Excellence accreditation</p>	<p>The Customer Services team continue to meet the requirements of the Customer Service Excellence Standard with all elements being fully compliant.</p>
<p>4. Continuing to take an active role in Dementia Friendly Chesterfield</p>	<p>Dementia friendly walks and films continue to be a regular offer and are well supported by the community.</p>
Accessibility of information	
<p>5. Review the corporate accessibility statement to ensure that it is reflective of and accessible to our local communities</p>	<p>Census output is awaited. Once received, data will be analysed and translation / interpretation available will be adjusted accordingly.</p>
<p>6. Developing the council's website, intranet and microsites to make them accessible to all our internal and external customers. This will include improving the quality and usability of our online information, to comply with EU Web Accessibility Directive, and to improve the user experience for customers with additional needs (such as visual, reading or motor impairments). We will also include subtitles on all videos published online, such as on YouTube, Facebook, Twitter and on the council website including self service areas.</p>	<p>We carry out weekly spot checks and quarterly reviews of the full council website, to make sure that it remains accessible to our customers. The site consistently ranks in the top ten per cent of council websites in the independent Sitemorse Local Government Index. A website accessibility statement was published on 23 September 2020 in accordance with the EU Web Accessibility Directive, and was most recently reviewed on 11 January 2022.</p>



	<p>In January 2022 we passed an accessibility audit that was carried out on chesterfield.gov.uk by the Government Digital Service (GDS), on behalf of the Cabinet Office.</p> <p>We add subtitles to all our videos using the functionality in YouTube; subtitles are carried forward wherever the video is displayed such as on Facebook, Twitter, or embedded in web pages on the council website.</p>
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Objective 3: Encourage mutual understanding and respect between our communities.	
Raising awareness	Update
<p>7. Raising awareness of local equality issues and celebrating our diverse communities through the delivery of a minimum of four events each year through Chesterfield Equality and Diversity Forum on a range of locally relevant equality themes.</p>	<p>The Equality and Diversity Forum have successfully delivered four online events during 2020/21; Deaf Awareness Training, Stop Hate Training, Holocaust Memorial Day and International Women’s Day. An LGBT+ research project is also being completed across two financial years.</p>
Supporting vulnerable people	
<p>8. Managing the Syrian vulnerable persons resettlement and associated programmes for CBC.</p>	<p>CBC continues to play a key role in the UK Resettlement Scheme Partnership regional meetings, supporting and coordinating local approaches to a number of schemes including: the Syrian vulnerable persons resettlement, Afghan Relocations and Assistance Policy (ARAP), Afghan Citizens’ Resettlement Scheme (ACRS), Homes for Ukraine and asylum dispersal.</p>
<p>9. Completing the Safeguarding Children and Vulnerable Adult self-assessment and action plan working with Derbyshire safeguarding Boards</p>	<p>CBC continues to play a key role in the Derbyshire District Safeguarding Leads meetings, where best practice sharing and joint working takes place, particularly in the development of policy and training approaches.</p>
<p>10. Delivering community safety priorities through the Community Safety Partnership using this forum to help tackle issues facing our communities through creating a common vision and sense of belonging developing strong, positive relationships between people from different backgrounds and ensuring joint community engagement and tension monitoring plans are in place where appropriate.</p>	<p>The Policy and Partnerships team have worked extensively with the Community Safety Partnership to ensure that equality and diversity is at the forefront of their strategies, policies, procedures, and practices – for example in the development of the new Anti-social behaviour strategy.</p>
<p>11. Continue to work with partners to tackle homelessness – dealing with over 900 cases per year</p>	<p>The revised Rough Sleeper Strategy was approved by Cabinet in June 2021. The strategy includes 38 commitments around prevention, intervention and recovery. The official Rough Sleeper Count figures</p>



	demonstrate a reduction in rough sleeper numbers:										
	<table border="1"> <thead> <tr> <th>Year</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>2018</td> <td>18</td> </tr> <tr> <td>2019</td> <td>13</td> </tr> <tr> <td>2020</td> <td>9</td> </tr> <tr> <td>2021</td> <td>5</td> </tr> </tbody> </table>	Year	Number	2018	18	2019	13	2020	9	2021	5
Year	Number										
2018	18										
2019	13										
2020	9										
2021	5										

Objective 4: To maintain a modern and diverse workforce that is reflective of the local community and feels valued and treated fairly

Employee wellbeing	Update
12. Responding effectively to the gender pay gap reporting requirements including action planning.	The gender pay gap report has been produced for 2021 and can be found here: https://www.chesterfield.gov.uk/living-here/people-and-families/equality-and-diversity/gender-pay-gap.aspx
13. Seek employee feedback through the annual employee survey and develop and deliver annual action plans to address issues and trends identified.	The annual employee survey wasn't carried out during 21-22 due to the IIP assessment. However as part of the IIP assessment a staff survey was carried out and employee feedback gained through survey questions. An action plan has been developed and will be reviewed at 12 and 24 months.
Recruitment	
14. Maintain and build on the Council's Investors in People status	Gold standard achieved reflects the culture of trust, collaboration, and strong values that we have all created here at Chesterfield Borough Council. In October 2021 the Council also received the Silver Award in the Ministry of Defence Employer Recognition Award.
15. Transform the recruitment web portal to attract a diverse range of candidates, using best practice from other councils	In 2021 we reviewed and updated the recruitment web portal. Firstly to make sure it was in an accessible format for applicants and secondly to refine all of our documents held on the site. HR worked alongside the Communications and Marketing team to update all of the materials using a variety of methods (as much as COVID lockdowns allowed) and it went live in June 2021.
16. Maximise opportunities for engagement with businesses and schools, promoting careers and apprenticeships in local government	Monitored in the Council Plan, apprenticeships and careers continue to be promoted.

Objective 5: To make sure that local people who share protected characteristics are able to access opportunities in employment and growth.

Inclusive approach to growth	Update
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<p>17. Supporting 5000 children to prepare for future job opportunities through the HS2 and you initiative.</p>	<p>HS2 and You Careers Information Leaflet was issued to 5000 students in years 5/6/7/8 across the North Derbyshire Growth Zone. This was followed by a 2 year careers engagement programme from June 2019 providing in -school careers activity workshops that raised awareness of rail related careers and STEM Skills required to access opportunities in the rail sector. The COVID Pandemic severely impacted delivery meaning that the in-person programme ceased in March 2020. To mitigate impact of this disruption a rail competition was launched in schools in the spring of 2021. The winning School were treated to a VIP tour of Barrow Hill Round House in November 2021 which included Rail Related Careers Workshop delivered by Rail Forum Midlands.</p>
<p>18. Providing the Young Person’s Market, where stalls are available free of charge for anyone aged between 5 and 25 years old.</p>	<p>The Young Persons’ Market is a national initiative being run across England and has been successfully run in Chesterfield for the last 5 years with 4 markets held each year.</p>
<p>Apprenticeships</p>	
<p>19. Help to develop the careers of over 90 apprentices across the Council by ensuring that we provide opportunities for people to develop qualifications, vocational skills and increase employability</p>	<p>In the last 4 years we have had 97 apprenticeships within the council as follows: 2018/19 – 28 Apprenticeships 2019/20 – 28 Apprenticeships 2020/21 – 23 Apprenticeships 2021/22 – 18 Apprenticeships</p>
<p>20. Enable 350 apprenticeships via the apprentice town initiative by working alongside and supporting apprentice providers.</p>	<p>The transition from Apprenticeship Frameworks to Standards and the Covid 19 pandemic has impacted upon apprenticeship start; There were 670 apprenticeship starts in 2020/21. The Apprentice Town Web pages have continued to be updated to highlight local case studies, vacancies and support available to residents and employers – The web pages have been supported with a social media programme and blog series and since 2019 there has been 113% increase in the number of annual unique page views rising from 7091 in 2019 to 15,121.</p>
<p>21. Work in partnership with Chesterfield college to explore opportunities for joint working (e.g. catering placements, trade staff supporting tutors and assessors)</p>	<p>We have continued to work in partnership with Chesterfield College, particularly in respect of project development for a number of skills capital projects including DRIIVE. We work closely with the College, along with other training provider partners to align ‘local labour activity’ – For example, a programme of work experience was a range for college students during the construction of the One Waterside Place and students have been involved in construction related careers activity including</p>



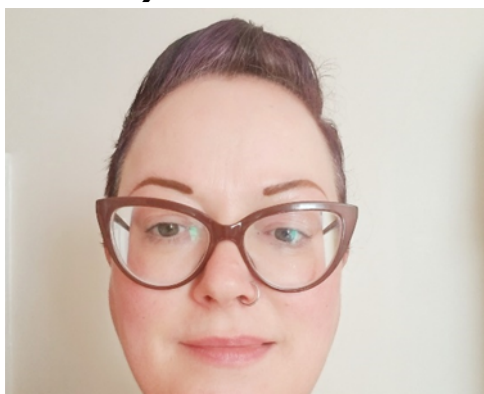
	site visits and the women in construction mentoring programme .
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Objective 6: Supporting independence at home for our tenants, local residents and vulnerable people.	Update
<p>22. Support independence at home for vulnerable people through our Careline and Neighbourhoods service, and delivering Disabled Facilities Grants.</p>	<p>81 Disabled Facilities Grants were completed in 2021. Careline have continued to operate providing an essential falls service and support for our customers.</p>
<p>23. Maintain independent living through the continued support of vulnerable people - Invest in over 1350 major improvements in our council homes including new kitchens, bathrooms, heating systems, windows and rewiring, ensuring that 100% of our Council homes meet the decent homes standard</p>	<p>We continue to strive to maintain independent living for vulnerable people through Careline and tenancy sustainment services. 100% of our homes meet the decent homes standard.</p>

3. Chesterfield Equality and Diversity Forum

3.1. Despite the ongoing covid-19 restrictions during 2021/22, Chesterfield Equality and Diversity Forum has continued to reach wide audiences, with meetings and activities continuing online. As a result of hosting activities online, we have managed to reach a wider and more diverse audience, with new participants being able to take part, and this approach is something that the Forum would like to continue alongside the more traditional face-to-face activities. The Forum has continued to work together to share ideas and best practice, be a 'critical friend', and raise awareness in the community of equality and diversity. One of the most important contributions of the Forum is the successful engagement with the wider community, and at the beginning of this year, the Forum held a workshop looking at demographics and locally relevant topics to develop a plan of activities and events for the year. This resulted in a year of excellent online educational and awareness raising activities led by the Forum.

A message from Sarah Roy, Chair of Chesterfield Equality and Diversity Forum



I am very pleased to be able to carry on as chair of the Equality and Diversity Forum again this year. Once more, it's been a challenging year and we are very proud that we have



again been able to offer new and inspiring activities, learning and events for the people of Chesterfield. A big thank you to all of our forum members, old and new, for their support to enable the Council to fulfil its commitment to equality and diversity. It has been encouraging for us to see our core groups of charities and organisations continuing their involvement throughout the final months of the pandemic as we acknowledge they had such a difficult time over the last two years and it had been a worry that some may not withstand the restrictions and financial pressures they were put under.

So, let's look at some of our greatest achievements over the last year!

In September 2021, Bill Howe from Stop Hate UK presented a two hour webinar entitled "Free speech, Social Media and Hate Speech – what is lawful, what is appropriate and what is not". The delegates explored how opinions attitudes and prejudice are influenced and shaped by unconscious bias, media bias, fake news and the impact of hate speech upon individuals and communities. Participants were from a wide variety of backgrounds, age groups and with different experiences of using social media. The discussions resulting from the session provided an excellent opportunity for people to share their experiences and reflect on how they might reconsider some of their social media interactions.

After listening to the feedback from forum members, we worked with a company called Signs 4 Life in November to deliver some deaf awareness training. Key topics covered included identifying the barriers that Deaf people and people with hearing loss face, methods of communication including applying the finger-spelling alphabet and exploring the Deaf community and culture. The training was available to the public and received some excellent feedback.

This year, the guest speaker at our Holocaust Memorial Day event this year was Anita Peleg, who spoke about her mother, Naomi Blake. Naomi was born in 1924 in Czechoslovakia. In April 1944 Naomi and her family were transported in the notorious cattle trains to Auschwitz where many of her family members died in the gas chambers. Naomi and her sister were sent to Brahnau concentration camp to work. After escaping from her Nazi captors Naomi returned home to find that her home was in ruins and 17 family members, including 10 young nieces and nephews had been murdered. Anita used audio testimony of Naomi, historical photos and images of Naomi's sculpture work to illustrate the talk, which was delivered via a very well-attended online Teams event.

For International Women's Day in March 2022, in line with this year's theme of #BreakTheBias, we connected with local women who have been making their



mark and successfully building a career in industries that are usually male dominated. In partnership with Chesterfield College and the Fire Service a series of short videos and testimonials were posted on social media throughout the day. Online engagement was particularly high, with 310 on Facebook, 62 on Twitter, 21 on LinkedIn, 14 on Instagram and 73 views on YouTube.

With Covid restrictions now ended, we will be able to bring you more events in person in the coming year and we are welcoming some new forum members in 2022. If you would like further details of our future meetings or activities, please get in touch because we have a lot of exciting plans!

3.2. Equality and Diversity Forum meetings and engagement

A key aim of the Forum is to raise awareness of equalities and issues affecting local people. The Forum has over 200 members that receive regular information about the meetings, events and equalities news. Some of the participants represent a community group, or statutory organisation, while others are there as individuals from the community with an interest in promotion of equality and diversity.

During 2021/22 there were high levels of engagement at the online meetings with a variety of issues being considered including: LGBT+ activity update and renunciation of rights in Poland, Ashgate Hospice equalities update, Samaritans vision and support offered by Deaf-initely Women. During February, the Forum had an initial workshop looking at local data to plan equality and diversity events, training and activities for 2022-2023.

3.3 Equality and Diversity Forum events and activities

In addition to the meetings, during 2021/22 the Equality and Diversity Forum have continued to organise, host and support a number of events throughout the year on a range of equality themes that are relevant to the community, and drawing in additional funding to maximise the impact we can all make in the community and to pool our limited resources. We would like to thank all those who have given up their time to support and help plan the following events that have taken place over the past year. Events during 2021/22

included:



Signs4Life Deaf Awareness Training

In November 2021, Signs 4 Life provided an online Deaf Awareness and Sign Language workshop. Key topics covered included:

- Identifying the barriers that deaf and people with hearing loss face
- Methods of communication including applying the finger-spelling alphabet
- How to implement positive methods of communication, and offer an equal service
- Exploring the deaf community and culture.

Some of the comments provided to us when we asked for feedback from the session are below:

I will use this in my day to day work. I meet deaf and hearing impaired people in my role working with members of the public.

I found the personal experiences of the presenter of growing up and living with deafness were very enlightening.

To have a better understanding from a deaf persons' point of view. I found it very interesting the difference in which BSL say the same sentence as the one we speak.



Free Speech, Social Media and Hate Speech Training

In September, Bill Howe from Stop Hate UK presented a two hour webinar focussing on Free speech, Social Media and Hate Speech – what is lawful, what is appropriate and what is not.

The delegates explored how opinions attitudes and prejudice are influenced and shaped by unconscious bias, media bias, and fake news and the impact of Hate Crime/Hate Speech upon individuals and communities.

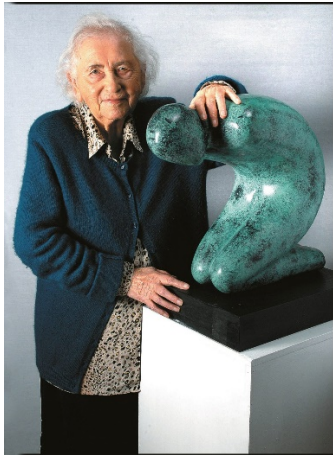
Some of the comments provided to us when we asked for feedback from the session are below:

To impart knowledge and challenge young people I work with.

Makes me more aware of fake news and stuff that incites negative thoughts or feelings

Become more aware and responsive to microaggressions

What hate crime is and how under reported these instances are



HOLOCAUST MEMORIAL DAY 27/1



Holocaust Memorial Day 2022

The Holocaust Memorial Day activities continue to be very well supported by our local community, drawing in large audiences. The theme set by the Holocaust Memorial Day Trust for 2022 was 'One Day'. This year, many people came together to mark Holocaust Memorial Day virtually, to help those in need and to build a better future.

Our guest speaker this year was Anita Peleg from the charity Generation 2 Generation who spoke to the Forum about her mother, Naomi Blake. Naomi was born in 1924 in Czechoslovakia. In April 1944 Naomi and her family were transported in the notorious cattle trains to Auschwitz where many of her family members died in the gas chambers. She and her sister were sent to Brahnau concentration camp to work. After escaping from her Nazi captors Naomi returned home to find that her home was in ruins and 17 family members, including 10 young nieces and nephews had been murdered.

Anita used audio testimony of Naomi, historical photos and images of Naomi's sculptures that demonstrate the strength of the human spirit to survive against the odds and provide a positive legacy for the future.

The online event ended with a Q and A session touching on locally relevant issues and themes.

Feedback was invited after the event and out of those who responded, 100% said that the event was interesting and engaging and that the speaker was very knowledgeable. Comments included:

After last years' online event, I thought I was prepared for how moving and effective the event would be - however, I was, again, glued to my seat totally absorbed in what I was being told. The way the photographs were shown also added to the atmosphere of, somehow, being taken into the world described & feeling the fear etc.

I don't think it could've been improved. It had a real impact on me and I thought it was absolutely fantastic.

It was excellent and informative,



Due to Covid-19 restrictions our HMD Memorial Book was presented online again for comments this year. The entries are detailed below:



HOLOCAUST
MEMORIAL
DAY 27/1

Messages left in our Holocaust Memorial Day Book of Remembrance 2022

The shoah or Holocaust as it is known in English is a reminder of what unchecked antisemitism, bigotry and hate can lead to. I hope as we remember these terrible events that the memory events become our immune system to hatred.

We must never forget and should continue to challenge dangerous ideologies and behaviour that may lead to such atrocities.

Thinking of all the innocent victims of the Shoah today and always. May they Rest in Peace.

We must remember each story and each life, especially as each year we lose more of those who were there. By sharing these stories from survivors and their children we can spread the message that this must never happen again or be forgotten.

I will continue to remember all of you in the holocaust, not just today, but everyday, until my last breath. RIP every one of you.

We should never forget those who have suffered in the past and also those who are still suffering today.

It is always important to remember and remember together about Holocaust so that can remind ourselves of how we have been and what we can be towards one another.

The Holocaust of World War Two was our chance to learn - and many did - but genocide continues and indeed as recent as 1995 occurred in Europe itself. We should stand committed to never forget but also to act and ensure that it is never again.



International Women's Day



International Women's Day 2022

For International Women's Day in March 2022, in line with this year's theme of #BreakTheBias, we connected with local women who have been making their mark and successfully building a career in industries that are usually male dominated.

In partnership with Chesterfield College and the Fire Service a series of short videos and testimonials were posted on social media throughout the day promoting success stories.

Online engagement (the amount of comments, likes, post clicks and shares our content gets) was particularly high, with 310 on Facebook, 62 on Twitter, 21 on LinkedIn, 14 on Instagram and 73 views on YouTube.



"My career in the fire service began in 2003 in the 999 emergency control room, but I soon got the idea that I wanted to be a firefighter after seeing other females doing it, learning more about the role and seeing the team working."

Joanna Raisin
Watch Manager
Chesterfield Fire Station



4.0 Promoting equality and diversity through our services

Throughout the year, a range of activities and developments take place within the Council's services which contribute towards our commitment to embrace diversity and treat everyone fairly.

4.1 Customer Services

The Council's Customer Services have once again retained their Customer Service Excellence accreditation, meeting the standards with full compliance. Retaining the accreditation gets harder each year, requiring us to prove that we continue to deliver good customer service, whilst also making improvements since the last assessment.

The Customer Service Excellence standards consist of 5 key areas:

- Customer Insight
- The Culture of the Organisation
- Information and Access
- Delivery
- Timeliness and Quality of Service

Through our case studies and evidence, we were able to demonstrate that the customer service delivery over the five areas had been of a high standard, with numerous improvements. We were also able to show a commitment to continual development in the service which we provide to our customers.

4.2 Sport and leisure

The measures required over the past year to ensure compliance with the Government's response to the Covid-19 pandemic have had an impact upon the activity programmes within the sports centres. These measures have been gradually relaxed in accordance with Government guidance and as a result the service has, where appropriate, re-introduced activities as quickly as possible to support our communities engaging in their chosen forms of physical activity within our centres.

Given the required adaptations to the services activity programmes it has been a very challenging year. When the sports centres re-opened in April 2021 attendance remained low in comparison to pre-pandemic levels. However as time progressed and control measures evolved the service was able to provide a range of activities which were well received by our customers as follows;



- By September 2021 attendance to children's swimming lessons reached pre-pandemic levels ensuring this life skill was delivered to a large number of local children.
- By October 2021 attendance to other children's courses, e.g. gymnastics, had also returned to pre-pandemic levels enabling more children to engage in their chosen activities.
- Pre-booking requirements for swimming and gym access was removed in July 2021 enabling easier access to our facilities and activities.
- Sports hall activities re-commenced in full from the summer 2021 enabling programmes such as 50+ sessions to be delivered.
- Gym membership continued to grow throughout the year and reached pre-pandemic levels across the centres by the end of January 2022 enabling large numbers of customers to routinely engage in their chosen forms of physical activity.
- The Exercise by Referral programme recommenced in late autumn 2021 and as a result ensured that those who are vulnerable were able to access their exercise referral programmes.
- Other specific activities, e.g. The Light hearted group, which accommodates people who have recovered from coronary illness and develops further recovery and resilience to further potential issues, restarted in February 2021
- The swimming pool programme continued to develop throughout the first six months of the year and by September 2021 Chesterfield Swimming Club had fully returned and school swimming lessons had returned, providing further activity opportunities for children of all ages.

Our program of group walks was impacted by changing Covid restrictions throughout the year, but we have eventually re-established three group led walks based in our parks and in a local community garden. The walking groups offer residents a chance to take safe, simple exercise outdoors and enjoy the benefits to both their physical and mental health. These friendly, sociable walks are an ideal way to help residents overcome some of the issues of social isolation caused by the pandemic. For example, our Buggy Walk in Queen's Park is a great way for parents and carers of babies and small children to meet and chat. In recognition of the social element of the walking groups we have renamed the program as Chesterfield Borough Council's "Walk With Us" program.

We have also supported a number of local organisations and voluntary sector groups with training and advice to help them re-start or even launch their own walking groups - these include a mental health peer support group, a cancer support group, a local independent community-based walking group and an organisation which supports clients into employment.



We have continued to work with colleagues across the county to implement a “Walk Derbyshire” framework, encouraging all our residents to walk more, whether that be with local walking groups, exploring on one’s own, with friends and family, walking to school or work or simply to get from A to B.

Across the year we organised over 200 activity sessions from kite making to canoeing, bush craft to bird box building, pickleball to pond-dipping and much more. In particular we ensured there was something available for families somewhere in the borough every weekday of the summer school holidays. Feedback from residents has been overwhelmingly positive, with many expressing their thanks to the Council for providing these free activities to help residents recover from the difficulties of the last 12 months.

We offered a very successful Inclusive Activity Day in Queens Park and Queen’s Park Sports Centre, working alongside a local organisation which offers support to people with learning difficulties, which more than 60 people attended. Activities included adapted karate, arts and crafts, dance, tennis, football and chair-based exercise. We hope to repeat similar events in 2022.

The CBC Community Lifestyles Officer has resumed an outreach program offering healthy lifestyle and physical activity advice and guidance to community and health-related groups, beginning with a program of talks to patients of a Community Respiratory Rehabilitation group, particularly pertinent post-Covid.

4.3 Parks and open spaces

Chesterfield’s parks continue to provide excellent facilities for the community and visitors. We are proud to hold 5 Green Flags which recognise the best parks and green spaces across the country with one of the key considerations being accessibility. We continue to invest in our smaller local parks aiming to make them as accessible and appropriate as possible. Parks provide outlets to play sport (football, petanque, cricket, walking football, bowls and pickleball) and informal recreation and we also maintain many equipped play areas, several of which have had recent makeovers and new facilities.

A growing number of people are holding events on our parks, Chesterfield Pride is a regular event now and is growing by the year providing a family friendly safe event. As part of the walking festival we host a ‘roll and stroll’ event designed for people with physical and learning disabilities, and a dementia walk. In the summer of 2021 the council hosted an inclusive activity day which was held in the Queen’s Park and the sports centre. This attracted around 60 people from a variety of day centres across the borough. We



regularly engage with organisations such as Macintyre and One Vision One Future and these groups attend sessions in the park such as outdoor yoga, bulb planting, orienteering and bird box building. An external partner delivers an inclusive 'Pedals in Queen's Park' which is attended by the Freedom Centre.

We aim to instil ownership and pride at a young age by engaging infant and junior school groups, along with many community groups, with bulb planting at their local parks. This has helped contribute towards the 20,000 spring bulbs planted in 2021 by 300 children to make Chesterfield a brighter borough.

4.4 Housing

Throughout 2021- 22 design and consultation on a new redesigned Housing Service took place. In February 2022 the Council approved the changes proposed. This reshape will significantly increase the frontline staff resources of the Housing Service to provide an increased neighbourhood presence and customer engagement. The reshape will be rolled out over the next six months and new staff will be appointed to roles allowing a much more customer focused service that will provide increased support for residents.

Tenancy sustainment

Our dedicated tenancy sustainment team work with our most vulnerable tenants such as those with:

- Physical and mental health needs.
- Learning difficulties and disabilities.
- Women and men at risk of violence.

The team provide support to:

- Apply for funding to prevent homelessness.
- Ensure they are claiming the correct benefits.
- Pay priority bills, budget and deal with debts.
- Access the correct support services for their needs. For example, domestic abuse, mental health, social care.
- Ensure their accommodation is suitable for their needs, and they have any aids and adaptations they require.
- Access grants for things like furniture and carpets.

Of the tenants engaged with by the team 91% remained in their tenancies a year after support started.

Adaptations

As well as investment in new build properties, new kitchens, bathrooms, boilers etc our Capital Programme also includes investment in making adaptations to properties to make sure properties are suitable for tenants needs. During 2021 to early March 2022 the Housing Options team have worked to deliver 128 major adaptations to properties at a cost of over £550,000. In addition to these major projects a further 186 properties received minor adaptations at a cost of £42,926.85.

The Council's housing service also includes work on delivering adaptations to private properties in the Borough. Our Private Sector Housing Team have delivered 117 major adaptations at a cost of £667,000 through Disabled Facilities Grant.

Private Sector Housing team



In addition to work on adapting people's homes over the past year our private sector housing team also:

- Ran 'Healthy Homes' designed to enable people to be discharged from hospital by carrying out any necessary work such as repairs and house clearances so homes are suitable for occupation by recovering patients.
- Funded a homelessness worker through the charity P3 to advise and assist those with chaotic lifestyles and mental health issues.
- Lent older vulnerable homeowners £72,000 to carry out urgent repairs and maintenance to their homes.

Careline and independent living services

Throughout the continuing pandemic during 2021 – 22, Careline have continued to operate providing an essential falls service and support for our customers which assist the emergency services to concentrate services to the most critically ill during this time. The support service maintained contact with all our customers on a regular basis switching the visiting service to a phone contact service to help minimise risk for both customers and staff.

The service is rolling out its investment in digital equipment as the call platform is upgraded to receive digital calls. As we move forward all previously installed analogue units will be upgraded and replaced as part of the digital rollout.

The reshaping of the Housing Service included the ILS service and Careline and will bring more structure to all areas and assist us in future proofing the services and support we can offer our residents. This will assist residents in maintaining their independence for as long as possible and retaining tenancies for longer.

The team also made referrals to Chesterfield Borough Council's Benefit Team which resulted in over £84k of additional benefits claimed. The team also supported customers to manage debts and complete applications for budgeting loans via telephone during this time. 651 referrals were made in Chesterfield under prevention of hospital admission and prevention of declining health and mobility whilst 761 referrals and outcomes were achieved under improving quality of life which covered social interaction, preventing isolation, living and home environment/safety.

Homelessness

The Homelessness Team have worked tirelessly all year to rehouse and support vulnerable people in the borough. The team have taken on additional work in implementing Government Covid response programmes such as Protect and Vaccinate funding and administering the Household Support Fund to people at risk of eviction. It has been the busiest period in the team's history as by the beginning of March 2022 1474 homelessness applications



had been made. Around of third of these cases resulted in accepting a duty to prevent or relieve homelessness.

Repairs and Maintenance

Our repairs and maintenance teams were unable to carry out non-urgent internal repairs due to the restrictions during the height of the pandemic but throughout this difficult time they ensured our vulnerable tenants in relation to repairs and gas servicing were prioritised to keep them safe and warm in their homes.

4.5 Apprenticeships town and improving our economy

During 2021/22 we have continued to deliver activity outlined in the Skills Action Plan with a focus on economic recovery in response to the coronavirus pandemic. This includes working with Chesterfield College and other partners to continue to develop Chesterfield as an Apprentice Town. CBC have its own successful apprenticeships scheme that currently supports 30 apprenticeships. However, we want to support all young people in our communities to gain employment, further education and to develop their skills. In 2020/21 over 1500 individuals were participating in apprenticeships in Chesterfield with over 58% participating in apprenticeships at level 3 or above and over 25% being at higher or degree level. So far in just Q1 of academic year 2021/22 there have been 290 new apprenticeship starts for Chesterfield, over 68% of which were at level 3 or above and over 27% at higher or degree level.

Apprenticeships also featured heavily in the 6th annual Employability and Skills Conference which took place at the Speedwell Rooms in Staveley on 9th February 2022. The conference was attended by an estimated total of 93 people including business delegates, operational staff and school students, and provided a platform for speakers from Chesterfield College, University of Derby, D2N2 LEP and local employers including AECOM to highlight why the development of green and digital skills is a priority for the area. The conference also featured an employer panel who discussed current recruitment challenges faced by businesses in the area. The panel was chaired by an apprentice currently working with Chesterfield based engineering and weighbridge company, Weightron Bilanciai. Ivan Fomin, Chair of the Staveley Town Deal Board, showcased employment and learning opportunities across the 11 projects within the Staveley Town Investment Plan. Ivan was assisted by 8 students from Springwell School who facilitated round table discussions



with conference delegates about what the key priorities should be for the emerging skills and employability framework for Staveley.

Last year's conference showcased the launch of the flagship My Future Online Careers Platform. Believed to have been the first of its kind in the UK, My Future, an innovative online careers and employability platform, was originally designed to provide virtual support for young people facing uncertainty in their future as a result of the Coronavirus pandemic and help employers reach prospective employees. The platform was revamped in October 2021 with enhanced functionality and included 6 new pods featuring Chesterfield businesses, training providers and new information on opportunities created by the Staveley Town Deal. Continuing to offer this platform in an online format has enabled those people who previously wouldn't have been able to attend an in-person event (due to disabilities, finance restrictions, limited time etc) to take part. My Future accommodates 100 virtual employer exhibition pods across 11 searchable sectors in a 360° fully immersive careers fair setting which can be accessed via computer or through the mobile application. Through multi-media functionality, each pod provides a unique opportunity for businesses, training and employment support providers to showcase their resources, job roles and vacancy information. Between January 2021 and December 2021 there were a total of 4409 unique page views for My Future via the Destination Chesterfield website totalling over 250 hours of time spent by users viewing the platform, a 100.5% increase on the previous year's figures of 2199 unique views between January 2020 and December 2020.

The annual MADE in Chesterfield festival was held in November 2021. MADE in Chesterfield is supported by manufacturing and construction business who seek to inspire the next generation into the industry through a series of workplace tours and activities for school and college students. In November 2021, 12 school visits took place across 10 industry employers in Chesterfield, with an estimated 174 individuals supported. One of the workplace tours saw 8 students from Springwell School visit Superior Wellness Ltd in Chesterfield. As part of the visit, the students were given a tour of the office space, an explanation of roles from a member of each department and a meeting with an apprentice currently with the company.



The coronavirus pandemic saw a sharp rise in youth unemployment, peaking in Chesterfield at a 11.6% claimant count rate for those aged 18-24 in June 2020. Despite this, as of January 2022 the claimant rate for ages 18-24 in Chesterfield was 6.5%, higher than the East Midlands and National averages but just 0.2% above March 2020 figures of 6.3%.

In addition to developing the My Future platform, through the continued delivery of Apprentice Town and MADE in Chesterfield, Chesterfield Borough Council have worked in partnership with the DWP and East Midlands Chamber of Commerce to help promote the Kickstart Scheme; a scheme that provides paid 6 months' work experience to 16-24 year olds in receipt of Universal Credit. The Kickstart scheme closed to employers in December 2021 but continued accepting new applicants for live vacancies up to March 31st, 2022. Chesterfield Borough Council has supported partners including Job Centre Plus and gateway organisations like the East Midlands Chamber of Commerce to raise awareness and promote the benefits of the scheme to local businesses and residents. To date 683 Kickstart vacancies and 305 starts have been generated from Chesterfield Job Centre, 98 of which have now completed their Kickstart placements.

Recognising the rise in vacancies and recruitment challenges being faced by employers, Chesterfield Borough Council have worked in partnership with Job Centre Plus Chesterfield to facilitate two Market recruitment events in September and November 2021. The events provided members of the public and job centre plus customers with direct access to employment and training opportunities. Employers, apprenticeship and employability providers made use of the market stalls to promote vacancies and a number of employability workshops and interview sessions were delivered from the Market Hall by Derbyshire Careers Service and recruiting employers, respectively. 24 organisations attended the September event which also had a focus on Kickstart employers, with 137 positive referrals and 59 immediate job starts secured as a result. Following increased interest and focus on employability skills providers and networking opportunities, a total of 40 organisations booked on to the November event, which JCP estimated had an attendance of 220-250 jobseekers, leading to 203 positive referrals and 19 immediate starts.



As part of regular meetings with the DWP we are discussing further scope for similar events in 2022.

Ensuring that local people and businesses have the right skills to access current and future opportunities is a key objective underpinning the Skills Action plan and one that contributes to the Council's priority to make Chesterfield a thriving Borough. We are progressing two key skills capital projects through the Staveley Town Deal, including DRIIVE (Derbyshire Rail Industry Innovation Vehicle), a modern innovation centre encompassing research and development, training and commercial office and workshop space at Barrow Hill and a Construction Skills hub in Staveley that will see the creation of an on-site construction training facility that will help students gain practical skills and experience with direct access to sector employers.

Local labour clauses have continued to be agreed on 100% of eligible developments and from Q1-Q3 of 2021 so far 462 local jobs and 81 apprentices have been provided and over £20.4 Million of contracts awarded to local supply chain businesses as well as creating a number of other social value outputs including careers support, school visits, partnerships with FE colleges and work experience.

The Council is still actively supporting the delivery of key regeneration schemes (Peak and Waterside) and is actively engaged in the direct delivery of the Northern Gateway Scheme which has now seen the completion of Saltergate MSCP, with the Enterprise Centre due to be completed in 2022. These developments will directly deliver hundreds of new employment opportunities to Chesterfield.

4.6 Commemorations Review

The council committed to listen to and work with local communities to review the appropriateness of commemorations within Chesterfield Borough on public land including monuments, statues, plaques and street names. A commitment was also made to ask our communities who is currently missing from our commemorations and how we can ensure future commemorations provide opportunities for education and to celebrate the history of Chesterfield Borough and our diverse communities.

In January 2021 Cabinet received a report on phase 1 of the commemorations review which considered the current position regarding monuments and statues, plaques, street names, street naming and re-naming processes and other types of commemoration activity. In July 2021 Cabinet received a report on phase 2 (final phase) of the commemorations review which focused on further public and stakeholder consultation to inform future commemoration activity and policy. The recommendation to develop a Commemorations Policy which draws upon the key principles for commemoration activity delivered or supported by Chesterfield Borough Council and to provide a single route and process for commemoration proposals to be submitted to the Council.

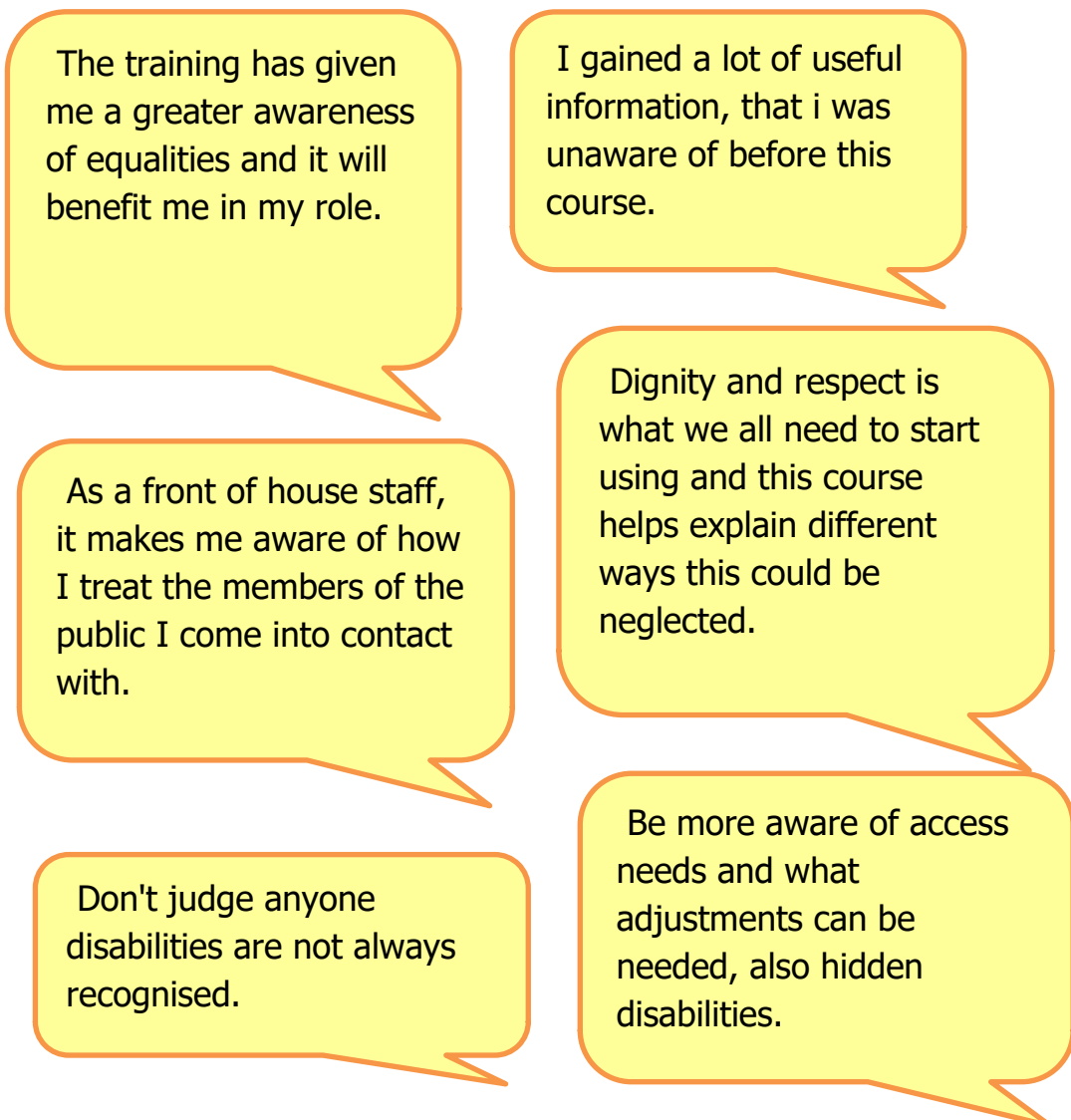
The Commemorations Policy is now live and:

- Establishes a clear scope for what is covered and not covered by the policy
- Confirms the six guiding principles the Council will use when considering requests for commemorative activity
- Identifies a range of opportunities to commemorate and celebrate key individuals, organisations and historical events which have helped to shape our great borough
- Provides a clear route for both Chesterfield Borough Council services and members of the public, community and voluntary sector groups, faith organisations, businesses or other public sector agencies to submit commemoration proposals

5.0 Equalities training for our staff

We offer the three mandatory equalities training modules in an online format, covering the Equality Act 2010, equality and diversity in Chesterfield's communities, and a guide to reasonable adjustments. Prevent training has also been added to the mandatory modules for all employees.

Feedback from employees shows that these modules have been effective, with an average of 99% of participating employees stating that the modules either met or exceeded their expectations. In addition, a number of comments were made by employees who completed the modules about how they would apply their learning including:



The training has given me a greater awareness of equalities and it will benefit me in my role.

I gained a lot of useful information, that i was unaware of before this course.

As a front of house staff, it makes me aware of how I treat the members of the public I come into contact with.

Dignity and respect is what we all need to start using and this course helps explain different ways this could be neglected.

Don't judge anyone disabilities are not always recognised.

Be more aware of access needs and what adjustments can be needed, also hidden disabilities.

Some additional training has taken place during the year, as follows:

Mental Health First Aid Training



We now have 38 qualified MHFAs across all areas of the council. We are delivering bespoke Mental Health awareness training to employees at the Stonegravels Depot and suicide awareness training to managers. We are trying to encourage more males, particularly in the trades, to train as MHFA's as this sector is under represented and statistically they are less likely to ask for help with mental health issues.

Mentoring programme

Twenty employees undertook mentoring training and are available as mentors. This programme will be revitalised during 2022/23. There are also now 2 people in HR who are fully trained coaches/mentors and CBC is a member of the East Midlands Coaching and Mentoring Group. This means we can access outside mentors if required.

Lone-working – Specialist Training

Following the tragic murder of two MPs recently, specialist lone working training is now being offered to all elected members.

6.0 Working in partnership to promote equality and celebrate diversity

The Council recognises the importance of working in partnership with a range of organisations to maximise the positive impacts we can achieve in our local communities. We continue to play a key role in our local partnerships, many of which have a real impact on our equalities work and the protected groups in our communities including:

- Chesterfield Health and Wellbeing Partnership and sub-groups, and the Derbyshire Health and Wellbeing Board
- Chesterfield Local Place Alliance
- Chesterfield Community Safety Partnership
- Chesterfield Childrens Locality Partnership
- Derbyshire Districts Safeguarding Leads
- UK Resettlement Partnership (regional)
- Derbyshire Community Response Forum
- Derbyshire Armed Forces Covenant
- Nottinghamshire and Derbyshire Local Authorities Energy Partnership
- Vision Derbyshire
- Derbyshire Homelessness Officers Group
- Derbyshire MAPPA Strategic Management Board
- Chesterfield and North East Derbyshire Financial Inclusion Group
- Derbyshire Housing Strategy Group
- Derbyshire Fire and Rescue Service
- Social Housing Providers
- Apprentice Town (Chesterfield)
- Destination Chesterfield
- Derbyshire Economic Partnership
- Derbyshire Skills Forum
- Visit Peak District and Derbyshire
- D2N2 Local Enterprise Partnership
- South Yorkshire Mayoral Combined Authority
- Staveley Town Deal
- Chesterfield Waterside
- (Development of the Derbyshire Integrated Care System)

Below are just some of the activities that we have provided through our partnership working during the year.

Community Recovery Approach

The Council led the development of the Chesterfield Community Recovery Approach which was then promoted widely throughout our partnerships. It focussed on an overall vision for our communities 'to live healthy and fulfilling lives', with three key priorities:



1. Material insecurity - supporting individuals and families that are feeling the effects of material insecurities, such as food, housing, financial hardship
2. Population mental health and wellbeing – supporting vulnerable individuals that need low level and clinical mental health support, recognising that there are increasing numbers of people struggling with specific mental health and wellbeing issues stemming from the increasing challenges brought about by COVID-19
3. Social connectedness – supporting those significant numbers of individuals that are showing signs of loneliness and that lack social connection, and without support will begin to suffer from more significant mental health difficulties.

This approach was promoted and adopted by our key local partnerships in health and wellbeing, providing a joint focus for activities as we move through the pandemic.

Year of Outdoors

As part of our Covid-19 recovery approach, Chesterfield Borough Council led a 'Year of Outdoors' campaign during 2021/22, supporting people to re-engage in physical activity and to benefit from the wider advantages of using our parks and green spaces. In addition to physical benefits, the range of activities helped to connect our communities to the natural environment, to improve mental health and wellbeing. The programme also built on the success of our Beat the Street game during 2020/21 by encouraging people to keep active.

The Year of Outdoors programme was enhanced with funding and support from the Chesterfield Health and Wellbeing Partnership, and many of the Year of Outdoors activities were planned to run alongside the HAF programme activities to maximise the benefit to the local community.

Year of Outdoors included different outdoor-based activities suitable for a range of ages and abilities, with a different theme each month, including self-led games and activities for families, group events, sports days, play days, and walks (all dependent upon the Covid-safe arrangements at the time). We used as many of our local spaces as possible across the borough, and at different times of the day and weekends to maximise the opportunities for as many residents as possible to take part.

Armed forces community

Chesterfield Borough Council was presented with the Silver Award for its support to the Armed Forces during a ceremony at the International Bomber Command Centre in Lincolnshire on Thursday 14 October.



The council was given the award through the Armed Forces Covenant Employer Recognition Scheme (ERS) which encourages employers to implement human resources policies that support members of council staff who are also part of the Armed Forces community while inspiring others to do the same.



We have a number of policies, procedures and practices that aim to support members of the Armed Forces community employed by the council and also the wider Armed Forces community living in Chesterfield, these include:

- Changed leave policies to support staff to carry out their duties including up to ten days per year for reservist duties
- Access to employee assistance and occupational health schemes to support employees' physical and mental health
- A generous career break policy which can be used to support mobilisation
- A clear support plan for members of the Armed Forces returning from mobilisation and a clear cross-council understanding of their rights
- Chesterfield's Armed Forces cadet units are given pride of place at our key annual ceremonies including Armistice Day, Remembrance Sunday and the Mayor's annual parade
- We are partners in the Veterans Hub (Chesterfield) led by the Department for Work and Pensions, which includes regular events at the Town Hall
- The council is a registered employer with both the Career Transition Partnership and Forces Families Jobs

Health and Wellbeing Partnership activities



Chesterfield Health and Wellbeing Partnership has continued to focus on financial inclusion, mental health and physical activity, with particular focus on areas of deprivation in the borough.

The partnership has worked with Rural Action Derbyshire and the community group Rother Active Group to coordinate and deliver the government's Holiday Activity and Food Programme (HAF) in the local area. HAF is designed to concentrate on the areas of Chesterfield where there is the highest uptake of children on free school meals. Activities took place during the summer and Christmas holidays of 2021. All participants were offered free packed lunches to eat at the activities or take away with them. Activities included lots of sports, crafts, art, visiting the pantomime, wreath making, lantern making workshops and lantern parade in the town centre. This project is designed to support nutrition for children who are likely to eat significantly less than they would during the school term where they have access to food in school.

Partnership working with Derbyshire County Council saw the introduction of Live Life Better programmes at Queen's Park Sports Centres in December 2021. These sessions are aimed at those for whom exercise will help with other medical conditions through self-referral and are free for anyone in the borough.

We have continued to work with partner agencies to support the wellbeing of residents across our communities, through the 3 local area Health and Wellbeing Networks which are sub-groups of the Health and Wellbeing Partnership. We also actively participate in the Chesterfield area Mental Health Network, working to reduce stigma around mental health and promoting positive mental health through participation in national initiatives such as Mental Health Awareness Week and World Mental Health Day, and local initiatives such as "Living Well", the Young Peoples' Emotional Health and Wellbeing project and mental health First Aid training for employees.

We support a youth club based at Queen's Park Sports Centre which, when it resumed post-Covid, has focussed on supporting young women aged 11- 16 from the surrounding area, who have been especially disadvantaged during the pandemic.

Sport and Leisure

The Outswimming Cancer programme at Queen's Park Sports Centre (initially launched early March 2020) recommenced and continued to develop with funding from Western Park and received national recognition as a result of Swim England awarding the programme with Health Impact Award for 2021. This programme is aimed at anyone who is living with Cancer.

Arts and culture accessibility

The Cultural Venues Access Group continues to meet to improve access at the Council's Theatres. We continue to provide performances with audio description, signed performances and touch tour to improve accessibility for people with disabilities.

We provide a varied programme of arts for health activities during the year including films for people with Dementia.

The Access Group will be key consultees on the improvement works at the Stephenson Memorial Hall over the next two years.

LGBT+ Project

Throughout 2021 – 22, we have worked on a joint engagement project with Derbyshire LGBT+. The project aims to capture LGBT+ customer insight and perceptions about our services, identify barriers which the community face in accessing any services and highlight possible areas for improvement. This will coincide with the release of Census data about the local population.

An initial questionnaire was completed by 45 service users. Derbyshire LGBT+ then conducted two focus groups and worked with its existing client group in Chesterfield to further expand the reach of the questionnaire and facilitate conversations. A total of 51 people participated in this way.

A report including findings and recommended actions to improve inclusiveness will follow in 2022.

7.0 Press Releases and Communications

Throughout 2021/22 the CBC Communications and Marketing Team have continued to promote equality and diversity events and news items via our social media platforms. Some examples are below:

10 May 2021 - Reconnect with nature for Mental Health Awareness Week and Mindful May (Year of Outdoors).

9 June 2021 - Free swimming sessions for cancer patients.



21 June 2021 - Chesterfield Borough Council and Chesterfield Pride join forces for this year's LGBTQ+ community celebration, with Chesterfield Borough Council being announced as the events main sponsor.



19 July 2021 - Love Chesterfield Community Market Launches (community market for charities and other organisations to fundraise and promote services).

28 July 2021 - Council achieves Silver Award for Armed Forces support

20 September 2021 - Donate unwanted sports kit at Queen's Park Sports Centre and the Healthy Living Centre

22 September 2021- New bowls facilities open in Stand Road Park



1 October 2021 - National Monument Against Violence and Aggression 'The Knife Angel' is to visit Chesterfield



1 October 2021 - Discover Chesterfield's Black History at the Museum

7 October 2021 - Green-fingered residents brighten up communal gardens

10 January 2022 - Take part in Holocaust Memorial Day online

20 January 2022 - Innovative swimming programme picks up national award (Outswimming Cancer)

15 March 2022 - Get together to discover groups and activities for the over 55s

31 March 2022 – Pomegranate Theatre joins nationwide charity screening of Ukrainian film.

8.0 Equality impact assessments

The Council is committed to demonstrating that all relevant equality issues have been considered before changes are made to policies, projects, services, functions and strategies, or when new ones are created. Chesterfield Borough Council does this through its robust Equality Impact Assessment (EIA) process.



The EIA process enables us to look at our work in depth to see what impact it has on different equality groups, and to mitigate against any potentially negative impacts that are identified. Staff received training in the completion of EIAs ensuring that the process is embedded across all council services.

During 2021/22 the Council undertook around 14 Equality Impact Assessments (EIAs) for a variety of changes to policies, strategies and projects. These have taken into consideration: best practice, demographic information and employee and customer feedback and other engagement activities. The EIAs were published with the relevant reports to the Council's Cabinet. Through the EIA process, we have been able to address any negative impacts on sections of the community promote equality by identifying and acting on opportunities to implement positive impacts for groups where possible.

9.0 Gender pay gap report 2021

At Chesterfield Borough Council we value diversity and inclusion and believe that it strongly contributes to the quality of our services. We are committed to being an equal opportunities employer and aim to treat all employees and job applicants fairly, regardless of their gender (including gender reassignment), age, race, sexuality, full or part-time status, marital status and disability. We believe it is important to attract and retain a workforce that reflects the customers and communities we serve.

We welcome the gender pay gap reporting requirements for a number of reasons including:

- It will help to confirm to our existing and prospective employees that we are committed to building a diverse and inclusive workplace, that provides equal opportunity to all employees irrespective of gender
- It will help us to monitor pay and career progression more closely and to ensure that all employees, irrespective of gender are supported to reach their full potential
- It is an opportunity to review our data and consider any issues we need to address and we can capture our journey over the next few years in our gender pay gap reporting and review our progress

What is the gender pay gap?

The gender pay gap is concerned with differences in the average earnings of men and women over a standard time period, regardless of their role or



seniority. The law requires any organisation with more than 250 employees to publish its gender pay gap information annually based on a snapshot date. For the public sector the snapshot date is 31 March.

Gender pay gap is not the same as equal pay. The law says that men and women must be paid the same for doing the same or equivalent work. We use job evaluation techniques to evaluate each role and not the post holder to ensure that all roles are fairly remunerated in comparison to other roles. It makes no reference to gender or any other personal characteristics of any existing or potential job holders. We are therefore confident that our gender pay gap does not stem from paying men and women differently for the same or equivalent work, rather it is a result of the roles in which men and women work within the organisation and the salaries these roles attract.

Our gender pay gap data

Gender pay reporting legislation requires employers with 250 or more employees to measure how large the pay gap is between their male and female employees. The measurement must be taken each year - on 31 March for public sector organisations and 5 April for other employers - and must be made public. Our gender pay gap reports are available [here](#).

10.0 Looking forward to 2022/23

The Covid-19 pandemic has brought with it unprecedented challenges for Chesterfield Borough Council. During this time, we have worked hard to provide support to both staff and the wider community, particularly those who are more vulnerable who may need more assistance, and we will continue to do so.

We will continue to work with partners to promote and support equality and diversity with our communities and within our organisation. We will need to adapt as we move towards community and economic recovery but here is a sample of some of the activities we would like to take forward in 2022/23:

- Continuing to work in partnership with communities to organise a range of equality and diversity themed awareness activities and events, through the Equality and Diversity Forum.
- Continuing to embed the Council's commitment to equalities in its service planning and delivery of major projects (e.g. Staveley Town Deal and Chesterfield Levelling Up Project) by delivering a robust Equality Impact Assessment process and upholding the importance of this during financially challenging times.



- Providing employees with training and development opportunities so that they have the skills, abilities and confidence to recognise and respond appropriately and sensitively to diversity and discrimination, both within the workplace, when delivering services and, ultimately, in their everyday lives. Delivering ongoing equality and diversity refresher training as required with services and a range of additional awareness raising modules on locally relevant themes.
- Build upon our Covid-19 community recovery approach by embarking on the development of a Social Investment Plan.
- Deliver the LGBT+ research project to coincide with Census 2021 delivery and develop key actions for service improvement and engagement.
- Work with the Communications team to develop a unified approach to promotion of health and wellbeing and equalities events and activities, and key messages.
- Continue to meet our statutory duties including: Gender pay gap and Public Sector Equality Duty reporting, and publishing objectives through our updated Equality and Diversity Strategy (due 2023).
- Key learning from Census data – refreshing the State of the Borough document to provide up to date and consistent demographic information for CBC and the wider community, enabling us to consider the protected groups in all we do and to support the Equality Impact Assessment process.
- Continuing to work both formally and informally in partnership with local groups, including the Equality and Diversity Forum working more closely with the Cultural Access Group and Dementia Friendly Chesterfield to share knowledge, experiences and resources.
- Continue to develop the Local Democracy campaign, working with younger people to develop their knowledge of the democratic process.



11.0 Further information

If you have any comments on our Equalities Annual Report or would like to request further information or copies of any of the documents highlighted in the report, please contact:

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Policy Officer

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For publication

Private Sector Housing Report 2022 (incorporating EPC and HMO Amenities and Space Standards)

Meeting:	Cabinet
Date:	19 July 2022
Cabinet portfolio:	Housing
Directorate:	Housing
For publication	

1.0 Purpose of the report

- 1.1 To consider and approve key policies that will enable the Private Sector Housing Team to continue to proactively maintain and improve private stock within the borough.

2.0 Recommendations

- 2.1 That Cabinet notes the update on the activities of the private sector housing team during 2021/22.2.2
- 2.2 That Cabinet approves the Private Sector Housing Energy Performance Certificate policy.
- 2.3 That Cabinet approves the Private Sector Housing Amenities and Space Standards policy.
- 2.4 That Cabinet approves delegated authority for the Service Director – Housing in consultation with the Cabinet member for Housing, to agree minor policy adjustments in between review periods.

3.0 Reason for recommendations

- 3.1 In April 2021 Cabinet approved the Private Sector Housing Action plan. This report provides an update of the activities of the team during 2021/22 and gives further details on additional and revised policies which will enable the Private Sector Housing Team to continue to work proactively with those landlords willing to comply with housing legislation and actively regulate non-compliant landlords

4.0 Report details

4.1 Present situation

4.1.1 The number of privately rented households across the country has increased over the last 20 years, from a total of just over two million households in 2000 to a total of 4.43 million households as of 2021. Whilst the quality of privately rented housing has also improved rapidly over the past decade, a small number of rogue or criminal landlords knowingly rent out unsafe and substandard accommodation. It is these landlords that Government and local authorities are determined to crack down on and disrupt their business model.

4.1.2 In 2019 Chesterfield Borough Council took part in a joint Housing Stock Condition Survey, hosted by Derby City Council and Derbyshire County Council and including all the District/Boroughs. The stock condition report found that in Chesterfield, approximately 23% (8956) of private homes failed to meet the decency standard. Finding that more privately rented homes failed the decency standard (29.0%), compared to the proportion of owner occupied homes (22.5%). These findings reflecting national trends and correlations against poor housing conditions and deprivation. This data highlights the importance of a robust approach to enforcement of landlords who rent out poor quality housing.

4.1.3 The Council has an overarching Housing Strategy which aims to enhance Chesterfield's housing offer so that anyone wishing to live in Chesterfield can live in a quality home they can afford.

4.1.4 The Council has in place an existing Private Sector Housing Enforcement Policy. The Private Sector Housing Enforcement Team actively enforce against private landlords whose accommodation falls below the required standard and in recent years the team have achieved a good record of successfully prosecuting rogue landlords.

4.1.5 The previous Private Sector Housing cabinet report in 2021 highlighted the lack of resources within the Private Sector Housing Team and Cabinet approved the recruitment of two additional officers into the Private Sector Housing Team. We have successfully recruited into the Senior Environmental Health Officer role and are really benefiting from the expertise that officer brings to the team. The Empty Homes Officer role will be advertised shortly as part of the ongoing Housing reshape which will offer staff within the department the opportunity apply for this exciting opportunity.

4.2 New Policies

4.3 Energy Performance Certificate Policy.

4.3.1 The Energy Performance of Buildings (England and Wales) Regulations 2012 have been introduced to ensure landlords have a valid EPC certificate. This

legislation has been delegated down to all Derbyshire Districts and Boroughs from Derbyshire County Council Trading Standards legislation to enable Districts to enforce alongside The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. This legislation has been introduced to tackle the least energy efficient properties and requires that all privately rented properties have at least an E rated EPC, ensuring a minimum level of thermal efficiency.

- 4.3.2 The EPC policy sits under the Private Sector Housing Enforcement Policy which sets out the Councils approach to Private Sector Housing enforcement in a clear and transparent way.
- 4.3.3 Both Chesterfield Borough Council and Government share the desire to improve domestic energy efficiency and contribute towards the reduction of carbon emissions and greenhouse gases, with the aim of helping to reduce the effects of global warming.
- 4.3.4 Ensuring that all privately rented properties have at least an E rated EPC will help to lower demand for energy thereby contributing towards the smoothing of seasonal peaks in energy demand. It will also help tenants, many of whom are fuel poor, to better manage their energy costs.
- 4.3.5 Improving the energy efficiency of homes and ensuring that they are warm and free from hazards will help to contribute to an improvement in the health and wellbeing of residents. This will, in turn help to reduce the amount of clinical interventions required for cold and damp related health conditions
- 4.3.6 The EPC policy sets out the options available to landlords to achieve compliance and the financial penalties available to the council where landlords fail to engage and do not comply with legal requirements.

4.4 Houses In Multiple Occupation (HMO) Amenities and Space Standards Policy.

- 4.4.1 Local authorities are responsible for ensuring that the number and location of washing, cooking and toilet facilities and sizes of bedrooms and kitchens in houses in multiple occupation (HMOs) are reasonably suitable for the number of people living in them.
- 4.4.2 Houses in multiple occupation (HMOs) are houses or flats that are occupied by more than one household. Some of these buildings have shared facilities such as kitchen and bathrooms. It is recognised that these types of properties are often occupied by the most vulnerable residents in the Borough.
- 4.4.3 The Private Sector Housing Team, have until now been guided by specific standards prescribed by legislation and also Chesterfields locally applied standards. These standards assist in deciding whether an HMO is suitable,

what if any additional amenities are required and advise landlords of what is expected of them.

- 4.4.4 From 1 October 2018, Government extended the scope of licensable HMO's, to include all HMOs occupied by 5 or more people usually sharing an amenity, regardless of the number of storeys. It has also introduced new national minimum room size standards for sleeping accommodation and a specific requirement to comply with councils' household waste storage and disposal schemes.
- 4.4.5 Government guidance issued at the same time, also empowers local authorities to set their own standards, which may be higher than the statutory minimum, but cannot be of a lower standard.
- 4.4.6 With the introduction of the new legislation, Chesterfield Borough Council's existing locally agreed standards need to be refreshed.
- 4.4.7 These local standards should be interpreted as guidance to landlords, as to what the local authority is likely to consider reasonable for the number of people occupying an HMO taking account of property type and layout.
- 4.4.8 The standards also provide the Council with a suitable benchmark when setting amenity requirements in HMOs. This should ensure consistency and avoid exposing the Council to potential challenge in court and subsequent costs, should a landlord be successful in proving that requirements are not being applied consistently across the borough.

5.0 Alternative options

- 5.1 Not to approve the recommendation to adopt the Private Sector Housing report, EPC Policy and HMO Amenities and Space Standards. This will undermine the Council's efforts to tackle rogue landlords operating within the borough and may also mean that tenants remain living in poor quality privately rented housing.

6.0 Implications for consideration – Financial and value for money

- 6.1 Enforcement of the policies may have cost implications in relation to Private Sector Housing officer time and Legal services in relation to support provided for any legal action the team may take as a result of the policies.
- 6.2 It is proposed to charge non compliant landlords the maximum permissible penalty for non compliance. In respect of the The Energy Performance of Buildings (England and Wales) Regulations 2012, the maximum fine is £200. The fines relating to non compliance with the The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 are:

Breach	Penalty
Letting a sub-standard property for less than 3 months	up to £2,000 plus a publication penalty
Letting a sub-standard property for 3 months or more,	up to £4,000 plus a publication penalty
Registering false or misleading information on the PRS Exemptions Register,	up to £1,000 plus a publication penalty
Failing to comply with compliance notice	up to £2,000 plus a publication penalty
Maximum cumulative penalty to be applied against an individual property (NB This penalty can be repeated if the property remains sub- standard and is let on a new tenancy.	up to £5,000

6.3 Whilst the cost of enforcement is acknowledged, the fee income received by the council in relation to enforcement should offset some costs.

7.0 Implications for consideration – Legal

7.1 The Energy Performance of Buildings (England and Wales) Regulations 2012 has been delegated down to all Derbyshire Districts and Boroughs from Derbyshire County Council Trading Standards legislation to enable Districts

7.2 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, places a duty upon the Council to enforce the minimum requirements of the regulations.

7.3 The Amenities and space standards are not a legislative requirement placed on Councils, however, Government does give Local Authorities the ability to put in place their own locally approved standards.

8.0 Implications for consideration – Human resources

8.1 The implementation of the new policies will be met within existing resources within the Private Sector Housing Team.

9.0 Implications for consideration – Council plan

9.1 The policy will be instrumental in delivering the following Council Plan objectives:

- i. Improving quality of life for local people

- ii. Identify and reduce the number of poor quality, private sector houses

10.0 Implications for consideration – Climate change

10.1 The occupants living in privately rented properties that are in breach of the EPC regulations are very often the most vulnerable in our society and those who are also living in fuel poverty. The enforcement of the EPC policy will help vulnerable occupants to occupy homes that are more thermally efficient and will also help reduce the carbon footprint across the borough.

11.0 Implications for consideration – Equality and diversity

Initial equalities impact assessment has been carried out on the policies and no negative impacts for protected groups have been identified.

12.0 Implications for consideration – Risk management

12.1 ...

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Increased enforcement of Private Sector Housing could drive landlords out of the market.	L	L	The 2019 Stock Condition Survey highlighted that there were already 8956 homes in the private sector that failed to meet the decency standard. whilst the majority of landlords do comply with new regulations, it is acknowledged that a minority will not, which may on a short term basis reduce the pool of privately rented properties. The PSH Teams priority is to ensure compliance through education. Enforcement is only used as a last resort and only in relation	L	L

			to the worst housing stock in the borough.		
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Decision information

Key decision number	All key decisions must be in the Forward Plan at least 28 days in advance. There are constitutional consequences if an item is not in the Forward Plan when it should have been. Contact Democratic Services if in doubt.
Wards affected	All Wards

Document information

Report author	
Sarah Watts Private Sector Housing Manager	
Appendices to the report	
Appendix 1	EPC Policy
Appendix 2	Amenities and Space Standards Policy

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Chesterfield Borough Council

Enforcement of Energy Performance In Domestic Dwellings Policy

2022

1. Introduction

Chesterfield Borough Council are committed to improving energy efficiency and reducing fuel poverty within the boroughs privately rented accommodation.

We share the government's desire to improve domestic energy efficiency and contribute to reducing carbon emissions and other greenhouse gases, with the aim of helping to reduce the effects of global warming. Wasted energy imposes unnecessary costs on households and the wider economy.

Improving the energy efficiency of homes and ensuring that they are warm and free from related hazards will help to contribute to an improvement in the health and wellbeing of residents. This will, in turn help to reduce the amount of clinical interventions required for cold and damp related health conditions

Energy Performance of Buildings (England and Wales) Regulations 2012 have been introduced to ensure landlords have a valid Energy Performance Certificate (EPC) and The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 have been introduced to tackle the least energy efficient properties and establish a minimum standard for domestic privately rented properties.

This policy sits under the Private Sector Housing Enforcement Policy which sets out the Council's approach to Private Sector Housing enforcement in a clear and transparent way.

This policy includes the enforcement arrangements for the:

- Energy Performance of Buildings (England and Wales) Regulations 2012 and
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

2. Purpose of the Policy

2.1 Energy Performance of Buildings (England and Wales) Regulations 2012

With the introduction of minimum energy efficiency performance standards in the private rented sector Chesterfield Borough Council has collaborated with Derbyshire County Council to arrange for the delegation of enforcement powers.

Under Derbyshire County Council's revised Constitution, their duty (as a local weights and measures authority) to enforce the Energy Performance of Buildings (England and Wales) Regulations 2012 (as amended) has been delegated to Districts and Boroughs within Derbyshire; including Chesterfield Borough Council. This delegation was confirmed by the County Council's Director of Community Services on 26 July 2019.

The scope of the delegation is limited to domestic privately rented properties (as defined by s42 of the Energy Act 2011). The aim of this is to mirror our obligations as a local authority under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

The purpose of this policy is to describe how officers of Chesterfield Borough Council will enforce the above listed Regulations.

2.2 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

In accordance with Regulation 34 Local Authorities are responsible for enforcing the minimum level of energy provisions within their area.

The Department for Business Energy and Industrial Strategy (BEIS) published guidance in 2017 and updated it in June 2018; Chesterfield Borough Council has had regard to this guidance when preparing this policy.

[Guidance for landlords and Local Authorities on the minimum level of energy efficiency required to let domestic property under the Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015](#)

3. Scope of the policy

This policy will detail the circumstances in which a valid EPC is required and requirements of:

- Energy Performance of Buildings (England and Wales) Regulations 2012
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

It will also detail the enforcement action and penalties that can be incurred in event of a breach of the above regulations.

4. Tenancies requiring an EPC

The regulations apply to domestic privately rented properties in England and Wales that are let under certain types of tenancy and these are:

- An assured tenancy, including an assured shorthold tenancy as defined by the Housing Act 1988
- A regulated tenancy as defined by the Rent Act 1977
- A domestic agricultural tenancy as defined in the Energy Efficiency (Domestic Private Rented Property) Order 2015 which includes:
 - A tenancy that is an assured agricultural occupancy for the purposes of section 24 of the Housing Act 1988
 - A tenancy that is a protected occupancy for the purposes of section 3(6) of the Rent (Agriculture) Act 1976
 - A statutory tenancy for the purposes of section 4(6) of the Rent (Agriculture) Act 1976

The regulations do not apply to the social housing sector or any property where a landlord is registered as a social landlord as set out in Chapter 1 of Part 1 of the Housing Act 1996.

As well as tenancy type, the regulations only apply to domestic properties that are legally required to have an Energy Performance Certificate under the following legislation:

- The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007
- The Building Regulations 2010
- The Energy Performance of Buildings (England and Wales) Regulations 2012

5. Domestic properties that do not need an EPC

If a landlord can demonstrate that the property falls into any of the following categories an EPC may not be required:

- A property that is listed for its architectural or historical merit, where compliance with minimum energy efficiency standards would alter its character or appearance
- A property that is used as a place for worship and religious activities
- A temporary property with a planned use of two years or less
- A House in Multiple Occupation (HMO) – bedsits, hostels or shared houses that have not been in single occupation in the past ten years
- Properties where it can be demonstrated that demolition is imminent
- Properties where it can be demonstrated that it is a furnished holiday let.

6. Exemptions to the requirements of the Minimum Energy Efficiency Standards Regulations (MEES)

If landlords are unable to comply with the regulations, they may be able to register an exemption on the Private Rented Sector (PRS) Exemptions Register.

The landlord must set up an account on the PRS Exemptions Register and the information that must be provided for all exemptions includes:

- The address of the property the exemption relates to
- The exemption that the landlord is registering
- A copy of a valid EPC for the property, along with any other relevant information

Landlords can apply for an exemption for up to five years from the date of registration. All exemptions are made on a self-certification basis and recorded on the PRS Exemptions Register. Details of the exemptions that can be registered are as follows:

- High cost – this is where the cost of carrying out even the cheapest recommended improvements to the energy efficiency of the property would be more than £3,500 (including VAT)
- All improvements made – this is where all the relevant energy efficiency improvements have been made within the £3,500 limit and the property remains below an EPC band E.
- Wall insulation – this is where the recommended wall insulation systems are not suitable for the property as determined in writing by an expert advisor, in that they may have a potentially negative impact on the fabric or structure of the property
- Consent – this is where third party consent is required prior to the installation of the improvements. This may be consent for planning permission, from a mortgage lender or from a superior landlord, but that consent cannot be obtained.
- Devaluation – this is where a landlord has obtained a report from an independent surveyor advising that the installation of specific energy efficiency measures would reduce the market value of the property by more than five per cent
- New landlord – this is where a person has become a landlord suddenly and it would be inappropriate or unreasonable for them to comply with the regulations immediately. This exemption lasts for six months from the date that the landlord takes control of the property.

Exemptions cannot be transferred to a new owner or landlord. The register can be used by Councils as a tool to support the enforcement of the MEES Regulations.

The public have limited access to the PRS Exemptions Register, where basic information can be found. [Search for exemptions - PRS exemptions register](#)

[beis.gov.uk](https://www.beis.gov.uk)

7. Paying for work to improve the energy efficiency in privately rented dwelling

Landlords are responsible for funding energy improvements to their properties to bring the EPC band to E or above. However, there is a maximum amount of £3,500 that a landlord can be required to spend. If the improvements are likely to cost more than this the landlord can carry out the improvements up to that amount, and register “all improvements made” on the exemptions register, details of which can be found at

www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions/guidance-on-prs-exemptions-and-exemptions-register-evidence-requirements

8. Energy Performance of Buildings (England and Wales) Regulations 2012

8.1 Initial informal approach

In the first instance Chesterfield Borough Council will informally advise Landlords where they suspect a breach has been committed in relation to the Energy Performance of Buildings (England and Wales) Regulations 2012. The Council will offer advice how the standards can be met and request landlords register an exemption if appropriate.

Landlords will be given an appropriate time to comply or to register relevant exemptions, but will be warned that if they continue to be in breach after the time given, an investigation will follow and formal enforcement action will be considered.

The Council may in circumstances where a landlord has a history of not complying with housing related regulatory requirements, decide to take formal action without giving an informal opportunity for the landlord to comply.

The Council will check the National PRS Exemptions Register and if it believes a landlord has registered false or misleading information it will consider serving a financial and publication penalty.

If offences under these regulations are committed the Council will, where appropriate, serve a Penalty Notice.

8.2 Defence (Regulation 37)

The Council will consider any defence that are allowed within regulation 37 which sets out the circumstances in which a person shall not be liable to a penalty charge for not making an EPC available to a prospective tenant. These include where a person is able to demonstrate that they have made all reasonable efforts to obtain an EPC since becoming subject to the duty, and where the prospective tenant required urgent relocation and an EPC was given as soon as reasonably practicable thereafter.

8.3 Penalty Amounts (Regulation 38)

Regulation	Requirement	Penalty for breach
6(2) and 6(5)	The EPC is made available free of charge to any prospective tenant, and given to the eventual tenant.	£200 (dwelling)
7(2)	The relevant person must ensure that an EPC is commissioned before marketing the building for rent.	£200 (dwelling)
7(3)	A person acting on behalf of the relevant person must satisfy themselves that an	£200 (dwelling)

	EPC has been commissioned before marketing on their behalf.	
7(4) and 7(5)	The relevant person and the person acting on their behalf must use all reasonable efforts to ensure that the EPC is obtained within 7 days of the start of marketing. The EPC must be obtained within the period of 21 days following the expiry of the 7 day period mentioned in 7(4).	£200 (dwelling)

8.4 Reviews (Regulation 39)

Regulation 39 sets out an enforcement authority's obligations regarding the conduct of reviews of the issuing of penalty charge notices. These include considering any representations made by the recipient of the penalty charge notice and deciding whether to confirm or withdraw the penalty charge notice. It also sets out the circumstances in which the authority shall withdraw the penalty charge notice.

8.5 Appeals (Regulation 40)

If the recipient of the penalty charge notice is dissatisfied with the confirmation of the notice after the review, they may appeal to a county court on any of the grounds specified in regulation 40.

9 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

Landlords should refer to Government guidance designed for landlords on compliance with these regulations. <https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

9.1 Initial informal approach

In the first instance Chesterfield Borough Council will informally advise Landlords who rent properties with an EPC of F or G that they do not meet the minimum energy efficiency standard. The Council will offer advice how the standards can be met and request landlords register an exemption if appropriate.

Landlords will be given an appropriate time to make the necessary improvements or to register relevant exemptions, but will be warned that if they continue to be in breach after the time given, an investigation will follow and formal enforcement action will be considered

The Council may in circumstances where a landlord has a history of not complying with housing related regulatory requirements, decide to take formal action without giving an informal opportunity for the landlord to comply.

The Council may serve Compliance Notices to request information from the landlord that will help them to decide whether there has been a breach. Chesterfield Borough Council will serve Compliance Notices where the additional information is required. The Council will consider serving Penalty Notices where a landlord fails to comply with the Compliance Notice.

The Council will check the National PRS Exemptions Register and if it believes a landlord has registered false or misleading information it will consider serving a financial and publication penalty.

If offences under these regulations are committed the Council will, where appropriate, serve a Penalty Notice.

9.2 Circumstances in which a penalty notice may be served (Regulation 38)

The Council may serve a penalty notice (relating to a financial penalty, a publication penalty or both) on the landlord where they are satisfied that the landlord is, or has been in the previous eighteen months:

- In breach of the prohibition on letting sub-standard property or
- In breach of the requirement to comply with a compliance notice or
- Guilty of uploading false or misleading information to the Exemptions Register.

A person may be served with a penalty notice after they have ceased to be the landlord of a property.

9.3 Publication Penalty (Regulation 39)

A publication penalty means that the Council will publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register. The Council can decide how long to leave the information on the Register, but it will be available for the public to view for at least twelve months.

The information that the Council may publish is:

- The landlord's name (except where the landlord is an individual)
- Details of the breach
- The address of the property in relation to which the breach occurred, and
- The amount of any financial penalty imposed.

The Council can decide how much of this information to publish. Information must not be published on the PRS Exemptions Register while the penalty notice could be or is being reviewed by the Council, or is subject to an appeal to the First-tier Tribunal.

9.4 Financial penalties (Regulation 40)

Under the above legislation each enforcement authority must set its financial penalty policy. As set out in the regulations the **maximum** penalties are as follows:

Breach	Penalty
Letting a sub-standard property for less than 3 months	up to £2,000 plus a publication penalty
Letting a sub-standard property for 3 months or more,	up to £4,000 plus a publication penalty
Registering false or misleading information on the PRS Exemptions Register,	up to £1,000 plus a publication penalty
Failing to comply with compliance notice	up to £2,000 plus a publication penalty
Maximum cumulative penalty to be applied against an individual property (NB This penalty can be repeated if the property remains sub- standard and is let on a new tenancy.	up to £5,000

Chesterfield Borough Council will impose the maximum level of penalty for each breach. However, where two or more penalty notices apply the combined maximum penalty, per property will not exceed £5000 as stated in the Regulations.

This penalty can be repeated up to £5000 for the new breach, if the property remains sub-standard and is let on a new tenancy.

9.5 Reasons for Adopting the Maximum Penalty Approach

- The central objective of imposing a penalty is deterrence. The level of the penalty must be sufficient to deter landlords from contravening regulatory requirements.
- In particular, the level of the penalty must be sufficiently high to have the appropriate impact. It should incentivise the landlord to change their conduct and bring them into compliance.
- The level of the penalty should be sufficiently high that the landlord recognises that it is not more profitable for them to break the law and pay the consequences, than it is to comply with the law in the first instance. The level of penalty should therefore discourage bad conduct and encourage good practices and a culture of compliance across the private housing sector.
- The Council will incur considerable costs when imposing penalties on landlords and there is no other mechanism to recover these costs, other than through the income derived from penalties.

9.6 Reviews, waiving and modification of penalties (Regulation 42)

An enforcement authority may decide to review its decision to serve a penalty notice, for example, when new information comes to light.

A landlord also has the right to ask the enforcement authority to review its decision to serve a penalty notice. This request must be made in writing. The penalty notice must tell the landlord how long they have to make this request, and to whom it must be sent. When the Council receives the request, they must consider everything the landlord has said in the request and decide whether or not to withdraw the penalty notice.

The Council must withdraw the penalty notice if:

- They are satisfied that the landlord has not committed the breach set out in the penalty notice
- Although they still believe the landlord committed the breach, they are satisfied that the landlord took all reasonable steps and exercised all due diligence to avoid committing the breach, or
- They decide that because of the circumstances of the landlord's case, it was not appropriate for the penalty notice to be served.

If the Council decides not to withdraw the penalty notice, they might decide to waive or reduce the penalty, allow the landlord additional time to pay, or modify the publication penalty. They must explain the appeals process and how financial penalties can be recovered.

Mitigating factors can be taken into consideration during the review of the penalty notice with a reduction of up to £500 per breach, for relevant mitigating factors.

Whatever they decide, the Council must inform the landlord of their decision in writing and should do so at the earliest opportunity.

9.7 What is the burden of proof for a financial penalty?

The proof for civil offences is 'on the balance of probabilities'. However a tribunal would expect the Council to prove 'beyond reasonable doubt' that the landlord has committed the offence.

9.8 Appeals to the First-tier Tribunal (General Regulatory Chamber) (Regulation 43 & 44)

Where a landlord asks the Council to review a decision to serve a penalty notice, and on review, they decide to uphold the penalty notice, the landlord may then appeal to the First-tier Tribunal against that decision if they think that:

- The penalty notice was based on an error of fact or an error of law
- The penalty notice does not comply with a requirement imposed by the Regulations, or
- It was inappropriate to serve a penalty notice on them in the particular circumstances.

If a landlord does appeal, the penalty notice will not have effect while the appeal is ongoing.

The First-tier Tribunal may decide to quash, confirm or modify the penalty notice. If the penalty notice is quashed, the Council must reimburse the landlord for any financial penalty already paid under the notice.

9.9 Recovery of Financial Penalties (Regulation 45)

If a landlord does not pay a financial penalty imposed on them, the Council may take the landlord to court to recover the financial penalty. A certificate signed by or on behalf of the person with responsibility for the financial affairs of the Council, stating that payment of the financial penalty was or was not received by a given date will be accepted as evidence of the landlord's non-compliance with the penalty notice.

Note however that the Council may not take the landlord to court to recover the money:

- a. During the period in which the landlord could ask the Council to review their decision to serve the penalty notice, or while they are reviewing their decision to serve the penalty notice, or
- b. During the period in which the landlord could appeal to the First-tier Tribunal, or while there is an ongoing appeal to the First-tier Tribunal.

10 Policy implementation and Review

This policy will be implemented and managed by the Private Sector Housing Team. It will be reviewed and updated as necessary on an annual basis.

11. Comments or Complaints about this Policy

Chesterfield Borough Council encourages all customer feedback about its services and any queries, complaints, compliments, or suggestions about this policy are welcome.

These can be made to and marked for the attention of the Private Sector Housing Manager. Email to: hia@chesterfield.gov.uk Write to: Private Sector Housing Manager, Town Hall, Rose Hill, Chesterfield S40 1LP.

If you feel that any queries or concerns have not been dealt with to your satisfaction, please refer to the Councils Formal complaints policy. [Comments, compliments and complaints \(chesterfield.gov.uk\)](https://www.chesterfield.gov.uk/Comments-compliments-and-complaints)

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Houses in Multiple Occupation Amenities and Space Guidance 2022

1. Introduction

This policy sets out Chesterfield Borough Council's standards for Houses in Multiple Occupation (HMO) operating within the borough. These standards are based on legislative requirements where relevant and associated guidance and represent the minimum standards considered acceptable. They should be regarded as a starting point and not a target to be reached.

These standards are intended to provide landlords and tenants with guidance on the Council's expectations and its interpretation of legislation. If you are in any doubt about any of these standards, please contact Chesterfield Borough Council's Private Sector Housing Team and we will be happy to discuss them with you.

This policy is not intended to be rigidly prescriptive. It is possible that different solutions would be more appropriate. Where a landlord has an alternative solution that is within the legislative framework and provides tenants with a safe home and adequate facilities, the Council will adopt a flexible approach in discussions with a landlord with a view to reaching an acceptable conclusion.

It is accepted that properties will have, historically, met previous guidance and legislation but legislative changes and a desire to improve standards in the sector mean that properties that no longer meet the standards in this document may have to be improved accordingly.

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2. Bathing and toilet requirements

Any person/household with access to an exclusive bathroom or en-suite facility shall be excluded from the following calculations.

The table below details what the Council believe provides adequate provision for the numbers of persons resident; the table represents the totality of provision and where numbers resident are above 5 this may be provided in a number of ways.

Number of occupiers	Shared baths or showers	Toilets	Wash hand basins (minimum size of 500mm x 400mm)
Up to 4	1	1	1
5	1	2	2
6-8	2	2	2
9-12	3	3	3
13-16	4	4	4

- All rooms containing a toilet must also contain a wash basin
- Bathrooms/shower rooms and toilets shall be suitably constructed and located, ideally not more than one floor away from any living accommodation. However, where the living/sleeping accommodation is on three floors it will be acceptable for some of the facilities to be on the ground floor.
- Where the property's living/sleeping accommodation consists of four or more floors there shall be bathrooms/shower rooms and toilets not more than one floor away from any living/sleeping accommodation.
- Bathrooms and toilets shall be of an adequate size and layout and be adequately heated. This will usually be as part of a whole-house gas central heating system or via storage radiators. Depending on the size of the room it is possible an electric panel heater/storage radiator or fan heater may be acceptable.
- Where an ensuite bathroom/shower room is provided and it is small it is possible that heating provided in the living/sleeping accommodation can effectively be 'borrowed' and no separate heating provision will be necessary.
- All bathrooms/shower rooms/en suites must have suitably located, ideally humidistatically controlled, mechanical extraction (ducted to the outside) providing a minimum extraction in accordance with Table 5.1a of Building Regulations Approved Document F: Intermittent extract rate of 15l/s; where there is no openable window provided the extract fan must have an overrun of a minimum of 15 minutes. If the vent is not humidistatically controlled it must be controlled by the light switch.
- All rooms containing a toilet and washbasin (but not a bath or shower) must, if there is no window, have suitably located, **non-humidistatically controlled**, mechanical extraction (ducted to the outside) providing a minimum extraction in accordance with Table 5.1a of Building Regulations Approved Document F:

Intermittent extract rate of 6l/s; If the vent is not humidistatically controlled it must be controlled the light switch and must have an overrun of a minimum of 15 minutes.

- All baths, showers and wash hand basins shall be fit for purpose and have taps supplying an adequate supply of hot & cold water.
- Baths and showers must have appropriate splashbacks such as ceramic tiling, waterproof panelling or similar suitably sealed at all junctions.
- Showers must have an impervious surround – either a cubicle or tiled/waterproof panelled walls with a screen/door.
- The walls and floor covering of any bathroom or shower room must be non-absorbent and capable of being readily cleansed.
- Suitable locks must be provided to all bath/shower rooms and toilets

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3. Kitchen requirements for HMOs, with shared kitchen(s) and no cooking facilities in the bedrooms; the table represents the totality of provision within the HMO

No of persons sharing the amenities	Cooking facilities (minimum 4 ring/burner hob, oven and grill)	Sinks and drainers with hot and cold water supply; dishwashers where appropriate	Standard size Fridge freezer (or equivalent under counter separate fridges and freezers)	Worktop length (minimum 600mm depth);	Double electric sockets over worktop (excludes those for fridge/freezer, washing machine, oven dishwasher etc.)	Single standard wall/base unit (minimum 500mm width or equivalent) for food storage only	Washing machines and tumble dryers
Up to 4	1 + 1 microwave oven	1	1	2m	2 double sockets	4	1 of each
5	1 + 1 microwave oven	1	1	2.5m	2 double sockets	5	1 of each
6	2 + microwave oven or 1 + combi-microwave oven & grill	1 x 1.5 sink and drainer + 1 dishwasher or 2 standard sinks and drainers (irrespective of dishwashers provided)	2	2.75m	3 double sockets	6	1 of each
7	2 + microwave oven or 1 + combi-microwave oven & grill	As above	2	3m	3 double sockets	7	1 of each
8	2 + microwave oven or 1 + combi-microwave oven & grill and an extra 4 ring/burner hob	As above	2	3.25m	3 double sockets	8	1 of each

9	As above	As above	2	3.5m	4 double sockets	9	2 of each
10	As above	As above	2	3.75m	4 double sockets	10	2 of each
11	3 + microwave oven or 2 + combi-microwave oven & grill and an extra 4 ring/burner hob	3 or 2 + dishwasher	3	4m	5 double sockets	11	2 of each
12	As above	As above	3	4.25m	5 double sockets	12	2 of each
13	As above	As above	3	4.5m	5 double sockets	13	3 of each
14	As above	As above	3	4.75m	5 double sockets	14	3 of each
15	As above	As above	3	5m	5 double sockets	15	3 of each

NB: For 16 or more occupiers, contact the Private Sector Housing Team to discuss.

Notes on Kitchen requirements

- All kitchens shall be of such layout and size to adequately enable those sharing to safely store, prepare and cook food. Equipment shall be fit for purpose.
- Kitchens shall have adequate wall/base unit storage for crockery, pots/pans and cooking appliances in addition to food storage. This shall not include cupboard space under any sink unit.
- Shared kitchens shall be suitably located. Where the living/sleeping accommodation is on three floors it will be acceptable for the Kitchen and associated dining/communal space to be on the ground floor.
- Where the property's living/sleeping accommodation consists of four or more floors there shall be kitchens and adequate dining/communal space not more than two floors away from any living/sleeping accommodation.
- Where more than one hob is provided there must be at least 500mm of worktop between them. Worktop shall be provided to either side of a hob.
- Hobs and ovens shall not be installed adjacent to doorways.
- Worktops must be of suitable materials that have an impervious surface for food preparation with suitable splashback (such as 300mm of wall tiling with a silicone sealant at the junction of worktop and tiling).
- The walls of any kitchen must be non-absorbent and capable of being readily cleansed.
- The flooring in the kitchen shall be of a type that is waterproof and is easily cleanable such as vinyl sheet/tiling or other tiling.

- Fire blanket(s) shall be provided. They shall comply with BS 6575 or equivalent; be of 'light duty' type which are capable of dealing with small fires such as cooking fires or fires involving clothing; and be mounted on the wall approximately 1.5m high and closer to the room exit than the cooking facility
- All kitchens must have suitably located mechanical extraction (ducted to the outside) providing a minimum extraction in accordance with Table 5.1a of Approved Document F: Intermittent extract rate of 30l/s adjacent to any hob; 60l/s elsewhere.
- Sufficient electrical sockets for washing machines, cookers, fridge/freezer etc. shall be provided in addition to the number specified for above worktop use.
- All kitchens shall be provided with at least one 30 litre plastic or metal refuse container for every 4 occupants or part thereof.
- Where the landlord provides a catering service the facilities must comply with the The Food Safety and Hygiene (England) Regulations 2013 and are to be separate from any self-catering facilities provided. it is a legal requirement to register your business/the accommodation provided with the Council. You can register for free here:
<https://www.chesterfield.gov.uk/health-and-environment/food-safety/food-business-registration.aspx>

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4. Kitchen requirements - Households within HMOs that have exclusive use of facilities.

Cooker	<p>Minimum 2 ring hob, oven and grill; a suitably sized combination microwave oven and grill may be substituted for the oven and grill</p> <p>4 ring hob, oven and grill + microwave oven shall be provided for a household of two or more persons up to a maximum of 5 persons.</p> <p>Note: free standing, plug in, table top ovens with a built in 2 ring hob will not be permitted.</p>
Sink	A standard size sink with drainer and hot and cold water supply shall be provided.
Worktop	<p>Minimum 1.5m of worktop (600mm min depth) total length for a single person household with suitable splashback (such as 300mm of wall tiling with a silicone sealant at the junction of worktop and tiling).</p> <p>2m minimum for 2 person household with suitable splashback (such as 300mm of wall tiling with a silicone sealant at the junction of worktop and tiling).</p>
Electrical sockets over worktops.	Minimum of 2 double sockets excluding those used for washing machine, fridge/freezer, cooker etc.
Dry/canned/packet food storage	Double wall or base unit for a single person household. Additional single wall or base unit for 2 persons.
Refrigerator with freezer compartment.	Standard size under counter refrigerator with freezer compartment

- All kitchens shall be of such layout and size to adequately enable the occupants to safely store, prepare and cook food. Equipment shall be fit for purpose.
- All kitchens/kitchen areas shall be suitably and safely located within the living/sleeping accommodation having regard to fire safety/means of escape considerations.
- A minimum of 250mm of worktop shall be provided to either side of a hob.
- The walls of any kitchen area must be non-absorbent and capable of being readily cleansed.
- The flooring in the kitchen area shall be of a type that is waterproof and is easily cleanable such as vinyl sheet/tiling or other tiling.

- Hobs and ovens shall not be installed adjacent to doorways.
- Fire blanket(s) suitably sited close to cookers and hobs shall be provided. They shall comply with BS 6575 or equivalent; they shall be of 'light duty' type which are capable of dealing with small fires such as cooking fires or fires involving clothing; and be mounted on the wall approximately 1.5m high and closer to the room exit than the cooking facility
- All kitchens shall be provided with at least one 20 litre plastic or metal refuse container.
- All kitchens must have suitably located mechanical extraction (ducted to the outside) providing a minimum extraction in accordance with Table le 5.1a of Approved Document F: Intermittent extract rate of 30l/s adjacent to any hob; 60l/s elsewhere.

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5. Room Space requirements

Mandatory HMO licensing - Minimum sizes for rooms used as sleeping accommodation

On 01 October 2018 the Government introduced the following minimum sizes for rooms used as sleeping accommodation in mandatorily licensable HMOs. These must be included as mandatory licensing conditions. These are not intended to be the optimal room size and the Council's guidance on what it considers to be appropriate in any HMO is set out below.

Occupancy	Minimum Floor Area M ²
Single person under age of 10 years	4.64 m ²
Single person over age of 10 years	6.51 m ²
Two people over age of 10 years	10.22 m ²

Note: any room of less than 4.64 m² may not be used as sleeping accommodation

Bedroom requirements	1 person room	2 person room
Bedroom with no living/dining space elsewhere and cooking facilities not provided in bedroom	Minimum 10m ²	Minimum 15m ²
Bedroom with adequate lounge or dining space elsewhere & cooking facilities not provided in bedroom	Minimum 7.5m ²	Min 10.22m ²
Bedrooms with cooking facilities provided in the room	13 m ²	18m ²

Note: a bedroom, taking into account it's shape and overall size, should be capable of containing the following: a bed of suitable size, adequate wardrobe/drawer space and a desk and chair (as appropriate).

Kitchen space requirements	7.5m ² if used by up to 5 persons
	For over 5 persons an additional 1m ² per person sharing the kitchen
Dining space requirements	2m ² per person (for those sharing the space)
	<ul style="list-style-type: none"> Any dining space (shared or for exclusive use) shall be suitable, and conveniently located. Where the living/sleeping accommodation is on three floors it will be acceptable for the Kitchen and associated

	<p>dining/communal space to be on the ground floor.</p> <ul style="list-style-type: none">• Where the property's living/sleeping accommodation consists of four or more floors there shall be kitchens and adequate dining/communal space not more than two floors away from any living/sleeping accommodation.
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6. Standards Applicable to all HMOs

Sleeping Accommodation

Bedrooms off a communal area cannot be used solely as a bedroom for a child

Rooms used solely as a child's bedroom will only be accepted if they are within a dwelling unit also occupied by the child's parent(s)/ legal guardian(s).

Persons of the opposite sex and aged 10 or over are not permitted to share the same room for sleeping purposes unless they are married, in a civil partnership or co-habiting as partners.

The sharing of a room for sleeping purposes by adults of the same sex who are neither related nor living as a married couple or partners shall only be permitted where a maximum of two persons share the room and only where both persons have given their express consent.

Space requirements

Exclusive use of Dining Facilities

Persons occupying bedrooms/living units with exclusive use of adequate and suitably located dining space can be excluded from shared dining space calculations.

Useable Living /Sleeping Accommodation Space – Floor to Ceiling Height

Useable living/sleeping space of any room is a determining factor in the calculation of the maximum number of people for which it is suitable. Attic rooms with sloping ceilings for example may be short of useable space because of low headroom. Room sizes must comply with the standards set out above.

The calculation of room size only takes into consideration the part of the room where the ceiling height is greater than 1.5m, and assumes the majority of the room to be of a reasonable height and free of potential injurious obstructions

Measurement of the Area of a room

- Vertical height by reason of sloping roof/ceiling less than 1.5m is not included.
- The measurement can include bay windows, fixed cupboards
- It excludes the projecting chimney breast
- It includes projected skirting

Kitchen Facilities

- Each person in addition to their individual living/sleeping accommodation should ideally have access to a kitchen and a communal space (living/dining room)
- Kitchen and dining rooms should be located on the same level
- Where the landlord provides a catering service, through a communal kitchen, a separate dining space must be provided.

Storage and Disposal of Refuse

The landlord shall comply with Chesterfield Borough Council's waste collection scheme relating to the storage and disposal of waste arising from the HMO. Details of the Scheme are available at:

<https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/rubbish-waste/waste-strategy/chesterfield-waste-action-plan.pdf>

Where directed by the local authority, the landlord shall apply for, fund and maintain a 'Trade Waste Agreement' for the disposal of waste arising from the HMO.

The landlord shall provide and maintain an adequate number of waste wheeled bins for the number of households and amount of rubbish produced.

The landlord shall ensure that there is adequate off street storage for all waste receptacles between collections and that bins are not unnecessarily left on the street between collection days.

The landlord shall ensure that all occupiers of the HMO are provided with adequate information on the appropriate disposal of refuse, the relevant days of collection and any reasonable recycling schemes imposed by the local authority.

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7. Standards Specific to Hostels and temporary accommodation (such as bed and breakfast provision)

Kitchen facilities used by the management of the HMO/accommodation to provide meals for residents must comply with the The Food Safety and Hygiene (England) Regulations 2013 and are to be separate from any self-catering facilities provided. It is a legal requirement to register your business/the accommodation provided with the Council. You can register for free here: <https://www.chesterfield.gov.uk/health-and-environment/food-safety/food-business-registration.aspx>

The sharing of bedrooms by adults is not permitted unless:

- They are married, in a civil partnership or co-habiting as partners
- They are parent(s) and child/children (as long as the child is the same sex as the parent, or the child is under 10 years of age if they are the opposite sex).
- They are members of the same family and are both of the same sex. For example 2 brothers, (if below 10 years of age, opposite sexes can share a room).
- Bedrooms off a communal area cannot be used solely as a bedroom for a child
- Rooms used solely as a child's bedroom will only be accepted if they are within a dwelling unit also occupied by the child's parent(s)/ legal guardian(s).
- Persons of the opposite sex and aged 10 or over should not be permitted to share the same room for sleeping purposes unless they are married or living as partners.
- The sharing of a room for sleeping purposes by adults of the same sex who are neither related nor living as a married couple or partners shall only be permitted where a maximum of two persons share the room and only where both persons have given their express consent.

Note: There may be exceptions to the above. Advice should be sought from the Private Sector Housing Team in these cases and any exceptions to the above sharing rule must be formally agreed. The exceptions will be included in licence conditions if appropriate.

8. General Standards

Natural and artificial lighting

All habitable rooms should have an adequate level of natural light, provided via a clear glazed window or windows. The glazed area should be equivalent to at least 1/10th (10%) of the floor area. Where practicable, all staircases, landings, passages, kitchens, bathrooms and toilets should be provided with a window. Windows to bathrooms and toilets should be glazed with obscured glass.

Artificial Lighting: All rooms and circulations areas within the property should have provision for electric lighting and should be controlled from suitably located switch points. The lighting on stairs should be capable of being switched on and off from both upstairs and downstairs.

Ventilation

All habitable rooms require adequate ventilation. This will be directly to external air by a window with an openable area equivalent to at least 1/20th (5%) of the floor area of room. If there is no natural ventilation in kitchens, bathrooms or toilet mechanical ventilation must be provided to allow an adequate number of air changes per hour in accordance with building regulations. Habitable rooms need suitable and adequate floor to ceiling height to allow proper circulation of air.

Space heating – heating standards

Heating appliances dependent upon liquid fuel or liquid fuel gas under pressure are not acceptable.

Provision of plug-in/standalone heaters as the sole means of space heating in a property or unit will not generally be considered acceptable.

The premises and each unit of accommodation shall be provided with an adequate heating system. The system shall be capable of maintaining the following internal temperatures when the external temperature is –1°C:

- Reception rooms: 21°C
- Kitchens large enough to also accommodate dining space: 21°C
- Bedrooms: 18°C
- Bathrooms: 22°C
- Hallways: 19°C

The heating system provided must be capable of efficiently and affordably heating the whole house/each individual unit of accommodation.

Gas central heating

Where a gas centrally heated heating system is in place the following controls shall be provided:

- A room thermostat suitably positioned and wired so as to provide boiler interlock
- A programmer
- Thermostatic Radiator Valves on all radiators except on the one in the room containing the room thermostat (usually the hall). Provision of these valves in

individual living/sleeping accommodation will allow for a degree of individual control and personal preference within that accommodation

Electric heating systems

It should be noted that electric heating systems (such as storage radiators) are generally only considered appropriate where the property as a whole or individual unit is adequately insulated. Additional insulation may need to be specified where it is considered necessary.

For sizing and positioning of *newly installed* electrical heating systems regard shall be had to the method set out in DOM 8: Guide to the Design of Electric Space Heating Systems, The Electrical Heating and Ventilation Association, 2006.

Important Note:

At the time of writing all local space heaters manufactured for sale must comply with a minimum efficiency standard under Lot 20 of the Energy Efficiency Directive (EED). Lot 20 ensures compliance with a minimum efficiency standard. This includes storage radiators, electric radiators, electric underfloor heating and electric and gas fires.

Where a new electric heating system is installed the following controls shall be provided:

- Electronic heat charge control with room and/or outdoor temperature feedback or controlled by energy supplier.
- Electronic room temperature control plus week timer

Storage heaters are configured to operate with two mains supplies, a 24 hour supply and an off peak switched supply. The installer must ensure that each storage radiator has the two supplies. This will involve, where necessary, installation of new circuit serving the heater and the provision of an appropriate 2-rate meter

Communal spaces

The electrical supply serving the communal areas such as the means of escape and the associated smoke/fire detection/emergency lighting systems shall be on a separate landlord supply.

Security

All entrances to the property should be well lit, especially ground floor/basement rooms/external staircases.

External entrance doors to communal areas should be self closing. Ensure security devices/locks do not hinder means of escape in case of fire.

Water supply

An adequate supply of cold drinking water under adequate mains pressure should be available from the kitchen sink.

Gas Safety (Installation and Use) Regulations 1998

As a landlord, you are responsible for the safety of your tenants. The Gas Safety

(Installation and Use) Regulations 1998 specifically deal with the duties of landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe.

As a landlord, you have a duty to ensure:

- Gas fittings (appliances, pipework) and flues are maintained in a safe condition;
- All installation, maintenance and safety checks are carried out by a Gas Safe registered Installer;
- An annual safety check is carried out on each gas appliance/flue by a Gas Safe registered Installer. Checks need to have taken place within one year of the start of the tenancy/lease date, unless the appliances have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date;
- A record of each safety check is kept for two years;
- A copy of the current safety check record is issued to each existing tenant within 28 days of the check being completed, or to any new tenant before they move in (in certain cases the record can be displayed).

Electrical Safety

The electrical installation to the property should be installed and maintained in accordance with the current edition of the IEE (Institute of Electrical Engineers) Wiring Regulations and certification should be provided as prescribed in accordance with The 18th Edition IET Wiring Regulations (BS 7671:2018) published in July 2018. All new electrical installations will need to comply with BS 7671:2018 from 1st January 2019. The installation should be retested and certified, as described, every five years, or following any alterations or extensions to the system. All work to the electrical installation should be carried out and certified by a competent person in accordance with Part P of the Building Regulations.

A landlord must also comply with Electrical Safety Standards in the Private Rented Sector (England) Regulations. Guidance is available here:

<https://www.gov.uk/government/publications>

A landlord must:

- Ensure national standards for electrical safety are met. These are set out in the 18th edition of the 'Wiring Regulations', which are published as British Standard 7671.
- Ensure the electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the local authority with a copy of this report within 7 days of receiving a request for a copy.
- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.

- Where the report shows that remedial or further investigative work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the remedial works from the electrician to the tenant and the local authority within 28 days of completion of the works.

Fire Safety

The design, installation, commissioning, maintenance and servicing of fire alarms in all domestic (including rented) dwellings, is described in British Standard BS 5839 : 2019, Part 6 covering domestic premises. This is latest edition of the BS (published in May 2019) is the standard used by Architects, building professionals, Enforcing Authorities, Installers and any others responsible persons implementing fire precautions in domestic premises. It is therefore the standard Chesterfield Borough Council expect to see compliance with.

While fire detection is a key element of fire safety, it only forms part of the package of measures needed to keep occupiers and tenants safe. Fire containment (the buildings ability to resist the spread of smoke and flame), Fire Escape (the buildings design and layout) and Fire Management (procedures, management, signage, evacuation strategy etc.) also play key roles. These components combine with other factors such as the fire risks posed by the occupiers themselves to influence the overall fire risk posed by a premises.

All these factors/elements are considered in the LACORs Fire Safety Guide. Chesterfield Borough Council has adopted this guidance as the basis for its assessment of fire risk in HMO properties and subsequent specification of any works required.

This guidance is available here: <https://www.dashservices.org.uk/Resources/Fire-Safety/document-2>

The Maintenance & Testing of Fire Alarms

The following maintenance and testing frequencies are recommended and should be followed unless a fire risk assessment identifies a higher or lower test frequency is required. All fire alarm systems must be maintained in accordance with manufacturers' instructions and BS5839, which describes testing and maintenance procedures for complex (Grade A) and simpler (Grade D) fire alarm systems.

Grade A fire alarms systems

Weekly tests – At least one detector or call point in each zone should be tested weekly. This push-button testing could be done routinely by cleaning or maintenance staff, or a competent tenant.

Six-monthly maintenance – Grade A alarm systems must be serviced every six months by a suitably qualified and competent professional (i.e. a specialist alarm engineer under a maintenance contract) as required by clause 45 of BS 5839-1 . An Inspection and Servicing Certificate should be issued in accordance with BS 5839-1.

You should record these checks and any remedial action taken in a logbook. The Council may ask you to submit a copy of the Inspection and Servicing Certificates confirming the alarms have been tested and maintained by a competent professional in accordance with BS 5839-1.

Grade D LD2/3 fire alarm systems

Routine tests – BS5839:6 recommends weekly testing as best practice, but we appreciate that this is not always possible to achieve. We recommend that you:

- Always test during routine inspections, maintenance or cleaning visits (press the button on a different detector each time ideally).
- Advise tenants to test their detectors weekly.

The minimum testing frequency will depend on the size and type of HMO:

- More often for higher risk properties e.g. 'bedsit' type (separately let bedrooms) and larger two and three storey HMOs – fortnightly or monthly
- Less often for lower risk properties e.g. small two-storey properties let on a single tenancy – at least quarterly

Annual maintenance – All detectors must be maintained in accordance with manufacturers' instructions. For Grade D systems this usually requires periodic cleaning/vacuuming of all detectors and changing batteries as necessary.

You should record these checks and any remedial action taken in a logbook

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

The regulations require private rented sector landlords, from 1 October 2015, to have:

- At least one smoke alarm installed on every storey of their rental property which is used as living accommodation, and
- A carbon monoxide alarm in any room used as living accommodation where solid fuel is used - after that, the landlord must make sure the alarms are in working order at the start of each new tenancy.

Guidance for landlords is available [here](#)

Fire Extinguishers

Where fire extinguishers are provided, these should be checked periodically to make sure they are in place and available to use. Extinguisher must be tested and maintained on an annual basis in accordance with BS 5306-3 and with the manufacturer's instructions.

Emergency Escape Lighting

Any emergency escape lighting present should be serviced and maintained in accordance with BS 5266-8: 2016 (BS EN 50172 : 2004) Emergency escape lighting systems. The requirements of BS 5266: part 8, require the annual test to be carried out by a competent person, usually a lighting engineer under a maintenance contract.

The results of the test should be recorded in the log book with a periodic inspection and test certificate issued.

Monthly emergency lighting tests

All emergency lighting systems must be tested monthly. The test is a short functional test in accordance with BS EN 50172 / BS 5266-8.

The period of simulated failure should be sufficient for the purpose of this test while minimising damage to the system components, e.g. lamps. During this period, all luminaires and signs shall be checked to ensure that they are present, clean and functioning correctly.

Annual emergency lighting tests

A test for the full rated duration of the emergency lights (e.g. 3 hours) must be carried out. The emergency lights must still be working at the end of this test.

The result of the monthly and annual tests must be recorded and, if failures are detected, these must be remedied as soon as possible.

It is common for fire alarm servicing companies to carry out the annual emergency light 'drain' test at the same time as they carry out fire alarm system maintenance, as this fills the waiting time of the 'drain' test with useful activity.

Furniture Safety

All furniture provided with the accommodation must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended).

9. Definitions

Meaning of “house in multiple occupation” under the Housing Act 2004

The Housing Act defines a building or a part of a building as a “house in multiple occupation” if it meets one of the following tests as set out in section 254 of the Housing Act 2004-

- “the standard test”;
- “the self-contained flat test”;
- “the converted building test”;
- an HMO declaration is in force; or
- it is a converted block of flats to which section 257 applies

A building or a part of a building meets the standard test if:

- (a) it consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
- (b) the living accommodation is occupied by persons who do not form a single household (see section 258 Housing Act 2004);
- (c) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259 Housing Act 2004);
- (d) their occupation of the living accommodation constitutes the only use of that accommodation;
- (e) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
- (f) two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

A part of a building meets the self-contained flat test if:

- (a) it consists of a self-contained flat; and
- (b) paragraphs (b) to (f) of Standard Test apply (reading references to the living accommodation concerned as references to the flat).

Self Contained Flat means

Self-contained flat means a separate set of premises (whether or not on the same floor):

- which forms part of a building;
- either the whole or a material part of which lies above or below some other part of the building; and
- in which all three basic amenities are available for the exclusive use of its occupants.

Basic amenities means:

- A toilet,
- Personal washing facilities
- Cooking facilities

'Cooking facilities' in this context means a kitchen or kitchen area containing the full range of facilities described earlier in this document and either contained within its own room or in a part of a unit of accommodation.

A building or a part of a building meets the converted building test if:

- (a) it is a converted building;
- (b) it contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether or not it also contains any such flat or flats);
- (c) the living accommodation is occupied by persons who do not form a single household (see section 258 Housing Act 2004);
- (d) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259 Housing Act 2004);
- (e) their occupation of the living accommodation constitutes the only use of that accommodation; and
- (f) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

HMOs: certain converted blocks of flats (section 257)

For the purposes of this section a "converted block of flats" means a building or part of a building which:

- (a) has been converted into, and
- (b) consists of self-contained flats.

(2) This section applies to a converted block of flats if—

- (a) building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and
- (b) less than two-thirds of the self-contained flats are owner-occupied.

Definition of a Shared House

There is no legal definition of a 'shared house' and so this term can sometimes cause confusion. Whilst shared houses fall within the legal definition of an HMO and will be licensable where licensing criteria are met, it is recognised that they can often present a lower fire risk than traditional bedsit-type HMOs due to their characteristics.

For the purposes of this document, shared houses are described as HMOs where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. All the tenants will have exclusive legal possession and control of all parts of the house, including all the bedrooms though it is common that bedrooms will have locks on the door for security purposes. There is normally a significant degree of social interaction between the occupants and they will, in the main, have rented out the house as one group. There is a single joint tenancy agreement.

In summary, the group will possess many of the characteristics of a single family household, although the property is still technically an HMO as the occupants are not all related.

Definition of bedsitting room-type HMOs

These are HMOs which have been converted into a number of separate non-self-contained bed-sit lettings or floor-by-floor lets.

There may be individual cooking facilities within each bedsit, but alternatively there may be shared cooking facilities or a mixture of the two. Toilets and bathing/washing facilities will mostly be shared but increasingly there are en suite facilities within the bedrooms. There is still likely to be a communal living or dining room.

Each bedsit or letting will be let to separate individuals who will live independently, with potentially little or no communal living between tenants. Each letting will have its own individual tenancy agreement and there will usually be a lock on each individual letting door.

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10. Alternative Solutions

The guidance given in this document is normally regarded as the minimum acceptable. However other factors or compensatory features may be taken into account therefore allowing for a degree of flexibility in certain circumstances. These factors could include the shape of the usable living space, or the needs and wishes of the occupants at any one time for example.

If you wish to deviate from any of the above standards you must discuss this with the council. If you are able to provide an alternative solution that works for your property that is within the legislative framework this will be considered by the council.

Where facilities fall short of these guidelines in a licensable HMO, the upgrading of facilities will normally be included as a licence condition with a specified timescale for completion.

11. Policy implementation and Review

This policy will be implemented and managed by the Private Sector Housing Team. It will be reviewed and updated as necessary on an annual basis, or where there have been changes in legislation or guidance

12. Enquiries, Comments or Complaints about this Policy

Chesterfield Borough Council encourages all customer feedback about its services and any queries, complaints, compliments, or suggestions about this policy are welcome. These can be made to and marked for the attention of the:

Private Sector Housing Manager.

Email to: privatesectorhousing@chesterfield.gov.uk

Write to: Private Sector Housing Manager, Town Hall, Rose Hill, Chesterfield S40 1LP.

If you feel that any queries or concerns have not been dealt with to your satisfaction, please refer to the Councils Formal complaints policy. [Comments, compliments and complaints \(chesterfield.gov.uk\)](#)

For publication

Mobile Homes Licensing and Fit and Proper Person Policy 2022

Meeting:	Cabinet
Date:	19 July 2022
Cabinet portfolio:	Housing
Directorate:	Housing
For publication	

1.0 Purpose of the report

- 1.1 To consider and approve the revised Park Homes Licensing and Fit and Proper Person policy, which includes the introduction of the fit and proper person test for owners/managers of permanent residential caravan sites under the Mobile Homes Act 2013 and to approve the proposed associated fees.

2.0 Recommendations

- 2.1 For Cabinet to note the new statutory powers local authorities, have under The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.
- 2.2 That Cabinet approves the revised Private Sector Housing Park Licensing and Fit and Proper Person policy.
- 2.3 That Cabinet approves delegated authority for the Service Director – Housing, in consultation with the Cabinet member for Housing, to agree minor policy adjustments in between review periods.

3.0 Reason for recommendations

- 3.1 To ensure compliance with The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.

4.0 Report details

- 4.1 The Caravan Sites and Control of Development Act 1960 (CSCD1960) introduced a licensing system to regulate the establishment and operation of caravan sites. The definition of caravan in this context includes mobile park

homes. The licensing system, required Local Authorities to regulate the establishment and operation of caravan sites but the Local Authority could not levy a fee. This legislation has been amended by the Mobile Homes Act 2013 (the 2013 Act) which aims to raise standards in the industry and provide for more effective enforcement when site licence holders fail to comply with their licence obligations.

- 4.2 Licences issued under the 1960 Act still remain in force, but local authorities were able to charge fees for functions relating to “relevant protected sites”, but must publish a Fees Policy if they wished to charge fees. Accordingly Chesterfield Borough Council approved a Mobile Homes Licensing Fees Policy In 2016.
- 4.3 The Mobile Homes Act 2013 defines a “relevant protected site” as a permanent residential caravan (mobile home) site which requires a licence, but which is not exempt on the basis of being solely for holiday purposes or incapable of being used all year round.
- 4.4 The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”) introduced a Fit and Proper Person test for mobile home site owners or the person appointed to manage the site, unless exempted by the Regulations. The Regulations apply to all relevant protected sites other than non-commercial family-occupied sites. These include both “residential parks”, which are used exclusively residentially, and “mixed use parks”, which are used for both residential and holiday purposes.
- 4.5 The updated policy and fee structure attached at Appendix 1, will enable the Council to implement the new regulations and enable site owners, or the person appointed to manage the site, to make their applications to be included on the register of fit and proper persons.

The purpose of the fit and proper test is to protect residents living in protected sites park homes from rogue site owners, poor maintenance and mismanagement of sites.

4.6 What is a fit and proper person?

The applicant (owner or manager) wishing to be included on the register will have to show that there are suitable financial and management arrangements in place for the site. They must provide information relating to their conduct in relation to any of the following:

- Offences relating to fraud, dishonesty, violence, arson or drugs or listed in schedule 3 of the Sexual Offences Act 2003.
- Contraventions of law in relation to: housing, caravan sites, mobile homes, public health, planning or environmental health or landlord and tenant law.
- Contraventions of law in relation to the Equality Act 2010, or in connection with the carrying out of any business.

- Harassment of any person in connection with the carrying out of any business.
- Insolvency within the last 10 years.
- Disqualification from acting as a company director within the last 10 years.
- Has the right to work in the UK.

4.7 The applicant seeking entry on the register will need a basic DBS certificate (dated no more than 6 months before the date of the application). This must be included with the application. The DBS certificate must be from an approved supplier. Information about how to arrange a DBS check can be found on the Government's website. The applicant will carry the cost of the application and pay the Council the published fee.

4.8 What is the cost of the fit and proper person test?
The cost of the Fit and Proper Person test must be cost neutral for the Council. Applying for inclusion on the register carries an application fee of £392.73 for the 2022/23 period..

4.9 How is the fit and proper person determined?

The Private Sector Housing Team will determine the application within a reasonable time and notify the applicant in writing. We must approve the application unconditional; approve with conditions; appoint a manager; serve a notice of action or revoke a licence.

4.10 How will the register be published?

The register must be published on Chesterfield Borough Council's website. The register must be set out in a standard format as required under the regulations. A copy must be available to any person on request. This will be emailed or posted as an Excel spreadsheet. The register will be published following Cabinet Approval.

5.0 Alternative options

5.1 To not approve the recommendation to adopt the Park Home Licensing and Fit and Proper Person Policy, is not an option as the licensing of Park Home Sites is a legal duty placed upon local authorities.

5.2 Additionally this will undermine the Councils efforts to tackle rogue site owners/operators operating within the borough and may also mean vulnerable Park Home residents may remain occupying a site managed by a site owner who may be "unfit" to manage, placing them at greater risk of exploitation and health and safety risks arising on site.

6.0 Implications for consideration – Financial and value for money

- 6.1 The Council intend to charge a fee for licensing and fit and proper person assessment. Any fee income received should offset officer costs in relation to the licensing function. The Council cannot profit from any part of the licensing process.
- 6.2 Enforcement of the policies may have cost implications in relation to Private Sector Housing officer time and Legal services in relation to support provided for any legal action the team may take as a result of the policies.

7.0 Implications for consideration – Legal

- 7.1 There are Criminal offences set out for contravening Regulations 6 (2) (b); 8 (1); 12 (a) & (b), any relevant person in contravention of these regulations may be liable to a summary prosecution and a consequent unlimited fine.
- 7.2 It should be noted that any relevant person on whom a Final Decision Notice is served by the Local Authority under Regulations 6 (1) and 8 (1) and (2) can be appealed to the First Tier Tribunal as set out in Paragraph 9 of Schedule 4 of the regulations.
- 7.3 There is no compensation payable by a Local Authority.

8.0 Implications for consideration – Human resources

- 8.1 The implementation of the revised Park Home Licensing and Fit and Proper Person Policy will be met within existing resources.

9.0 Implications for consideration – Council plan

- 9.1 The Park Homes Licensing and Fit and Proper Person Policy, is an essential policy to ensure that site operators are fit to manage and ensure site residents are able to reside in a safe environment.
- 9.2 The policy will be instrumental in delivering the following Council Plan objectives:
- i. Improving quality of life for local people
 - ii. Identify and reduce the number of poor quality, private sector houses

10.0 Implications for consideration – Climate change

- 10.1 An initial climate change assessment was completed and no direct impacts were identified.

11.0 Implications for consideration – Equality and diversity

Initial equalities impact assessment has been carried out on the Park Homes Licensing and Fit and Proper Person Policy and no negative impacts on protected groups have been identified. ,

12.0 Implications for consideration – Risk management

12.1

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Increased enforcement of Private Sector Housing could reduce available private sector housing stock within the borough.	L	L	The 2019 Stock Condition Survey highlighted that there were already 8956 homes in the private sector that failed to meet the decency standard. whilst the majority of landlords do comply with new regulations, it is acknowledged that a minority will not, which may on a short term basis reduce the pool of privately rented properties. The PSH Teams priority is to ensure compliance through education. Enforcement is only used as a last resort and only in relation to the worst housing stock in the borough.	L	L

Decision information

Key decision number	1111
Wards affected	All Wards

Document information

Report author
Sarah Watts Private Sector Housing Manager

Appendices to the report	
Appendix 1	Park Homes Licensing and Fit and Proper Person Policy



CHESTERFIELD
BOROUGH COUNCIL

Chesterfield Borough Council

Residential Caravan Site Licensing and Fit and Proper Person Test Policy

Owner: Private Sector Housing Manager
Date: July 22



Contents Page

1.	Introduction	Page 3
2.	Scope	Page 4
3.	Relevant Protected Sites	Page 5
4.	Fees	Page 6
5.	Licence Conditions	Page 10
6.	Site Rules	Page 11
7.	Fit and Proper Person	Page 12
8.	Publishing and Revision of Policy	Page 17
9.	Comments	Page 17

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1. Introduction

The Caravan Sites and Control of Development Act 1960 (CSCD1960) introduced a licensing system to regulate the establishment and operation of caravan sites. The definition of caravan in this context includes mobile park homes. The licensing system, required Local Authorities to regulate the establishment and operation of caravan sites but the Local Authority could not levy a fee.

This legislation has been amended by the Mobile Homes Act 2013 (the 2013 Act) which aims to raise standards in the industry and provide for more effective enforcement when site licence holders fail to comply with their licence obligations. The 2013 Act also introduces some important changes to the buying, selling or gifting of a park home and the pitch fee review process.

The changes relating to site licensing came into force on 1 April 2014. Licences issued under the 1960 Act still remain in force, and enforcement powers still apply and local authorities are able to charge fees for functions relating to “relevant protected sites”.

Section 10A (2) of the Caravan Sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013 requires a Local Authority to publish a Fees Policy for the licensing of park home sites.

This policy has been developed to enable the Council to charge appropriate fees..

The Act also introduced the ability for Local Authorities to serve enforcement notices (Compliance notices), undertake emergency remedial works and to carry out works in default to remedy breaches of site licence conditions. A charge can be made on a case by case basis to recover costs incurred and fees for enforcement are part of this policy.

Fit and Proper Person

The introduction of The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (the 2020 Regs), now require that a local authority must be satisfied that the owner of a site is a fit and proper person to manage the site.

The following documents have been consulted when drafting this policy;

- The Caravan Sites and Control of Development Act 1960 as amended (CSCDA60)
- Mobile Homes Act 2013 (MHA 2013)
- Regulators Compliance Code
- Chesterfield Borough Council Corporate Enforcement Policy
- DCLG Guidance on Site Licensing Fee Setting – February 2014
- F&P legislation

2. Scope

This Policy sets out how the Council will carry out its statutory responsibilities for caravan site inspection, licensing and enforcement and setting fees. Provision is made for:

- A register of all residential sites whose site rules are deposited with the Council (including a register of sites to be made available on the Council's website).
- A site licensing procedure.
- Determination and annual review of site licensing fees and enforcement charges.
- Implementation of Model Standards, including the updating of site licence conditions to reflect the Model Standards where necessary (see section 3.1 below).
- Implementation of the Fit and Proper Person test.
- A register of all duly assessed fit and proper persons.

Chesterfield Borough Council will:

- Clarify expectations regarding the standards to be met by owners of caravan sites within the District.
- Provide advice and assistance to occupiers of mobile homes and caravans to ensure that they are able to live in safe and healthy homes.
- Ensure that any enforcement action taken by the Council is effective and proportionate.

The Council will decide either to licence the site or to refuse a licence, within 6 weeks of receipt of a duly made application. Where a licence is refused, the applicant will be advised of the reasons for refusal and their right of appeal.

3. Relevant Protected Sites

A relevant protected site is defined in the MHA 2013 Act as any land to be used as a caravan site with planning consent, other than one where a licence is:

- Granted for holiday use only or
- In any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions).

Relevant protected sites to which the legislation applies are typically known as residential parks, mobile home parks and Gypsy Roma and Traveller sites.

Sites which do not fall within the definition of 'relevant protected sites' are still subject to the licensing requirements contained within the Caravan Sites Control of Development Act 1960, but the provisions relating to payment of fees do not apply.

The Council cannot license a site unless planning permission has been granted. The planning authority will be consulted to confirm that the site has planning permission for the relevant use.

4. Fees and Charges

Before a local authority can charge a fee, it must prepare and publish a fees policy. When fixing a fee the local authority:

- Must act in accordance with its fees policy.
- May fix different fees in different cases.
- May determine that no fee is required in some cases.

Any fees charged must fairly cover the costs (or part of the costs) incurred by the local authority in performing its functions under Part 1 of the 2013 Act, (excluding the costs of enforcement action or any functions relating to prohibiting caravans on commons or provision of sites by the local authority itself). In setting its fees policy and the Council has had regard to Department for Communities and Local Government guidance 'Mobile Homes Act 2013: a Guide for Local Authorities on Setting Licensing Fees'. Under the 2013 Act, The Council can charge for:

- The issuing of the first site licence.
- Generic fees for all sites for the issuing of the licence.
- Annual renewal: monitoring and administration of existing site licences.
- The depositing of site rules.
- The transfer of a licence.
- The alteration of a licence (initiated by the site owner).
- The administration and determination of the fit and proper person test.

The fees have been calculated based on the estimated average time and costs involved in undertaking the following activities; all administrative costs incurred in the licensing process, officer visits to sites, travel costs, consultations, meetings, monitoring of sites / investigation of complaints and the giving of informal advice.

Section 10A (5) of the 1960 Act (as amended by the 2013 Act) states that a fees policy must include provision about the time at which the annual fee is payable. For the purpose of this policy, the period covered by the annual fee will be 1st April to 31st March and will be invoiced on the 1st April each year or as soon as practicable after.

Fees will be revised annually, alongside reviews of the Council's other regulatory fees and charges.

Fees for a new site licence are based upon a fixed cost plus a charge per pitch to reflect the variation in the cost of processing the application according to the size of the site.

All sites must pay an annual fee to the Council (subject to exemptions). This fee covers the costs associated with administration, annual inspection and a revisit to ensure compliance where required. The annual fee is based upon a fixed cost plus a charge per pitch to reflect the variation in the cost of processing the licence renewal according to the size of the site.

Where the licence holder requests an amendment to site licence conditions, the Council will charge a fee. Where the Council instigates a change in conditions, no fee will be payable.

Where a licence holder wishes to transfer a licence, an application must be made to the Council for which a fee is payable. The fee for the transfer of a site licence is based on a fixed cost as generally no site visit is required.

Single unit sites where the operator is also the owner and occupier of the park home will be exempt from annual fees.

Charging Arrangements

For the purpose of this policy the period covered by the annual fee will be 1st April to 31st March each financial year. The fee will be charged to the site owner/licence holder and invoices will be sent after the completion of the inspection with payment due within 30 days. Where a new site licence is issued part way through the year, the annual fee will not be due in the same year.

Where sites have both protected sites and holiday accommodation, the Council will take account of the proportion of pitches that have the benefit of the protection as permanent residential accommodation and the time taken to inspect the site as a whole.

Where an amended licence is issued part way through the year (which included either additional pitches or a reduction in pitches), the change in annual fee would be calculated on a pro-rata basis for the remainder of the year and difference in fee would be adjusted against the following year's annual fee.

In the event that an annual fee is not paid within the terms of the invoice the Council may apply to the First Tier Tribunal (Property Chamber) for an order requiring the licence holder to pay the amount due.

Surpluses and deficits

The Act provides that the Council in setting annual fees must advise the site owner of the extent to which they have had regard to deficits and surpluses from the previous year. Each year the Council must assess its previous costs to determine if they were accurate. A council can only pass on to the site owner its costs incurred in carrying out the licensing function and must not make a profit.

Sites exempted from Annual Licensing fees

The following are sites that are exempt from licensing fees Sites that are not relevant protected sites

- Sites with 3 pitches or less
- Sites for the site owner and their family (does not include sites that are run for financial gain)

- The Council consider it appropriate to make single pitch sites exempt from annual licence fees (but not other fees) as their inspection and fee collection arrangements would not be cost effective nor would it add value. Sites which do not fall within the definition of 'relevant protected sites' are still subject to the licensing requirements contained within the 1960 Act, but the provisions relating to payment of fees do not apply.

These categories of site are exempt from the annual licensing fee as the Council does not intend to carry out scheduled annual inspections of these sites, All other aspects of site enforcement including complaints would be dealt with as appropriate.

Application for a new site licence

The Council may only issue a licence for a site with a valid and correct planning permission for the use that is proposed. Any application made before the planning status has been awarded must be processed within 6 weeks of the planning decision. Sites which already have the correct planning permission in place must be processed within 2 months of the licence application.

The fee for a new 'relevant protected site' licence is based upon a fixed standard fee, plus a standard fee per pitch. For a new licence the fee will be based upon the number of permitted pitches and will not take into account whether those pitches are actually occupied. The fee per pitch takes this into account that inspection would take less time than an annual inspection.

Transfer/amendment of existing site licence

Where a licence holder wishes to transfer the licence an application must be made to the council, for which a fee is payable. The fee must accompany the application to transfer the licence.

Similarly where a site owner requests an amendment to site licence conditions the Council can charge a fee for this function.

Applications can be made by licence holders to vary or cancel conditions, the fee is payable at the application stage.

Where significant amendments to the site licence conditions are requested this is likely to involve a site visit based on additional 2 hours officer time.

If the Council itself deems it necessary to alter conditions there will be no fee payable.

Annual fees for Existing Site Licences

All relevant protected sites must pay an annual fee to the Council (subject to any exemptions stated in this policy). The fee will be based upon the number of occupied pitches found on completion of the site inspection. As part of the inspection process a number will be stated and an invoice for the appropriate amount will be issued by the Council.



The annual fee covers the costs associated with administration and an annual site inspection to ensure compliance with the site licence conditions. Time spent investigating and following up breaches of site licence conditions will be logged and is likely to be accounted for in future annual inspection charges. Further charges may be payable to cover the cost of any enforcement action which may be taken.

The fee is calculated on the total estimated cost to the Council of carrying out its annual licensing function at a typical site in 4 the Borough. The cost is multiplied by the number of pitches on each site to provide the annual fee payable.

Fees will be re-assessed each year to determine accuracy as part of the Council's annual fees and charges setting process. The Council will continue to review the policy and may determine that other options might be more appropriate with experience.

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5. Licensing conditions, Inspections and Enforcement

The Council's responsibility for the licensing of caravan sites includes the application and enforcement of appropriate conditions. The specific purposes for which conditions can be applied are set out in Section 5 of the 1960 Act. Site licence conditions may be determined with reference to national Model Standards. The Council has a power to update site licence conditions in line with Model Standards as modified from time to time by the government. The aim of such standards is to promote the safety and welfare of the residents. The applicable Model Standards were issued in 1983 for touring sites, 1989 for holiday sites and 2008 for residential sites. The Model Standards can be viewed on the Council's website.

The Council will carry out scheduled inspections of all licensed sites, which are likely to be without notice. Site owners will be advised of any actions required to ensure compliance with the site licence conditions.

The conditions on the existing site licence will remain the same until the Council deem they are out-dated or incorrect and then a review will take place or unless an application is made to amend conditions on the licence by the site owner.

The main focus of enforcement activity will be informal advice and education, including the provision of information directly by telephone or in person. Formal enforcement action will be taken under the relevant legislation only when informal action has failed to secure an acceptable improvement in standards or compliance with licence conditions. Any use of enforcement powers will be in accordance with the Chesterfield Borough Council Corporate Enforcement Policy.

Section 9A of the 1960 Act (as amended by the 2013 Act) allows local authorities to serve compliance notices on site owners where a site licence condition is breached. These notices will set out what the site owner needs to do to correct the breaches within prescribed timescales. Service of a notice will attract a charge. Failure to comply with the notice would be a criminal offence and the local authority may consider taking legal proceedings. Any costs associated with this process would be at the discretion of the court. Following a successful prosecution for breaching a compliance notice, The Council would be able to serve notice to enter the site and carry out the necessary works themselves (known as "works in default").

In addition, Section 9E allows a notice to be served on site owners enabling the local authority to enter the site and take emergency action where there is an imminent risk of serious harm.

Enforcement charges will be based on an hourly rate reflecting the costs of enforcement, plus any additional costs incurred (e.g. legal costs). Site owners may not pass on enforcement charges to residents in their pitch fees.



6. Site Rules

Site rules are different to site licence conditions in that they are neither created nor enforced by local authorities. They are a set of rules created by the site owner for residents to comply with. They may reflect the site licence conditions but will also cover matters unrelated to licensing. The 2013 Act makes amendments to the Mobile Homes Act 1983 in relation to site rules. Regulations made under the 2013 Act require existing site rules to be replaced with new site rules which must be deposited with the local authority within a specified timescale.

A Local Authority would need to satisfy itself that replacement or new site rules deposited with them have been made in accordance with the procedures prescribed by statute. The Council will be required to establish, keep up to date, and publish a register of site rules or the variation or deletion of site rules.

Any site rules deposited with The Council for the first time, or applications to vary or delete existing site rules must be accompanied by the appropriate fee. The fee is the same for either first deposit or for a subsequent variation or deletion. This is because the process will be very similar for all three types of deposits.

7. Fit and Proper Person Test

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI No.1034) ('the 2020 Regs'), require that a local authority must be satisfied that the owner of a mobile home site is a fit and proper person to manage the site, or that a person appointed by the owner to manage the site is a fit and proper person to do so.

The local authority also has the power to appoint a fit and proper person to manage the site, with the owner's consent.

This requirement is to ensure that those responsible for operating the site licence and managing the site are of sufficient integrity and good character to be involved in the management of a regulated site for mobile homes to which an application relates, and as such they do not pose a risk to the welfare or safety of persons occupying mobile homes on the site.

These Regulations do not apply to non-commercial family-occupied sites which are not operated on a commercial basis in accordance with Regulation 3.

Suitability

When considering whether a person is 'fit and proper' the local authority must have regard to the suitability of the person concerned ('the relevant person'). Schedule 3 paragraphs 2 to 4 of the Regulations make reference to those matters that must be considered by the local authority as part of any application. These include;

Whether the relevant person is able to secure the proper management of the site. This includes, but is not limited to;

- compliance with the site licence;
- the long term maintenance of the site;
- whether the relevant person has sufficient level of competence to manage the site;
- the management structure and funding arrangements for the site or proposed management structure and funding arrangements.

Other matters to be considered are whether the relevant person has:

- committed any offence involving fraud or other dishonesty, violence, arson or drugs or listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements);
- has contravened any provision of the law relating to housing, caravan sites, mobile homes, public health, planning or environmental health or of landlord and tenant law;
- has contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business;
- has harassed any person in, or in connection with, the carrying on of any business;
- is, or has been within the past 10 years, personally insolvent;

- is, or has been within the last 10 years, disqualified from acting as a company director;
- whether the relevant person has the right to work within the United Kingdom;
- whether any other local authority has rejected an application for the responsible person to be included in a register;

The local authority may also have regard to the conduct of any person associated or formerly associated with the relevant person (whether on a personal, work or other basis) if it appears to the authority that that person's conduct is relevant to the question of whether the relevant person is a fit and proper person to manage the relevant protected site or proposed relevant protected site (as the case may be).

The authority can also consider any evidence as to any other relevant matters.

Fees

Regulation 10 permits the local authority to charge a fee for the processing of applications. This is to cover the cost of processing applications and will be reviewed annually.

The authority may also decide the amount and frequency of any additional payments required by way of an annual fee. The authority does not intend to charge an annual fee at this time and this will be subject to review.

Where the authority has, with the occupier's consent, appointed a person to manage a site, the authority will recover from the occupier the reasonable costs incurred or to be incurred in making the appointment in accordance with Regulation 10.

Applications

The Regulations use various terms in the application process and these are outlined below:

“Relevant person” is defined in paragraph 2 of the Regulations and is “the subject of the fit and proper person assessment under Regulation 7”. Please note that this could be the site owner or person appointed to manage the site by the site owner.

“Relevant officer” is defined in paragraph 1 of Schedule 2 of the Regulations, where the applicant is a company, a relevant officer will be a director or other officer of the company; or, where the applicant is a partnership, a partner; or, where the applicant is a body corporate, a member of the management committee of that body.

“Required Information” is defined in paragraph 14 of Schedule 2 of the Regulations as: the person's name and business contact details; details of the person's role or proposed role in relation to the management of the site; where the

person has not yet been appointed, the address, telephone number and email address (if any) at which the person may be contacted in respect of the application; details of each relevant protected site (other than that to which the registration application relates) — for which the person holds a licence issued under section 3 of the Caravan Sites and Control of Development Act 1960, or in which the person has a legal estate or equitable interest, or which the person manages.

Criminal record certificate/s

Criminal Records Certificates must be issued under section 113A (1) of the Police Act 1997 and will be required where:

- (a) the Relevant person is an individual and
- (b) for each individual in relation to whom the applicant is required to provide information for example, a site manager or individuals A, B, C or D as outlined above.

A criminal record certificate in the form of a basic Disclosure and Barring Service (DBS) must be provided. The local authority have the discretion to request the applicant supply an enhanced DBS certificate should it be deemed necessary.

The DBS certificate must have been issued no more than six months before the date the application is received by the local authority. It is incumbent upon the site owner to ensure that any certificates provided meet this requirement.

Decisions, notification and rights of appeal

Once an application has been received the local authority may:

- grant the application unconditionally;
- grant the application subject to conditions;
- reject the application.

As soon as is reasonably practicable after a full and complete application is received (including the relevant fee), the local authority must make a decision on the application and either;

- where the decision is to grant the application unconditionally and to include the relevant person on the register for 5 years, serve a final decision notice on the applicant or;
- otherwise serve a preliminary decision notice on the applicant.

Once a full and completed application has been received by the authority, the nominated Officer will review the information and obtain any further information deemed relevant to the application. The Private Sector Housing Manager 'PSHM' may authorise that an application be granted unconditionally or subject to relevant conditions.

Where an application is to be rejected the 'PSHM' will consult with (and require approval from) the Head of Statutory Housing Solutions, or equivalent in advance of issuing the preliminary decision notice.

Any preliminary decision notice will be in accordance with the Regulations and will provide the applicant with 28 days, beginning with the day after the day on which the notice was served, to make written representations to the authority. Once written representations have been received the authority may then make a final decision which may include approving an application subject to specific conditions.

Where the authority may seek to remove a relevant person from the register or to impose further conditions, a notice of proposed action will be issued in accordance with the Regulations. Again, any relevant person may make written representations within 28 days of such a notice being issued.

The local authority may withdraw or amend:

- a preliminary decision notice before service of the final decision notice;
- a final decision notice before the decision to which it relates takes effect or;
- a notice of proposed action before the proposed action is taken

A person on whom a final decision notice is served may appeal to a First-tier Tribunal (FTT) against:

- any decision to include the relevant person on the register for an effective period of less than 5 years;
- any decision to include the relevant person on the register subject to conditions and;
- any decision to reject the application.

A person on whom a notice of action is served may appeal to the FTT against:

- any decision to remove the relevant person from the register;
- any decision to impose a condition on the inclusion of the relevant person in the register and;
- any decision to vary a condition.

No compensation may be claimed for loss suffered, pending the outcome of the appeal, in consequence of the local authority making a final decision or taking action relevant to Regulation 8(1)(a), (b) or (c).

The Regulations require a local authority to establish and keep up to date a register of persons who they are satisfied are fit and proper persons to manage a relevant protected site in their area, and to make the register open to inspection by members of the public at the offices of the local authority during normal office hours.

Fit and Proper Person Register

The authority must also publish the register online and the contents of the register will be in accordance with the Regulations.

A person's inclusion in the register has effect for a maximum period of 5 years.

Where a person has met the fit and proper person test, the register will give details of that person and of the site, including decisions made on how long a person's inclusion is for, up to a maximum of 5 years.

In order to comply with the fit and proper person requirement a site owner must at least two months before the period (e.g. 5 years) comes to an end submit a new application for the person (or alternative) to be included in the register.

Offences

An owner (occupier) of land commits an offence if he causes or permits any part of the land to be used as a relevant protected site (which falls within the scope of the Regulations) without the manager of the site being registered with the local authority as a fit and proper person.

An applicant also commits an offence if he:

- withholds information from a registration application or;
- includes false or misleading information in a registration application
- fails to comply with a condition imposed under Regulation 6(2)(b) or Regulation 8(1)

An owner (occupier) of land who is guilty of an offence is liable on summary conviction to a level 5 fine (unlimited). Where an owner (occupier) of land who holds a site licence in respect of that land contravenes the relevant Regulations, the FTT may, on application by the authority, make an order revoking the site licence in question on the day specified in the order.

Where:

- an owner (occupier) of land who holds a site licence in respect of that land is convicted of an offence under Regulation 11 for a contravention of the fit and proper person requirement and;
- has been convicted on two or more previous occasions of the offence in relation to that land,

The court before which the occupier is convicted may, on application by the local authority, make an order revoking the site licence in question.

8. Publishing and revising the fee policy

This fees policy will be published on the Chesterfield Borough Council website at chesterfield.gov.uk.

The fees detailed in this policy have been determined based on experience of dealing with site licensing historically with consideration of the changes the new Act has introduced. Some of the processes are new and therefore estimates have been made as to the cost of providing these services.

This policy will be implemented and managed by the Private Sector Housing Team. It will be reviewed and updated as necessary on an annual basis.

9. Comments or Complaints about this Policy

Chesterfield Borough Council encourages all customer feedback about its services and any queries, complaints, compliments, or suggestions about this policy are welcome.

These can be made to and marked for the attention of the Private Sector Housing Manager. Email to: hia@chesterfield.gov.uk Write to: Private Sector Housing Manager, Town Hall, Rose Hill, Chesterfield S40 1LP.

If you feel that any queries or concerns have not been dealt with to your satisfaction, please refer to the Councils Formal complaints policy. [Comments, compliments and complaints \(chesterfield.gov.uk\)](http://chesterfield.gov.uk)



Appendix 1. Fees and Charges

Activity	Amount
New Licence Application	£667.81
Plus an additional 10 minute inspection time per pitch over and above the first.	
Amendment / Transfer of Licence	£186.72
Plus an additional 10 minute inspection time per pitch over and above the first.	
Annual Inspection Fee	£186.55
Plus an additional 10 minute inspection time per pitch over and above the first.	
Fit and Proper Person Test	£ 392.73
Deposition of Site Rules	£ 97.57
Enforcement Charges	£
Enforcement charges will be based on an hourly rate reflecting the costs of enforcement, plus any additional costs incurred (e.g. legal costs). Site owners may not pass on enforcement charges to residents in their pitch fees.	

For publication

Chesterfield UK Shared Prosperity Fund Investment Plan

Meeting:	Cabinet
Date:	19 July 2022
Cabinet portfolio:	Leader Economic Growth Health and Wellbeing
Directorate:	Economic Growth Leisure, Culture and Community Wellbeing Corporate
For publication	

1.0 Purpose of the report

- 1.1 To seek Cabinet approval of the draft Chesterfield UK Shared Prosperity Fund Investment Plan, and delegated approval for the completion of a final version of the investment plan to be submitted to Government by 1st August 2022.

2.0 Recommendations

- 2.1 That Cabinet approves the strategic direction and indicative funding proposals as set out in the draft Chesterfield UK Shared Prosperity Fund Investment Plan.
- 2.2 That Cabinet delegates approval for the Chief Executive in consultation with the Leader of the Council, to make changes to the draft document to enable completion of the Chesterfield UK Shared Prosperity Fund Investment Plan for submission to Government.

3.0 Reason for recommendations

- 3.1 Work on the Investment Plan is ongoing and this recommendation will enable the submission of the Chesterfield UK Shared Prosperity Fund Investment Plan to Government by the 1st August 2022 deadline.

4.0 Report details

- 4.1 The UK Shared Prosperity Fund (UKSPF) will provide £2.6 bn of funding to local areas over the three year period (2022/23-2024/25). The UKSPF is intended to replace EU Structural Funds, although the scope of activities that can now be supported under UKSPF is wider than that under the previous EU funding regime.

- 4.2 The primary goal of the UKSPF is to build pride of place and increase life chances across the UK. This aligns with the Levelling Up White Paper (2022) missions, specifically Mission 9 – ‘By 2030, pride in place, such as people’s satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing.’
- 4.3 Underneath this overarching aim there are three SPF investment priorities: Communities and Place; Supporting Local Business; and People and Skills. Objectives relating to each of these investment priorities are set out below:

Communities and Place

- Strengthening our social fabric and fostering a sense of local pride and belonging, through investment in activities that enhance the physical, cultural and social ties and access to local amenities.
- Building resilient, healthy and safe neighbourhoods, through investment in quality places that people want to live, work, play and learn in.

Supporting Local Business

- Creating jobs and boosting community cohesion through investments that build on existing industries and institutions, and range from support for starting a business to improvements in local retail and hospitality facilities.
- Promoting networking and collaboration between businesses and partners to stimulate innovation and growth.
- Increasing private sector investment in growth-enhancing activities, including adoption of low carbon technologies.

People and Skills

- Boosting core skills and support adults to progress in work, by targeting adults with no or low level qualifications and skills in maths, upskilling the working population, and by encouraging innovative approaches to reducing adult learning barriers.
- Reducing levels of economic inactivity through investment in bespoke intensive life and employment support tailored to local need.
- Supporting people furthest from the labour market to overcome barriers to work by providing cohesive, locally tailored support including access to basic skills.

- Supporting local areas to fund gaps in local skills provision to support people to progress in work and supplement local adults' skills provision.

4.4 The UKSPF guidance identifies Chesterfield Borough Council (CBC) as a 'lead local authority' with responsibility for preparing an investment plan for Chesterfield borough. Chesterfield has been allocated a total of £2.69m for the three year period with an annual funding profile as follows:

Year	Funding	Funding Split (Revenue / Capital)
2022/23	£326,852	90% / 10%
2023/24	£653,703	87% / 13%
2024/25	£1,712,702	80% / 20%
Total Funding	£2,693,257	

To note that the capital percentage represents the minimum allocation that the investment plan must make to capital spend in the given year. All funding must be allocated in the given year and cannot be carried over to the following year. A maximum of 4% of the total allocation can be used for fund administration during the investment period.

4.5 The timescale for submitting the investment plan is 30th June to 1st August, with the first plans approved by Government October 2022 onwards. Following Government endorsement of the Investment Plan a report will be provided to Council seeking approval for the capital elements to be added to the Council's Capital Programme.

Chesterfield Investment Plan

4.6 To assist in defining the scope of activities that could be included in the Chesterfield Investment Plan, a review of priorities in key Council plans and strategies has been undertaken, including:

- The Council Plan and annual Delivery Plan
- The Chesterfield Growth Strategy and Covid Recovery Plan
- The Chesterfield Visitor Economy Strategy
- The Climate Change Action Plan
- The Parks and Open Spaces Strategy
- The Play Strategy
- Chesterfield Health and Wellbeing Partnership Priorities
- Chesterfield Community Safety Partnership Priorities
- The Council's Draft Anti-Social Behaviour Strategy

4.7 Following review, a focused short-list of 11 priorities have been identified as providing a potential basis for the future delivery of actions / activities in the investment plan. This mix of priorities (set out in the table below, under the three investment headings) is considered to make the best use of the

available funding to deliver positive outcomes for Chesterfield’s residents, businesses and visitors. Indicative SPF allocations, covering the three year period, have been made against each of the priorities (it should be noted that activities in relation to ‘People and Skills’ can only be supported in the third year of the programme unless they meet the voluntary sector considerations detailed in Government guidance which provide some flexibility to fund targeted people and skills interventions in years 1 and 2 where this is a continuing priority for 2024-25 and provision may be at significant risk of ending due to the tail off of EU funds.).

Communities and Place	Funding Allocation
<ul style="list-style-type: none"> • Deliver and support a programme of borough wide events, festivals and speciality markets 	£150,000
<ul style="list-style-type: none"> • Continue to support the place marketing activities of Destination Chesterfield 	£125,000
<ul style="list-style-type: none"> • Development and delivery of a Chesterfield Inspired marketing campaign 	£60,000
<ul style="list-style-type: none"> • Build upon our Covid-19 community recovery approach by embarking on the development of a social investment and development initiatives 	£450,000
<ul style="list-style-type: none"> • Focus on community safety including the strengthening of antisocial behaviour prevention and response 	£160,000
<ul style="list-style-type: none"> • Development of costed 5-year delivery plans in line with the Parks and Open Spaces Strategy and Play Strategy 	£250,000
Supporting Local Business	
<ul style="list-style-type: none"> • Support business growth and investment through the provision of Enterprise Chesterfield 	£70,000
<ul style="list-style-type: none"> • Work with partner organisations to ensure a co-ordinated approach to delivery of business support services 	£720,000
<ul style="list-style-type: none"> • Development of a Heritage Interpretation Plan 	£50,000
People and Skills	
<ul style="list-style-type: none"> • Enable local businesses and employees to access a wide range of skills, apprenticeships and education opportunities 	£300,000
<ul style="list-style-type: none"> • Ensure work readiness and employment support programmes are fully accessible and targeted at priority communities and groups 	£250,000
Programme Administration	£107,000

- 4.8 Whilst the detail of the actions / activities that will be delivered against each of the priority headings is still to be finalised, the following sections provide an indication of the scope of activities that are currently being considered.

Communities and Place

- 4.9 Activities under the 'Communities and Place' theme fall under two sub-headings of 'Place Marketing and Events' and 'Community Development'. In relation to 'Place Marketing and Events', SPF funding provides the opportunity to encourage more visitors and business investment to the area through a refresh of the marketing approach and an increase in place marketing activity. The delivery of an enhanced programme of events, festivals and speciality markets, will seek to maximise the value of the capital investment being made in Chesterfield (Connecting Chesterfield) and Staveley town centres (Staveley Town Deal), as well as supporting activities across the borough.
- 4.10 UKSPF provides an excellent opportunity to build upon our Covid-19 community recovery approach. A series of social investment / community development initiatives are being developed with a focus on material insecurity, health and wellbeing, social connectedness and building upon a strong community and voluntary sector. The approach will utilise existing and emerging partnerships to increase support for grass root community and voluntary sector organisations, increase sector resilience and sustainability and make vital links with anchor institutions and the business community. This could include a combination of deploying skilled and focused community development workers, strengthening community infrastructure and grant provision.
- 4.11 The UKSPF will enable further positive activity in support of the Community Safety Partnership to take place. Together with our partners, we will put in place positive, joined-up problem-solving activity to bring long term solutions to areas such as anti-social behaviour by seeking to prevent incidents arising in the first instance. This activity will centre on evidence-based practice, in which we will proactively work alongside community organisations, educational establishments and statutory partners to tackle issues as soon as they arise, looking for local solutions and developing community resilience. We will therefore utilise a multi-agency problem solving approach as a means of delivering early intervention and prevention at a neighbourhood level.
- 4.12 Specifically, the UKSPF will enhance capacity to support communities tackle the causes and impacts of anti-social behaviour - a key influencing factor relating to fear of crime especially for the more vulnerable members of the community. The funding will enable targeted intervention and support – where it is needed most - to take place across the borough and will contribute to the collaborative work that is being established through the thematic approach that is set out in the draft Anti-Social Behaviour Strategy.

- 4.13 The parks, open spaces and opportunities for play within our borough are an important element of what makes Chesterfield an attractive place to live, work and visit. They have an essential role in improving the health, wellbeing and quality of life for our communities as well as attracting visitors. The Covid-19 pandemic reinforced the valuable role that they play through offering a real lifeline to many residents by providing access to free exercise and wellbeing opportunities when many other options were unavailable to them.
- 4.14 The UKSPF through the recently adopted Parks and Open Space and Play Strategies will enable these valuable spaces to be protected, enhanced, and cherished for generations to come. Good quality, accessible open spaces provide sporting and recreational facilities, green lungs for communities and contributes to a vibrant economy, encouraging higher quality and more sustainable economic development. Consequently, the UKSPF will enable a range of specific interventions to support our strategies to help in place making and shaping, including the development of natural play opportunities, enhanced biodiversity and improved access to good quality leisure and recreational open space.

Supporting Local Business

- 4.15 A number of business support programmes and initiatives are currently funded via ESIF (European Structural and Investment Funds), including the Council's Innovation Support Programme. This programme is considered to add real value to the local business support offer and the Council will be seeking to continue this programme once ESIF funding ends in June 2023.
- 4.16 The Economic Development Team is presently engaging with other Derbyshire local authorities to see if there is consensus around which business support programmes (operating across local, D2 or D2N2 geographies) are adding most value and should therefore be considered for funding support. This remains a fluid situation and it might well be the case that some authorities choose not to prioritise these activities in future, potentially impacting on the delivery viability of certain programmes. Whilst the Council remains flexible in its approach, it sees local value in supporting schemes which: facilitate an increase in the rate of new business start-ups; build business resilience through the adoption of digital technologies; and enable businesses to reduce their carbon footprint.

People and Skills

- 4.17 People and Skills interventions will be informed by priorities set out in the refreshed Skills Action Plan and will predominantly be delivered in year 3 of the SPF Investment programme. However, there will be opportunities to lever employment and skills outputs through activity delivered through the Communities and Place and Business Support investment priorities in years one and two of the programme.

- 4.18 There are ongoing discussions with partners and other Derbyshire Local Authorities in respect of opportunities to jointly commission skills and training programmes across local or D2 areas. As highlighted in paragraph 4.16, some Local Authorities may choose not to prioritise the same activities and therefore the situation remains fluid.
- 4.19 In respect of workforce skills training, it is currently it is considered that there will be local value in supporting programmes that increase the capacity and delivery of green and digital skills and enhance capital investments made across the borough, including those delivered through Levelling Up and Towns Deal funding, supporting growth sectors including construction, rail and the visitor economy.
- 4.20 It is envisaged that work readiness and employment support programmes will provide employment support to economically inactive residents, increase levels of digital inclusion and increase access to existing support ensuring the community has a full understanding of all post 16 options.
- 4.21 The Skills Delivery Officer has engaged with Derbyshire County Council in respect of the High-level delivery plan for Multiply; the interventions of which mirror and add value to the indicative actions that are currently being considered under all 3 investment priority areas of the Chesterfield SPF Investment Plan.

Stakeholder Engagement

- 4.22 The Council undertook an engagement exercise via an electronic questionnaire inviting feedback from organisations across the VCSE (Voluntary, Community and Social Enterprise), Skills and Business Community in Chesterfield on the investment plan prepared for UK Shared Prosperity Fund, appended at Appendix 3. The approach to engagement was restricted by time constraints, and the local pre-election period and therefore engagement was targeted at chairs and coordinators of key local partnerships, and key contacts within stakeholder organisations.
- 4.23 The engagement exercise closed on 4 July 2022, with responses being received from 7 organisations: Chesterfield College, Derbyshire County Council, DWP, East Midlands Chamber of Commerce, Groundwork Greater Nottingham, Staveley Town Deal Board and United Cast Bar (UK).
- 4.24 Respondents were broadly supportive of both the overall approach and mix of priorities included in the Investment Plan. However, one respondent highlighted the need to have considered the wider strategies of DCC and D2N2 LEP in the approach to identifying the 11 priorities for inclusion within the investment plan and one respondent queried the allocation of funding to the People and Skills investment priority, calling for funding to be allocated from year 1.

- 4.25 As outlined in paragraph 4.7 key Council strategies were reviewed when defining the scope of activities to be included in the investment plan; time constraints limited the breadth of strategic review that could be carried out. It is considered that wider regional strategies are considered during the development of CBC strategies and therefore are reflected in the investment plan. In addition, key stakeholders will be further engaged through Chesterfield SPF Partnership Board to ensure projects will be developed to align with local and regional strategies
- 4.26 In respect of the call to allocate funding to the People and Skills investment priority from year 1 or 2, allocations have been made in line with government guidance that states that investment to support People and Skills interventions should be made from 2024-25 (year 3). During the next stage of engagement, further work will be carried out with the Local Partnership Board to assess the options to bring investment in People and Skills interventions forward within the parameters of the funding guidance.
- 4.27 Chesterfield College, East Midlands Chamber of Commerce and Groundwork Nottingham have submitted additional comments with their responses that provided suggestions for potential projects. These broadly align with the interventions identified within the summary investment plan and will be reviewed and considered in more detail through the project development process.

Programme Governance

- 4.28 The Local Partnership – a new Chesterfield UKSPF Partnership Board has been established, with an initial range of partners from across the borough; more partners may be invited as the detail of the programme emerges. The first meeting of the Partnership Board is planned for 12 July to seek support for the draft plan. Verbal feedback will be provided to Cabinet to assist in decision making.

Programme Delivery

- 4.29 Chesterfield Borough Council will act as Accountable Body for the delivery of the UKPSF programme. As part of the funding allocation, authorities are allocated 4% of the scheme for admin and management. This equates to £107,000 over the 3 years of funding that Chesterfield has received. In addition, £20,000 has been allocated to Chesterfield Borough Council as a one-off allocation to support the development of the Investment Plan. Therefore, in total £127,000 is available over 3 years to support the programme management and delivery costs of the implementation of Chesterfield UKSPF Investment Plan.
- 4.30 It is proposed that a Programme Monitoring Assistant role is established within the Economic Development Team to enable effective programme

commissioning and monitoring. A job description is currently being developed and will be reviewed in line with HR procedures. It is intended that this role will be brought to a future Cabinet and Employment Meeting for consideration.

- 4.31 The delivery of UKSPF will also involve the engagement of existing staff teams within the authority. Staff from Economic Development, Policy, Leisure, Procurement, legal, finance and communications teams will all need to be involved in different stages of implementation.

Next Steps

- 4.32 The deadline for submission of the investment plan is 1st August 2022. The investment plan template, which must be completed on-line, will require the translation of the Council's 11 priorities into a series of 'interventions' (taken from a pre-defined list in the SPF guidance) and the identification of measurable outputs and outcomes in relation to each of these interventions. A three year spend profile, split between capital and revenue expenditure, is also required for each intervention. As stated in paragraph 4.5 following Government endorsement of the Investment Plan approval will be sought from Council to add the capital elements to the Council's Capital Programme.
- 4.33 The template includes a section on local context, where applicants provide evidence of local challenges and opportunities in relation to the three investment themes. Lead authorities must also set out their approach to governance and delivery (i.e., the structures and processes that will support the delivery of the interventions), as well as demonstrating their resource and capability to manage the funding programme.
- 4.34 Given the on-going work in preparing the investment plan, it has not been possible to include the final submission with this cabinet report. As such, Cabinet is requested to delegate final approval of the investment plan to the Leader and Chief Executive Officer.

Alternative options

- 4.35 Alternative options include choosing not to prepare an investment plan or preparing a single investment plan in partnership with other local authorities. Failure to submit an investment plan would mean Chesterfield missing out on £2.7m of funding over the next three years, so this could not be considered a realistic alternative course of action. The option of preparing a single strategy in partnership with other authorities is likely to have proved difficult given the strong 'local place' focus of UKSPF and the challenge of agreeing a single set of priorities that could meet the needs of all localities.
- 4.36 The preferred option sees the Council taking on its community leadership role as a 'lead local authority' recognising that it is best placed to identify and facilitate a co-ordinated response to the needs of the local area. Equally the

Council will be seeking to work in partnership with other local authorities, across appropriate geographies, where there is value in doing so, for example, in relation to some aspects of business support and skills provision.

5.0 Implications for Consideration - Financial and value for money

5.1 Approval of the Chesterfield Investment Plan by Government will secure funding of £2.69m for the delivery of priority activities in Chesterfield, without any specific requirement to provide match funding. In 2022/23, funding will be paid once the investment plan is signed off. In 2023/24 and 2024/25, funding will be paid at the start of the financial year.

5.2 The maximum 4% top-slice allocation (approximately £107,000 over three years) will be taken by the council to support programme administration costs. In addition, the council will receive a one-off contribution of £20,000, which is available to all lead authorities, to support the development of the investment plan and other associated costs. This funding will be paid on sign-off of the investment plan.

6.0 Implications for consideration – Legal

6.1 Interventions in the investment plan must be delivered in compliance with the national subsidy control regime. The Government is set to publish further guidance on UKSPF and subsidy control, to assist lead local authorities in carrying out their delegated delivery role.

7.0 Implications for consideration – Human resources

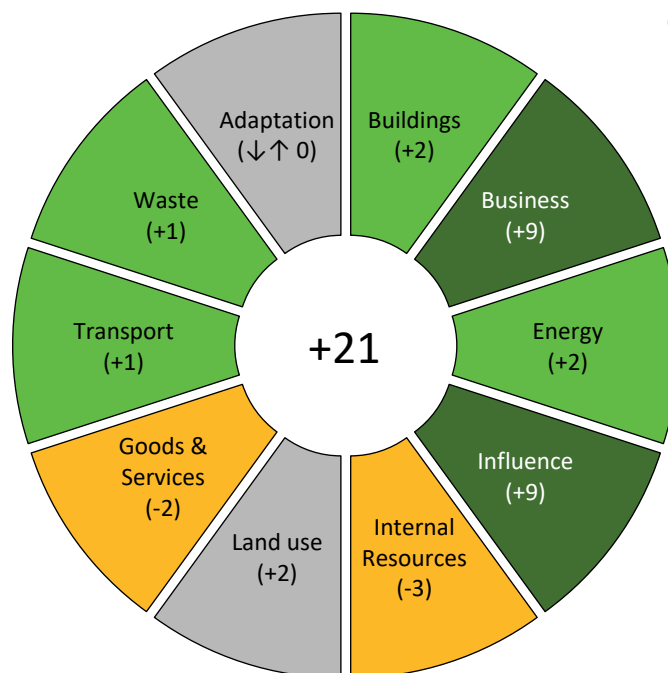
7.1 As stated in paragraph 4.30 it is proposed that a Programme Monitoring Assistant role is established within the Economic Development Team. The job description and person specification are being developed and will be reviewed in line with HR procedures. Due to the timing of progressing the UKSPF Investment Plan it is proposed that this role is considered by Cabinet and Employment and General at a later date, subject to Government approving Chesterfield's Investment Plan.

8.0 Implications for consideration – Council Plan

8.1 The development of the Chesterfield Investment Plan supports the Council Plan aims of 'making Chesterfield a thriving borough' and 'improving the quality of life for local people'. The priorities set out in the investment plan are all existing council priorities that have been included in current council plans and strategies. Funding via UKSPF provides the opportunity to secure the delivery of activities, in relation to these priorities, over the next three years.

9.0 Implications for consideration – Climate Change

9.1 A Climate Change Impact Assessment has been completed and is attached as Appendix 1.



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28/06/22
v1.36

Chesterfield Borough Council has committed to being a carbon neutral organisation by 2030 (7 years and 6 months away).

9.2 The Chesterfield Investment Plan has been assessed as having an overall climate impact score of +21. Whilst the actual mix of activities that will be delivered with investment plan funding has not yet been finalised, in principle, there are opportunities to secure positive climate change outcomes in relation to each of the three investment themes.

9.3 Under the 'Communities and Places' theme, funding allocated to 'parks, open spaces and play' provides an opportunity to increase carbon capture and biodiversity adaptation through improvements to local green spaces, whilst also encouraging more active travel.

9.4 The 'Supporting Local Business' theme will see a focus on delivering a low carbon business scheme, whilst green skills and digital skills training will be included under the 'People and Skills' theme.

9.5 More generally, the process of delivering investment plan activities will require wider engagement with communities and stakeholders, providing opportunities to positively influence climate change behaviours.

10.0 Implications for consideration – Equality and diversity

10.1 A preliminary Equalities Impact Assessment has been completed and is attached as Appendix 2.

10.2 It is not considered that the investment plan will have a negative impact on any of the characteristics listed and will potentially have a positive impact on most groups, depending on the actual mix of community based interventions delivered with SPF funding.

11.0 Implications for consideration – Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Government does not approve the Chesterfield Investment Plan	H	M/L	The investment plan is being prepared in line with guidance and officers will engage in constructive dialogue with DLUHC staff as required to secure plan approval	H	L
Failure to spend annual funding allocation risks returning underspend to DLUHC	M/H	M	The Council is experienced in managing funding programmes and this will help ensure spend targets are achieved	M	L
Failure to deliver specified outcomes risks future funding allocations	M	M	The Council includes realistic targets in the investment plan and puts in place appropriate project monitoring arrangements	L/M	L/M

Decision information

Key decision number	1112
Wards affected	All

Document information

Report author

Lynda Sharp Economic Development Manager (Economic Growth)
Matthew Southgate Senior Economic Development Officer (Economic Growth)

Appendices to the report

Appendix 1 Climate Change Impact Assessment

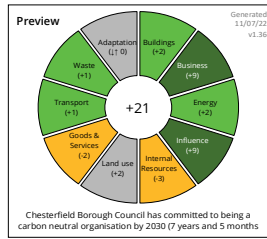
Appendix 2 Equalities Impact Assessment

Appendix 3 Summary Investment Plan

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Climate Change Impact Assessment Tool (v1.36)

Developed by Chesterfield Borough Council 2021



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Report Name Chesterfield UK Shared Prosperity Fund Investment Plan
Report date 19/07/22
Report author Emily Williams
Project Notes To develop and implement the Chesterfield UK Shared Prosperity Fund (SPF) Investment Plan. The primary goal of the SPF is to build pride of place and increase life chances across the UK.
Export filename Chesterfield UK Shared Prosperity .png

Category	Impact	Notes / justification for score / existing work (see guidance sheet or attached notes for more information)	Score (-5 to +5)
Buildings	Building construction	There is a capital element (10% rising to 20%) of the Investment Plan. The primary capital spend will be related to parks, open spaces and play. It is not expected that any new buildings will be constructed, however, where projects are commissioned, there may be requests for capital spend to improve existing buildings. This is likely to increase building sustainability and increase overall carbon performance but at this stage is unknown.	-
Buildings	Building use	As above, the investment plan is not likely to support building construction but may support building modifications - bidders will be encouraged to put forward projects that align with CBC's climate change action plan and encourage low carbon living and travel	+1
Buildings	Green / blue infrastructure	Under the Business Support Priority there will be a focus on a business de-carbonisation initiative. This will include audits of existing business activities, potentially presenting opportunities for positive building / site adaptation	+1
Business	Developing green businesses	Within the Business Support Investment Priority there is emphasis on supporting decarbonisation whilst growing the local economy - It is envisaged that this will be achieved through programmes like De-Carbonise. This will include a focus on supporting businesses who deliver green technologies, research and services.	+3
Business	Marketable skills & training	Within the Business Support and the People and Skills Investment Priority, there is a focus on supporting businesses to de-carbonise and delivering green skills and digital courses which will be designed to improve business low carbon performance.	+3
Business	Sustainability in business	Within the Business Support and the People and Skills Investment Priorities, there is a focus on supporting businesses to de-carbonise and delivering green skills and digital courses which will support businesses in applying best practice and sustainable solutions in their existing business model and supply chains	+3
Energy	Local renewable generation capacity	It is not expected that this activity will include significant changes to local capacity for renewable electricity / heat generation. Nor is it expected that there will be any negative changes. Projects have not yet been defined, however, where capital projects come forward to make improvements to existing buildings, these might include provision of renewable energy (solar panels, heat pumps etc)	+1
Energy	Reducing energy demand	The business support investment priority will include programmes to support de-carbonisation which may include supporting business to reduce energy demand. Some commissioned capital projects may come forward to support increased energy efficiency. It is not expected that any activity will increase energy demand	+1
Energy	Switching away from fossil fuels	NA	-
Influence	Communication & engagement	The 11 priorities that are proposed to be included in the Investment Plan have been informed by a review of key council strategies, including the climate change action plan - Low carbon interventions have been included in all 3 investment investment priorities, from creation & improvement of greenspaces, business support to support de-carbonisation and delivery of green skills training - these will be supported by community engagement schemes which offers significant scope to increase awareness of climate change and CBCs actions to address climate change.	+3
Influence	Wider influence	The UKSPF Investment Plan requires us to work with a wide range of partners across all three investment priorities. Low carbon interventions are included across all three investment priorities and therefore there is opportunity for CBC to gain authority on a climate change issue	+2
Influence	Working with communities	It is intended that community engagement activities will be commissioned as part of the investment plan, offering opportunity to raise awareness of interventions within the investment plan that support our climate change action plan.	+2
Influence	Working with partners	Through the establishment of a Partnership Board that includes representatives from across all 3 investment priorities we are taking steps in this activity to ensure that we are working with partners with similar values to ours in relation to climate change	+2
Internal Resources	Material / infrastructure requirement	The investment plan sets out interventions across 11 priority areas, some projects will be commissioned and externally delivered and some will be delivered directly either through existing or additional resource. Whilst steps will be taken to minimise any additional council resources used, there will be additional activity required which will increase resource use	-1
Internal Resources	Staff time requirement	The investment plan sets out interventions across 11 priority areas; some projects will be commissioned and externally delivered and some will be delivered directly either through existing or additional resource. Whilst steps will be taken to minimise any additional council resources used, there will be additional activity required which will increase resource use	-1
Internal Resources	Staff travel requirement	The interventions set out in the investment plan don't directly increase staff travel requirements. However, where the UKSPF Investment Plan it's self levers external funding. The UKSPF funding is designed to replace ESIF funds -	-1
Internal Resources	External funding	The UKSPF Investment Plan it's self levers external funding. The UKSPF funding is designed to replace ESIF funds -	-
Land use	Carbon storage	Funding in the investment plan has been allocated for improvements to local green spaces and this could include additional tree planting	+1
Land use	Improving biodiversity adaptation	Funding in the investment plan has been allocated for improvements to local green spaces and this could include improving biodiversity adaptation	+1
Land use	Natural flood management	On balance any new investment in green space improvement will not be so significant as to have either positive or negative impact on natural flood management	-
Goods & Services	Food & Drink	NA	-
Goods & Services	Products	Interventions through the Business Support Investment Priority are designed to improve business performance which may result in increased production of goods and services, depending on the nature of business - This would result in an overall increase in the consumption of products. However, activities to support de-carbonisation and green skills training will go some way to mitigate this	-1
Goods & Services	Single-use plastic	NA	-
Goods & Services	Services	Interventions through the Business Support Investment Priority are designed to improve business performance which may result in increased production of goods and services, depend on the nature of the business - This would result in an overall increase in the consumption of services. However, activities to support de-carbonisation and green skills training will go some way to mitigate this	-1
Transport	Decarbonising vehicles	The SPF indicative outcomes will see increases in number of visitors, number of jobs, number of businesses and more community projects and infrastructure - therefore there is a risk of an increase in the use of fossil fuelled vehicles. Sustainable travel will be promoted and business support activities will support businesses with de-carbonisation activities.	-1
Transport	Improving infrastructure	NA	-
Transport	Supporting people to use active travel	The activity does provide support for people to use active forms of travel - the creation and improvements to green and open spaces will encourage increased walking and cycling. A Business Support de-carbonisation programme, together with a green skills training programme will further offer raise awareness and support businesses and residents to use active travel.	+2
Waste	End of life disposal / recycling	Business support activities that support business with de-carbonisation and green training activities offer opportunity to support the increase in proportion of waste that is recycled	+1
Waste	Waste volume	The proposed investment plan sets out 11 priority areas, some of which will see new or increased services - this increase will result in an increase in waste volume but this will be mitigated through business support and skills activities that will support businesses and residents to decrease waste volume	-
Adaptation	Drought vulnerability	NA	-
Adaptation	Flooding vulnerability	NA	-
Adaptation	Heatwave vulnerability	NA	-
Other	Other 1		
Other	Other 2		
Other	Other 3		
Other	Other 4		

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Chesterfield Borough Council Equality Impact Assessment – Preliminary Assessment

<i>Title of the policy, project, service, function or strategy:</i>		Chesterfield UK Shared Prosperity Fund Investment Plan
<i>Service Area:</i>	Economic Growth / Leisure, Culture and Community Wellbeing / Corporate	
<i>Section:</i>	Economic Development	
<i>Lead Officer:</i>	Matthew Southgate	
<i>Date of assessment:</i>	28/06/2022	
<i>Is the policy, project, service, function or strategy:</i>		
<i>Existing</i>		
<i>Changed</i>		
<i>New / Proposed</i>	X	

Page 209

Section 1 – Clear aims and objectives

<p>1. What is the aim of the policy, project, service, function or strategy?</p> <p>The UK Shared Prosperity Fund (SPF) will provide £2.6bn of funding to local areas over the three year period (2022/23-2024/25). The SPF guidance identifies the Council as a 'lead local authority' with responsibility for preparing an investment plan for Chesterfield borough. Chesterfield has been allocated a total of £2.69m for the three years, subject to the approval of the investment plan by Government, which needs to be submitted by 1st August 2022.</p> <p>The overall aim of the SPF is to build pride of place and increase life chances across the UK. Underneath this overarching aim are three SPF priorities: Communities and Place; Supporting Local Businesses; and People and Skills. The Council (and its partners) has the flexibility to determine what mix of actions/activities it will deliver under each of these headings, in response to identified local needs and opportunities.</p> <p>To assist in defining the scope of interventions that could be included in the investment plan, a review of current council plans and strategies has been undertaken in order to establish a long-list of priorities. The following plans and strategies have been considered:</p>
--

- Council Plan and Delivery Plan
- Chesterfield Growth Strategy and Covid Recovery Plan
- Chesterfield Visitor Economy Strategy
- Climate Change Action Plan
- Parks and Open Spaces Strategy
- Play Strategy
- Chesterfield Health and Wellbeing Partnership Priorities
- Chesterfield Community Safety Partnership Priorities

The long-list of priorities was then reviewed to produce a focused short-list of 11 priorities, which now form the basis of the Chesterfield Investment Plan. It should be noted that whilst the preparation of the investment plan constitutes a new project, it is based on the delivery of existing council priorities that have previously been subject to wider consultation (internal and external) and approved by the Council. The short-listed priorities are set out in the table below, grouped under the three SPF investment themes.

Communities and Place
<ul style="list-style-type: none"> • Deliver and support a programme of borough wide events, festivals and speciality markets • Continue to support the place marketing activities of Destination Chesterfield • Development and delivery of a Chesterfield Inspired marketing campaign • Build upon our Covid-19 community recovery approach by embarking on the development of a social investment plan • Focus on community safety including the strengthening of antisocial behaviour prevention and response • Development of costed 5 year delivery plans in line with the Parks and Open Spaces Strategy and Play Strategy
Supporting Local Business
<ul style="list-style-type: none"> • Support business growth and investment through the provision of Enterprise Chesterfield • Work with partner organisations to ensure a co-ordinated approach to delivery of business support services • Development of a Heritage Interpretation Plan

People and Skills

- | |
|---|
| <ul style="list-style-type: none"> • Enable local businesses and employees to access a wide range of skills, apprenticeships and education opportunities • Ensure work readiness and employment support programmes are fully accessible and targeted at priority communities and groups |
|---|

Subject to confirmation by Cabinet, funding has been allocated against each of the priorities to enable the delivery of actions / activities.

2. Who is intended to benefit from the policy and how?

The funding allocated to each of the council's priorities will enable a range of actions and activities to be brought forward and has the potential to deliver significant benefits to individual groups and communities across the borough. For example, the investment plan includes a significant funding allocation to directly support community development activities and this could include investment in community infrastructure, capacity building for local groups and support for impactful volunteering and social action projects. Funding of activities under this priority is also likely to include measures to support financial inclusion and the promotion of healthy lifestyles. Other activities under the community development heading will include measures to help reduce anti-social behaviour and capital investment in relation to parks, open spaces and play across the borough. Under the 'People and Skills' heading, funding will be available to deliver employment support programmes, targeted at priority communities and groups such as individuals who are long-term unemployed and facing complex and multiple barriers to work.

3. What outcomes do you want to achieve?

The primary outcome of SPF funding is to build pride of place and increase life chances in local communities. Whilst specific outcomes in the investment plan have yet to be defined these are likely to include the following under the 'Communities and Place' heading:

- Number of new / improved community facilities
- Increased users of facilities / amenities
- Improved perception of facilities and amenities
- Improved engagement numbers
- Increased volunteering numbers as a result of support
- Reduction in neighbourhood crime

- Improved perception of safety

And, under the 'People and Skills' heading, outcomes will include:

- Increased proportion of participants with basic skills
- Number of people in education and training
- Number of people in employment following support
- Number of people sustaining employment for 6 months
- Fewer people experiencing structural barriers to employment

Section 2 – What is the impact?

4. Summary of anticipated impacts. *Please tick at least one option per protected characteristic. Think about barriers people may experience in accessing services, how the policy is likely to affect the promotion of equality, knowledge of customer experiences to date. You may need to think about sub-groups within categories eg. older people, younger people, people with hearing impairment etc.*

	Potentially positive impact	Potentially negative impact	No disproportionate impact
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability and long term conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender and gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnant women and people on parental leave	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion and belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section 3 – Recommendations and monitoring

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

5. Should a full EIA be completed for this policy, project, service, function or strategy?

Yes No

Please explain the reasons for this decision:

As highlighted above the delivery of actions / activities under the SPF investment plan have the potential to have a positive impact in relation to a number of the priority characteristics (subject to the final mix of actions/activities that are brought forward with SPF funding). As a minimum it is reasonable to assume that the investment plan will have 'no disproportionate impact' on the identified characteristics.

The EIA will be reviewed at key stages throughout the development of the SPF programme in Chesterfield, should the Investment Plan be approved by government, and wider engagement with local organisations and local community will be taking place.

Section 6 – Knowledge management and publication

Please note the draft EIA should be reviewed by the appropriate Service Manager and the Policy Service **before** WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager	Name:	Lynda Sharp
	Date:	28/06/22
Reviewed by Policy Service	Name:	
	Date:	
Final version of the EIA sent to Policy Service	<input type="checkbox"/>	
Decision information sent to Policy Service	<input type="checkbox"/>	

Chesterfield Shared Prosperity Fund – Priority Activities

Introduction

The UK Shared Prosperity Fund (SPF) will provide £2.6bn of funding to local areas over the next three years (2022/23-2024/25). The SPF guidance identifies Chesterfield Borough Council (CBC) as a 'lead local authority' with responsibility for preparing the investment plan for Chesterfield borough. Chesterfield has been allocated £2.69m for the three year period (£326k in year 1, £654k in year 2 and £1,713k in year 3). This paper sets out the proposed local priorities for inclusion in the investment plan and provisional funding allocations against each of the priorities.

Background

The primary goal of the SPF is to build pride of place and increase life chances across the UK. Underneath this overarching aim there are three SPF investment priorities: Communities and Place; Supporting Local Business; and People and Skills. Objectives relating to each of these investment priorities are as follows:

Communities and Place:

- Strengthening our social fabric and fostering a sense of local pride and belonging, through investment in activities that enhance the physical, cultural and social ties, and access to local amenities.
- Building resilient, healthy and safe neighbourhoods, through investment in quality places that people want to live, work, play and learn in.

Supporting Local Business

- Creating jobs and boosting community cohesion through investments that build on existing industries and institutions, and range from support for starting a business to visible improvements to local retail and hospitality sector facilities.
- Promoting networking and collaboration between businesses and partners to stimulate innovation and growth.
- Increasing private sector investment in growth-enhancing activities, including new-to-firm innovation, adoption of low carbon technologies and techniques, and starting or growing exports.

People and Skills

- Boosting core skills and support adults to progress in work, by targeting adults with no or low level qualifications and skills in maths, upskilling the working population, and by encouraging innovative approaches to reducing adult learning barriers.

- Reducing levels of economic inactivity through investment in bespoke intensive life and employment support tailored to local need.
- Supporting people furthest from the labour market to overcome barriers to work by providing cohesive, locally tailored support including access to basic skills.
- Supporting local areas to fund gaps in local skills provision to support people to progress in work and supplement local adult skills provision.

Timescales

The investment plan is to be submitted by 1st August, with the first plans approved by Government October 22 onwards.

Identifying Local Priorities for Inclusion in the Investment Plan

To assist in defining the scope of interventions that could be included in the Chesterfield investment plan, a review of current council plans and strategies, that have previously been widely consulted on prior to approval, has been undertaken in order to establish a long-list of priorities. This has been reviewed against the SPF list of interventions and output/outcome measures.

The following plans and strategies have been considered:

- The Council's Corporate Plan
- Chesterfield Growth Strategy and Covid Recovery Plan
- Chesterfield Visitor Economy Strategy
- Climate Change Action Plan
- Parks and Open Spaces Strategy
- Play Strategy
- Chesterfield Health and Wellbeing Partnership Priorities
- Chesterfield Community Safety Partnership Priorities

A final short-list of 11 priorities has been identified and these are set out in the following table. The short-listed priorities have been grouped under the three SPF investment priority headings of: **Communities and Place; Supporting Local Business; and People and Skills**. The relevant SPF interventions are highlighted against each of the priorities as well as the potential outcome measures (which will need to be specified). Provisional funding allocations have been made against each priority for the three year period (to note that the SPF guidance limits the core funding of 'People and Skills' priorities to year 3).

SPF Priority Activities Table

Council Priority	Indicative Activity	SPF Interventions	SPF Indicative Outcomes	Financial Years			Total
				2022/23	2023/24	2024/25	
1. Communities and Place							
1.1 Place Marketing and Events							
Deliver and support a programme of borough wide events, festivals and speciality markets	Delivery of enhanced events programme (town centres and borough wide). Direct delivery.	E6: Support for local arts, culture, heritage and creative activities	-Increased footfall -Increased visitors -Improved engagement numbers -Improved perception of events	20,000	30,000	100,000	150,000
Continue to support place marketing activities of Destination Chesterfield	Continuation of Destination Chesterfield 'Invest in Chesterfield' project, 50% ESIF funded until 05/23. Direct delivery.	E8: Campaigns to encourage visits and exploring of local area	-Increased footfall -Increased visitors -Increased number of web searches for place	0	60,000	65,000	125,000
Development and delivery of a Chesterfield Inspired marketing campaign (Visitor Economy Strategy Priority 7)	Review of place promotion activity in 2022/23. Direct delivery.	E8: Campaigns to encourage visits and exploring of local area	-Increased footfall -Increased visitors -Increased number of web searches for place	0	30,000	30,000	60,000
1.2 Community Development							
Build upon our Covid-19 community recovery approach by embarking on the development of a social investment plan. To include: community development and	Scope of community development activities to be agreed following stakeholder engagement.	E2: community and neighbourhood infrastructure projects E9: Impactful volunteering and /or social action projects E11: Capacity building and infrastructure support local groups	-Increased users of facilities -Improved perceptions of facilities -Improved engagement numbers -Volunteering numbers as a result of support	80,000	120,000	250,000	450,000

delivery approach; community and voluntary support and funding; CIL neighbourhood portion review; and maximising benefits from community partnership arrangements.	Commissioned activity.	E12: Community engagement schemes E13: Community measures to reduce cost of living	-Number of new / improved community facilities -Increased take-up of energy efficiency measures				
Focus on community safety including the strengthening of anti-social behaviour prevention and response, developing a domestic abuse policy and safe space refuge accommodation	1x enforcement officer (£40k) and capital expenditure balance on crime reduction measures. Direct delivery.	E5: Built and landscaped environment to design out crime	-Improved perception of safety - Reduction in neighbourhood crime	40,000	50,000	70,000	160,000
Development of costed 5 year delivery plans in line with the Parks and Open Spaces Strategy and Play Strategy	Capital expenditure on parks, open spaces and play. Direct delivery.	E3: Creation of and improvements to local green spaces E10: Local sports facilities, tournaments, teams and leagues	-Improved perception of facilities / amenities -Increased users of facilities / amenities	50,000	80,000	120,000	250,000
2. Supporting Local Business							
Support business growth and investment through the provision of Enterprise Chesterfield, delivering Innovation Support, Business Enquiry Service and Key Account Management and Inward Investment Service	Continuation of the Council's Innovation Support Programme, 50% ESIF funded until 06/23. Direct delivery.	E23: Strengthening local entrepreneurial ecosystems and supporting businesses at all stages of their development	-Number of jobs created -Number of jobs safeguarded -Number of businesses adopting new to firm technologies / processes -Number of businesses with improved productivity -Number of businesses introducing new products	0	30,000	40,000	70,000

Work with partner organisations to ensure a co-ordinated approach to delivery of business support services	Business support services to be commissioned, including joint commissioning with other local authorities as appropriate	E23: Strengthening local entrepreneurial ecosystems and supporting businesses at all stages of their development E29: Supporting de-carbonisation whilst growing the local economy	-Number of new businesses created -Number of businesses adopting new to firm technologies / processes -Number of businesses with improved productivity -Number of businesses introducing new products -Greenhouse gas reductions -Jobs created	100,000	220,000	400,000	720,000
Development of a Heritage Interpretation Plan (Visitor Economy Strategy Priority 5 'Culture and Heritage')	Roll-out of Heritage Interpretation Plan following redevelopment of Stephenson Memorial Hall. Direct delivery.	E17: Funding for the development and promotion of the visitor economy such as attractions, trails, tours and tourism products more generally	-Increased footfall -increased visitor numbers -Increase in visitor spending	0	0	50,000	50,000
3. People and Skills (Year 3 only)							
Enable local businesses and employees to access a wide range of skills, apprenticeships and education opportunities	Workforce skills and training programmes to be commissioned, including joint commissioning with other local authorities as appropriate	E37: Tailored support for the employed to access courses E39: Green skills courses E41: Funding to support local digital skills	-Number of people gaining qualifications and skills -Number of people in employment	0	0	300,000	300,000
Ensure work readiness and employment support programmes are fully accessible and targeted at priority	Work readiness and employment support programmes to be commissioned, including joint	E33: Employment support for economically inactive people E36: Intervention to increase levels of digital inclusion	-Number of people with basic skills -Number of people in supported employment	0	0	250,000	250,000

communities and groups	commissioning with other local authorities as appropriate		-Number of people engaged in job searching following support -Number of people in employment -People sustaining employment for 6 months -Number of people gaining a qualification or completing a course				
Programme Administration							
SPF Administration Costs (4%)				35,000	35,000	37,000	107,000
Funding Totals				325,000	655,000	1,712,000	2,692,000

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