



This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

Please also note that under the Openness of Local Government Bodies Regulations 2014 that other people may film, record, tweet or blog from this meeting. The use of any images or sound recordings is not under the Council's control.

To: All Members of the Borough Council

You are requested to attend the meeting of the Charnwood Borough Council to be held in the Virtual Meeting - Zoom on Monday, 9th November 2020 at 6.30 pm for the following business.

Chief Executive

Southfields
Loughborough

6th November 2020

AGENDA SUPPLEMENT

10. QUESTIONS ON NOTICE

2 - 7

To deal with the following questions on notice, submitted under Full Council Procedure 9.9(a):

COUNCIL – 9TH NOVEMBER 2020

ITEM 10 QUESTIONS ON NOTICE

10.1 Councillor Grimley – A46 Expressway

Can Councillors have an update regarding the status of the proposed A46 Expressway?

The Leader or his nominee will respond:

The A46 Expressway is a proposal in the Leicester and Leicestershire Strategic Growth Plan to improve the A46 to expressway standard, including a new road to the south and east of Leicester to support planned growth. Midlands Connect is currently working on the A46 Phase 2 Study which is anticipated to be published in November 2020. It is therefore too early to comment on reported developments in relation to the A46 expressway.

10.2 Councillor Gerrard – Jobs Market

Will this council endorse a monthly job market in the town, give companies space to set out their stalls in the town centre? Providing the weather is co-operating and the start of the market is next year, have it as a market but instead of goods on display it will be jobs.

The Leader or his nominee will respond:

We are putting plans in place to have a variety of markets eventually (bookable online) running every day if possible, supported by the Town Deal. The Town Deal has also got a scheme to have a permanent enterprise/career/training hub in the town centre replacing a vacant retail unit on Market Square next to the actual market (to be completed by end of March) run by Loughborough College which will also include the Kickstart government initiative, apprentices, training plus possible current vacancies. All under one roof.

Job vacancies are already well supported by various external websites, Jobcentre Plus and recruitment agencies in Loughborough and others throughout Charnwood.

10.3 Councillor Taylor – Section 106 Agreements

Could the Lead Member please advise what checks are in place to ensure that planning conditions and Section 106 agreements are clear and concise and not left open to interpretation and personal perceptions?

Unfortunately, far too often, elected members are left to pick up the pieces after we and residents, have been let down by developers not

delivering their promised infrastructure and services following being granted planning permission. It seems that what is discussed at Plans Committee, the grounds the application is granted permission on and what is in the Officers Reports do not end up in Section 106 agreements and planning conditions.

I speak from recent bitter experience, where local members and residents were led to believe we would have a robust and safe crossing for children to attend school to having two dropped kerbs installed by the developers.

Accordingly:

1. Would the lead member look to strengthen the way conditions are discharged, especially when they do not comply with the reasons stated when planning permission was granted?
2. Would he also make sure when delegated powers are used to sign off conditions they comply with the Council's Constitution?
3. Give members guidance on what redress residents have when they disagree with the decision about the discharge of a condition which does not accord with the reason outlined when planning permission was granted?

The Leader or his nominee will respond:

Paragraph 55 of the NPPF makes clear that planning conditions should be kept to a minimum and only used where they meet five tests: necessary, relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. Planning obligations should not be used if a planning objection can be overcome by using a planning condition.

Planning conditions are imposed to make development that would otherwise be refused acceptable in planning terms. Conditions to overcome public concerns cannot be imposed if they run against other statutory or legislative provisions as they would not meet the five tests. Planning Conditions are therefore subjected to legal checks as part of the process to finalise committee reports and prior to decisions being made at Plans Committee, or by senior planning staff if decisions are taken under delegated authority.

Planning obligations under s106 of the Planning Act are drafted by lawyers to ensure committee resolutions are met and authority to sign legal agreements is given by Plans Committee to the Head of Strategic Support and sometimes also the Head of Planning & Regeneration. These arrangements ensure transparency and that checks and consistency is provided through the process and to meet the planning rules, as necessary.

Under the constitution, the discharge of planning conditions is delegated to officers in all cases. Applications for planning conditions

are therefore subject to a delegated decision report, which considers the request and any supporting material along with the responses of statutory stakeholders and the recommended decision. All decisions are published on the online planning file accessible using the Planning Explorer portal. If an application to discharge a condition is not considered to meet the terms of that condition, it will not be approved. Applicants have a right to appeal if a discharge request is refused.

If a resident does not agree with the decision of the local planning authority, they may seek redress through the courts by way of a judicial review of the decision.

10.4 Councillor Draycott – Communications Strategy

What will the Council's communication strategy be with Covid-19 worsening? Will it include writing to all residents again as on 2nd April 2020, bearing in mind the importance of the 80/20% split re access or not to the internet?

The Leader or his nominee will respond:

The Council's communications strategy regarding the pandemic continues to be geared towards ensuring residents and local businesses are informed rapidly about changes to Council services and the guidance, advice and support available to them.

The Council utilises a range of channels including the media, social media, e-mail alerts, the Council website, Council publications including a residents' magazine and a tenants' magazine and printed materials including letters, leaflets and posters.

To reach people who may not have access to the internet, the Council uses local newspapers, radio and TV news programmes as well as its own printed publications. It will continue to consider printed products such as leaflets, letters and posters when appropriate, but the cost has to be considered. For example, sending a second-class letter to all 70,000+ homes in the borough costs around £30,000.

As well as cost, timeliness also has to be considered. It can take days and sometimes weeks to develop printed materials and have them distributed, by which time the situation may have changed. That's not to say they should not be used because they can be very effective tools to get messages across and some people may not have access to the internet.

However, it is also worth noting that according to the Office for National Statistics, in January to February 2020, 96% of households in Great Britain had internet access, up from 93% in 2019. It also says internet connections in households with one adult aged 65 years and over have increased by seven percentage points since 2019 to 80%.

A Digital Inclusion in Charnwood survey in 2020 found 8.5% of people have no internet access at home.

10.5 Councillor Draycott – Charnwood Community Action

Will the good practise in supporting Charnwood Community Action by bringing together organisations, volunteers, and businesses from across the borough be actioned again?

The Leader or his nominee will respond:

Since the 23rd March Charnwood Community Action (CCA) has continued to operate from John Storer House providing a wide range of support to all residents and other organisations across the borough. As food banks have reopened the number of food parcels from the Hub have reduced to around 230 per week with new referrals being added daily, plus 75 weekly parcels specifically to support the homeless and CCA along with the Charnwood Food Poverty Group have continued to ensure a co-ordinated approach to provision across the borough.

The Loughborough Against Corona database of volunteers now sits with John Storer House and will be deployed if/when required for those residents that require help and support, plus the befriending service continues to provide much needed support.

Other partners of CCA are still providing support to their communities including The Bridge, the Community Centre Forum, Council Strategic Partners and the Wellbeing Café. The co-ordinated approach continues to be central to supporting residents throughout Charnwood.

We have seen a continuance of support from business and community organisations through donations and food contributions which has helped with funding levels and allowed the CCA to meet demand. John Storer House staff, volunteers and the redeployment of council staff has also helped to maintain continuity of service. A contingency plan is in place should demand increase as a result of further restrictions / lock down measures, with update briefings for all members of the CCA being provided.

10.6 Councillor Forrest – Homelessness and Evictions

Recently Robert Jenrick, Communities Secretary announced that extra funding would be made available to continue the fight against homelessness. How much of this money will be made available to Charnwood and how will it be spent? Can we have an assurance that those who were formally “rough sleepers” will continue to reside in supported accommodation and not be expected to return to the streets?

Further, will Charnwood give an undertaking that no evictions from CBC properties will take place until after Christmas, at least, when perhaps the national situation will be much clearer?

The Leader or his nominee will respond:

Homelessness

The Council led on a collaborative bid for funding under the Next Steps Accommodation programme across the County and received £329,000. This includes funding for:

- *Extended emergency accommodation - £210,908*
- *Supported accommodation - £ 53,735*
- *Private rented sector/reconnection incentives - £ 45,300*
- *Support staff - £ 20,000*

In addition, the Council submitted an individual bid for longer term move on accommodation, for the provision of seven properties with support for rough sleepers.

On the 29th October 2020, the Rt Hon Robert Jenrick MP announced the funding allocations for 3,300 units of accommodation for rough sleepers nationally, which included £586,487 for Charnwood.

All allocations are subject to due diligence and contract, and all future years' revenue payments are contingent on satisfactory performance against grant conditions and objectives.

Evictions

There are some situations where pursuing eviction may be appropriate. On the 29th August 2020 the Government brought into force regulations requiring landlords to give tenants six months' notice of their intention to seek possession, except in the most serious cases.

Examples of serious cases include rent arrears of 6 months or more, anti-social behaviour, domestic abuse of false statement. In line with government guidance, the Council will not commence or continue eviction proceedings during this challenging time without a very good reason to do so.

10.7 Councillor Forrest – Travel Between Counties

Our neighbouring county of Nottinghamshire is now in Tier Three restriction and, at present, Charnwood is in Tier Two. Is any advice being given to Charnwood residents about travel between the two areas bearing in mind that many Charnwood residents travel into the Nottingham area for work, school, medical facilities and other services?

The Leader or his nominee will respond:

The Council's Communications around the introduction of Tier 2 included a message advising people to avoid "travel into local Covid Alert Level Very High Areas". National restrictions were introduced on 5th November, and the tier system is not currently in place so messaging will reflect that.

QUESTIONS ON NOTICE TO COUNCIL – PROCEDURE

- Councillors are required to submit a question on notice in writing by 12noon on the sixth working day prior to Council, the title of the question is published on the Council Agenda.
- Questions and responses will be published at the end of the previous working day (usually the Friday prior to a Council meeting on a Monday) and will be available at the Council meeting for Councillors, the press and the public.
- After the questions and responses are published Councillors may indicate that they wish to ask a supplementary question and/or make a statement by noon on the day of the Council meeting.
- The Mayor will invite those Councillors who have indicated that they wish to do so to ask a supplementary question and/or make a statement.
- The Leader (or relevant Lead Member on behalf of the Leader) or Chair of the Committee is able to respond.
- The total time each person can speak on a single question is time limited.