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To: All Members of the Borough Council

You are requested to attend the meeting of the Charnwood Borough Council to be held in the Victoria Room, Loughborough Town Hall on Monday, 6th November 2023 at 6.30 pm for the following business.



Chief Executive

Southfields
Loughborough

3rd November 2023

AGENDA SUPPLEMENT

10. QUESTIONS ON NOTICE

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

Councillors, please send your question, request for position statement or motion on notice to:

Karen Widdowson, Democratic Services Manager
Council Offices, Southfield Road, Loughborough, LE11 2TX
Email: democracy@charnwood.gov.uk

COUNCIL - MONDAY, 6 NOVEMBER 2023

QUESTIONS ON NOTICE

10.1 Councillor Hadji-Nikolaou – Development Control

What is the Administration's position on reducing the powers of the local authorities regarding development control and turning the 'green belts' into 'grey belts' where builders will build following appeal hearings. How does this align with the values of the Green Party?

The Leader or his nominee will respond:

The government is introducing reforms to the planning system through the Levelling Up and Regeneration Act. In tandem with this, the government consulted over the summer on proposed changes to permitted development rights set out in the Town and Country Planning (General Permitted Development) (England) Order 2015. The Council's response to this consultation is set out in DD179 2023/24.

Charnwood does not have any statutorily designated Green Belt areas.

10.2 Councillor Bokor – Loughborough Town Deal Projects and UK Shared Prosperity Projects

Could the new Leader of the Council explain whether or not he now supports the Loughborough Town Deal Projects, which the last Conservative Administration brought in to regenerate Loughborough Town Centre (and funded by the Government for nearly £17million) but which he often criticised and described as just "vanity projects"? A list of all the projects, showing the ones now completed and the ones yet to be completed would be useful in his reply.

In the same vein, the last Conservative Administration applied and received £4million from the Governments UK Prosperity Fund. Again can we all have a list of projects where that money was spent or will be spent within the Borough to help our residents and businesses thrive?

The Leader or his nominee will respond:

The Borough Council's role in relation to the Loughborough Town Deal is to be the Accountable Body (ensuring appropriate governance and financial due diligence) and it provides the programme management function on behalf of the Town Deal Board. Cllrs Miah and Tillotson are members of the independently chaired Town Deal Board. Minutes of Board meetings are published on the Town Deal website. There has been no change to Loughborough's Town Deal and that position is supported. Two projects which the Council is directly delivering – Lanes and Links and Living Loughborough are being actively progressed through to full delivery. The majority of Town Deal projects were always due to be delivered in 2024/25 or 2025/26. The status of the Town Deal projects is as follows:

Project Name	Status
<i>Careers & Enterprise Hub</i>	<i>Completed</i>
<i>Digital Skills Hub</i>	<i>Not yet started</i>
<i>Bedford Square Gateway</i>	<i>Started</i>
<i>Taylor's Bellfoundry</i>	<i>Started</i>
<i>Living Loughborough</i>	<i>Started</i>
<i>Healthy & Innovative Loughborough</i>	<i>Started</i>
<i>Great Central Railway</i>	<i>Started</i>
<i>Riverside Regeneration</i>	<i>Started</i>
<i>Loughborough Generator</i>	<i>Started</i>
<i>Wood Brook Flood Management</i>	<i>Not yet started</i>
<i>Lanes & Links</i>	<i>Started</i>

UK Shared Prosperity Fund (UKSPF) allocations were made to all Councils. There has been no change to the list of projects being delivered across Charnwood and which are contained within the approved Future Charnwood Investment Plan. The Government releases UKSPF funding in tranches over 3 years and the majority of the funding is not accessible until year 3 (2024/25). Despite delays in the Government releasing funds to councils in Year 1, over 50% of Charnwood's projects are underway. The list and status of projects is as follows:

Project Name	Status
<i>Improvements to Anstey Community Facilities</i>	<i>Works underway on site</i>
<i>Birstall – Multi Use Games area</i>	<i>Project live and works due to start on site soon</i>
<i>Sileby Memorial Park and Pavilion</i>	<i>Works underway on site</i>
<i>Expanding Mountsorrel sports facilities</i>	<i>Project live, no work on site started</i>
<i>Shepshed Market Place</i>	<i>Works underway on site</i>
<i>Loughborough Carillon Tower and Museum</i>	<i>Project live, no work on site started</i>
<i>Loughborough Living Wall and Gardeners Fair</i>	<i>Project live and underway</i>
<i>Gorse Covert Youth Project</i>	<i>Project live and underway</i>
<i>Generation Charnwood</i>	<i>Project live and underway</i>
<i>Nanpantan Scout Hut</i>	<i>Project live, no work on site started</i>

10.3 Councillor Baines – Budget Strategy

Given Labour's statement that they do not intend to use reserves, and despite the Council receiving bumper income from savings given the high interest rates still not making up the deficit, how does the Labour /Green Alliance intend to balance the Council's budget? An early indication of strategy would be useful.

The Leader or his nominee will respond:

The Lead Member for Finance presented a paper and discussed the approach to 2024/25 budget setting at some length to the Budget Scrutiny Panel at their meeting of 24 October 2023. In summary, the paper noted that:

'The overall strategy is not an to attempt to return to a balanced budget in a single financial year as this would entail unnecessary irreversible decisions, significantly impacting current services whilst also compromising future options for income generation.

The approach then is to slow the use of reserves to enable a balanced budget to be achieved over the term of the council across a number of financial cycles, whilst protecting services and enabling investment in projects with significant future cost saving, income raising or service enhancement potential. At the same time, the projected end of year working balance will be closely monitored throughout the year in relation to the minimum level of £2.5m. Risks to the budget, such as the statutory service requirement to provide supported living housing benefit, and potential corrective measures will be determined to enable threats to the working balance falling below the minimum level to be addressed.

10.4 Councillor Bokor – Promoting Renewable Energy

The Conservative Government has just announced plans to lay a subsea cable to power British homes using Moroccan wind & solar energy .The XLinks solar & wind farm in the Sahara would provide 8% of UK energy needs supplying 7 million homes with reliable daily energy. This will help Britain ditch fossil fuels. Does the Leader of the Council not agree that this is a project of “national significance” and one we should emulate in Charnwood on a much smaller scale with our neighbouring partners? Eg building wind or solar farms in collaboration with other districts. Is the Leader and his new Cabinet personally committed to promoting renewable energy in all possible ways within Charnwood, as the last Conservative Administration were?

The Leader or his nominee will respond:

Charnwood is in the very early stages of exploring cooperation with neighbouring partners, but no plan has yet been determined or costed.

10.5 Councillor Needham - Social Housing Decarbonisation Fund

On 2nd October 2023, the Government announced up to £80m in additional funding will be made available through its Social Housing Decarbonisation Fund. In respect of reducing carbon emissions from the Council’s housing stock by increasing their energy efficiency thereby reducing tenants’ energy bills and creating green jobs in the local economy, to what extent has the Council benefited from government funding to decarbonise its housing stock via the Social Housing Decarbonisation Fund?

The Leader or his nominee will respond:

In line with the principles set out by the Social Housing Decarbonisation Fund the Council has taken a fabric first approach to increasing the energy efficiency

of its housing stock. Large external and cavity wall insulation programmes were delivered over a decade ago at the Council's worst performing homes.

Surveys at the Council's stock have been undertaken more recently (in 2021 and 2022 respectively) by the Nottingham Energy Partnership and Savills UK. A large-scale estate based external, or cavity wall insulation scheme aimed at improving the worst performing properties on a fabric first basis was not identified as part of that work.

The Council undertook a high level energy study at its stock last year, and does recognise that significant investment is required to reach a mid EPC C at all of its housing stock. Any improvements, however, need to be delivered in line with existing investment programmes to support efficient investment on a "no regrets" basis. The Asset Management Strategy 2023-2028 approved by Cabinet in March 2023 reflects this and has set out an action to develop a roadmap for delivery of SAP C by 2030 and net zero carbon by 2050 including consideration of funding required to deliver net zero. This work is in progress, with plans expected to be produced in 2024/2025.

10.6 Councillor Deborah Taylor – Planning matters

1. After attending a recent Plans Committee meeting as a 'call in' councillor, can the Leader advise if he feels the Plans Committee is sufficiently trained to act in a professional manner?
2. Can the Leader tell the Council how many times the Lead Member for Planning has attended the Plans Committee meeting since they took up the role in May?
3. Can the Leader explain how close we are as a Council to being put into special measures for planning decisions and what impact this may have on the council?
4. Can the Leader advise how many applications are out of time scales for decisions at the current time and what impact this may have on the council?

The Leader or his nominee will respond:

The Constitution requires that members undertake mandatory training at the start of each Council term to qualify to sit on the Plans Committee. They are also advised to attend the quarterly planning training sessions held throughout the year. Substitute members must maintain the currency of their training as prescribed by the constitution. Mandatory training for members was held on 17 and 23 May 2023 and further planning training events have been held on:

- 28 June – S106 process
- 29 June – Performance, POSe Report and Planning Enforcement
- 7 September – Performance, Constitution and Planning Enforcement
- 11 October – Performance, Code of Conduct and decision-making

The Lead Member attended the Plans Committee on 25 May 2023. The Plans Committee is a Council-side Committee and there is no legal requirement for the Executive Lead Member to attend. Attendance is entirely optional.

The statutory performance targets for planning decision making and the Service performance at the end of Q2 are:

<i>Indicators</i>	<i>Target</i>	<i>Q2 2023/24 performance</i>
<i>Percentage of major applications determined in 13 weeks or agreed Extension of Time/PPA</i>	<i>60%</i>	<i>80%</i>
<i>Percentage of minor applications determined within 8 weeks or agreed Extension of Time</i>	<i>70%</i>	<i>84%</i>
<i>Percentage of other applications determined within 8 weeks or agreed Extension of Time</i>	<i>70%</i>	<i>89%</i>
<i>Appeals*</i>	<i><10%</i>	<i>7.4%</i>

** Measured by DLUHC from 24 March 2020 to June 2022 on a rolling two year period 9 months in arrears*

While the service is some distance from being placed in special measures on account of the speed of decision making, appeals case work and overturned decisions have been rising on account of historical decisions made by the Committee since March 2020. Special measures may be imposed for poor performance on appeals as well as major and non-major applications (or both). If designated for major and/or non-major applications (other than householders) applicants may choose to submit their applications directly to the Planning Inspectorate who will charge the applicant directly for the time taken to determine the proposal. This will affect the income potential of the council. The Planning Authority will also have to support the Inspector in determining the application by providing information about our policies and constraints incurring costs that cannot be offset by an application fee. Finally, the council must submit an action plan to set out how performance issues will be addressed.

1. The September performance figures show that:

- Number of active major applications = 95*
- Number of active major applications over 26 weeks since date of validation = 59*
- Number of active minor applications = 516*
- Number of active minor applications over 16 weeks since date of validation = 237*

Minor planning applications should be determined within 8 weeks and major planning applications within 13 as set out within the government's statutory determination periods for a planning application. The 16 weeks and 26 weeks referred to above in the performance figures shows those that are more than double the statutory determination periods. These are monitored internally so there is an idea of how much 'backlog' is within caseloads.

However, the above figures do not show applications where the applicant has agreed to a longer period to determine their application and so the amount of applications 'out of time' is significantly less. The agreed extension of time is recorded at the time the decision is made and is reported to the government (see table for Q3 above). An application is considered to be 'in time' where an extension of time to determine the application has been agreed with the applicant and it is 'out of time' when it goes beyond the statutory determination period where an extension of time has not been agreed.

10.7 Councillor Deborah Taylor – Budget Scrutiny Panel

Can the Leader advise why there is no representation on the Budget Scrutiny Panel from the Labour Group on this very important panel?

The Leader or his nominee will respond:

The Labour Group considers it has sufficient understanding of and input into the budget through the work of the Lead Member for Finance and the ongoing informal consultation process with the wider cabinet team. The Group note that the Lead Member does attend meetings of the Budget Scrutiny Panel and looks forward to working with them as they develop their recommendations on the draft budget and the final Scrutiny Report.

10.8 Councillor Bottomley – Cost of living

In the light of the spiralling cost of living, the youth mental health crisis highlighted in a recent Barnado's report, and the potential closure of the Falcon Centre in Loughborough due to funding cuts, could this council offer any further services and community development provision to support residents in our communities?"

The Leader or his nominee will respond:

The Council currently undertakes a range of activities to support individuals and communities with the rising cost of living. These include, but are not limited to:

- *The grant funding of organisations including Age UK and Citizens Advice through our strategic partner grants programme.*
- *The provision of tenancy support and financial inclusion services to council tenants.*
- *Financial support through our community grants programme for local groups to improve facilities and run activities.*
- *Targeted physical activity interventions delivered by our active recreation team to improve wellbeing.*
- *Council tax and benefits financial support for residents.*
- *A directory of information for residents on the Council's website.*

A distinct cost of living action plan was also implemented by the Council in October 2022, and an update on the positive impact of the work and associated funding was presented to the Scrutiny Commission on Monday 3rd July 2023. The report, which provides feedback from organisations funded, can be found on the Council's website.

This work to support residents continues; £50,000 has been carried forward to this financial year, with activities funded including free meals for children over the school holidays, face to face debt advice and support, and an extension of funding to Citizens Advice to support Charnwood residents to access the Household Support Fund, a fund set up by government to provide support to those households most in need.

10.9 Councillor Haynes – Flooding

Following the widespread flooding across the region and county from Friday 20th October, a number of communities in Charnwood borough were adversely impacted to varying degrees. In relation to watercourses in the south of the borough, affected residents have raised concerns about the management by the Environment Agency of brooks running through urban areas, and the availability of flood protection measures for individual properties.

Will there be an opportunity for Charnwood Borough Council and ward councillors to contribute to any resulting review by the Leicestershire & Rutland Resilience Partnership into last month's flood event?

Can there be a review into the effectiveness of communications with councillors during flood events?

Will there be a review into the Council's policy on the issuing of sandbags or equivalent protection measures and working with relevant town and parish councils to ensure that distribution to residents whose homes are in high flood risk zones can reliably take place in a timely fashion in advance of predicted flood events?

The Leader or his nominee will respond:

The Leicestershire & Rutland Resilience Partnership is not planning to conduct a review into last month's flooding events. As part of the duties under the Flood and Water Management Act 2010, Lead Local Flood Authorities (LLFA) are required to investigate significant flood incidents. Section 19 of the Act, requires LLFAs to investigate flood incidents where necessary, based on each LLFA's published flood investigation criteria set out within their Local Flood Risk Management Strategy in order to establish responsible parties as well as their actions as a result of the flooding event. The LLFA for Charnwood is Leicestershire County Council.

There are no plans to conduct a review of the effectiveness of communications with councillors during flooding events. Members were sent three email updates with regards to flooding on Friday and Saturday (October 19 and 20). Members also received an update at a Member Briefing on October 25.

Councillors should be aware that officers are often working with imperfect information during flooding events. They are usually attempting to establish a picture from public reports and information from other agencies. In situations like this, communications with councillors can be increased if appropriate. Resources have to be considered. The Communications team is happy to receive feedback.

There is a common Sandbag Policy across the whole of the Leicestershire & Rutland Resilience Partnership, and there are no plans to review it at this stage. The Policy prioritises the protection of elderly, disabled and vulnerable residents along with critical infrastructure. It's worth noting that sandbags only provide limited protection against flooding and are most effective before flooding takes place. It is also difficult to transport them when floods occur if roads are closed/

congested, and we also only have a limited number of vehicles to transport them.

Absorbent bags (artificial sandbags) have been supplied to Parish Councils in high-risk flooding areas on two previous occasions (after 2019) and they have been provided with details which enable them to purchase their own stocks. These are distributed at the Parish Council's discretion and in line with their own requirements (they are not required to follow the CBC Policy) but they should be for public use.

Residents in high-risk flood areas are advised to undertake their own property level flood residence measures by making permanent adaptations to their property or obtaining their own supply of sandbags (which are readily available from retailers).

The Council has assisted residents previously affected by flooding by administering Flood Recovery Grants, which were made available for property adaptations following flooding events.

QUESTIONS ON NOTICE TO COUNCIL – PROCEDURE

- Councillors are required to submit a question on notice in writing by 12noon on the eighth 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 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.
- 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.