



**SCRUTINY MANAGEMENT BOARD**

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To: Councillors Miah (Chair), Parsons (Vice-Chair), Bebbington, Capleton, Fryer, K. Harris, Ranson and Seaton (For attention)

All other members of the Council  
(For information)

You are requested to attend the meeting of the Scrutiny Management Board to be held in Committee Room 2 - Council Offices on Wednesday, 24th October 2018 at 6.30 pm for the following business.

Chief Executive

Southfields  
Loughborough

16th October 2018

**AGENDA**

1. APOLOGIES
2. MINUTES OF PREVIOUS MEETINGS 4 - 17

To approve the minutes of the previous meetings, 8th August 2018 and 8th October 2018 (Call-in).

3. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS
4. DECLARATIONS - THE PARTY WHIP

5. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURE 11.16

No questions were submitted.

6. SCRUTINY WORK PROGRAMME AND ISSUES ARISING FROM SCRUTINY GROUPS AND PANELS 18 - 70

A report of the Head of Strategic Support to assist the Board in determining the Scrutiny Work Programme.

7. FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL REPORT 71 - 98

A report of the Five Year Housing Supply Scrutiny Panel setting out its findings and recommendations.

**FURTHER MEETINGS**

For information, further meetings of the Board are scheduled as follows (both at 6.30pm):

23rd January, 6th March 2019.

## SCRUTINY QUESTIONS

What topics to choose?

- What difference will scrutiny make?
- Is this an area of concern – public/performance/risk register?
- Is this a corporate priority?
- Could scrutiny lead to improvements?
- What are the alternatives to pre-decision scrutiny?

Pre-decision scrutiny

- What is Cabinet being asked to agree?
- Why?
- How does this relate to the overall objective? Which is ...?
- What risks have been identified and how are they being addressed?
- What are the financial implications?
  
- What other options have been considered?
- Who has been consulted and what were the results?
- Will the decision Cabinet is being asked to take affect other policies, practices etc.?

Basic Questions

- Why are you/we doing this?
- Why are you/we doing it in this way?
- How do you/we know you are making a difference?
- How are priorities and targets set?
- How do you/we compare?
- What examples of good practice exist elsewhere?

## SCRUTINY MANAGEMENT BOARD 8TH AUGUST 2018

PRESENT: The Chair (Councillor Miah)  
The Vice Chair (Councillor Parsons)  
Councillors Bebbington, Capleton, Fryer, K. Harris  
and Seaton

Councillor Taylor (Cabinet Lead Member for  
Communities, Safety and Wellbeing)

Chief Executive  
Head of Neighbourhood Services  
Community Safety Manager  
Corporate Improvement and Policy Officer  
Democratic Services Officer (LS)

Sergeant Latham (Leicestershire Police)

APOLOGIES: Councillor Ranson  
Councillor Morgan (Cabinet Lead Member for  
Whole Council, Strategic Partnerships and  
Communications)

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

### 10. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 13th June 2018 were confirmed as a correct record and signed.

### 11. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosure was made:

Councillor Bebbington – following discussion at this meeting, under Item 6 on the agenda, of a possible scrutiny panel to consider impact of the planned Waste Incinerator near Junction 23 of the M1 motorway, a personal interest as a member of the liaison committee relating to that incinerator.

### 12. DECLARATIONS - THE PARTY WHIP

No declarations were made.

13. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURE 11.16

No questions had been submitted.

14. SCRUTINY WORK PROGRAMME AND ISSUES ARISING FROM SCRUTINY GROUPS AND PANELS

Considered a report of the Head of Strategic Support to enable the Board to agree the Scrutiny Work Programme, including considering requests from other scrutiny bodies and updates on the delivery of the Work Programme, and identify Key Decisions on which scrutiny could be undertaken, also to consider whether scrutiny of any procurement activity should be programmed (item 6 on the agenda filed with these minutes).

The Chief Executive assisted with consideration of the report.

**RESOLVED**

1. that, following a request made by the Policy Scrutiny Group at its meeting on 10th July 2018 (Minute 10.4) that scrutiny of the Lightbulb Service Implementation be allocated to a different scrutiny body, scrutiny of the matter be allocated to the Performance Scrutiny Panel;
2. that, following the Board's decision at its last meeting that Councillor Bebbington draft a proposed scrutiny scope document for a scrutiny panel to consider the risks to all parties associated with the implementation of Universal Credit and how those risks might be minimised (Minute 8.2, Scrutiny Management Board 13th June 2018), it be noted that Councillor Bebbington met with relevant officers and concluded that a scrutiny panel was not needed;
3. that forthcoming Executive Key Decisions or decisions to be taken in private by the Executive, set out in Appendix 1 to the report, and scheduled scrutiny of those matters, be noted, and that items be added to the Scrutiny Work Programme as follows:
  - Capital Plan Outturn 2018/19 (Overview Scrutiny Group, June 2019);
  - General Fund and HRA Revenue Outturn 2018/19 and Carry Forward of Budgets (Overview Scrutiny Group, June 2019);
  - Future Options for the Provision of Revenues and Benefits Services (Overview Scrutiny Group, 15th October 2018);
4. that the Annual Procurement Plan (and Quarterly Updates), set out in Appendix 2 to the report, be noted;
5. that Councillor Parsons, with the assistance of the Democratic Services Manager, drafts a proposed scrutiny scope document for a scrutiny panel to consider the likely impacts of the planned Waste Incinerator near Junction 23 of the M1 motorway, aimed at adding value in that respect, particularly for local

communities, with a view to consideration of that proposed scope at the next meeting of the Board (24th October 2018);

6. that the Scrutiny Work Programme, set out in Appendix 3 to the report, be noted and updated in accordance with the decisions taken above and at this meeting.

### Reasons

1. The Policy Scrutiny Group already had a number of items scheduled for its September 2018 meeting and had considered that, while the matter should be scrutinised, it did not fit within its remit. Having considered the matter, the Board decided that the matter related to performance scrutiny and was therefore within the remit of the Performance Scrutiny Panel. The Board also noted that a report on the matter was scheduled to be considered by the Cabinet at its meeting in October 2018 and that it might be necessary to ask for that consideration to be deferred, to enable the Panel to look at the matter first.
2. Having discussed the matter with officers, Councillor Bebbington had noted that implementation of Universal Credit was much closer than he had thought and he was of the view that officers had already done a sterling job in preparing for that implementation. He concluded that the only action necessary was warning councillors about some of the problems they may be faced with.
3. To ensure timely and effective scrutiny.
4. The Board had decided to consider the Annual Procurement Plan and Quarterly Updates (submitted to Cabinet) to ensure that timely and effective scrutiny of any procurement activity is programmed or to ensure that the Cabinet is informed of any views of the Board on procurement matters.
5. The Board agreed the issue as potentially suitable for consideration by a scrutiny panel and wished for that to be investigated further before deciding whether or not to establish such a panel. The Board noted that it was important that the scope document considered scrutiny already being undertaken (there was an established liaison committee in respect of the matter) to avoid duplication, took a balanced approach so as not to cause undue concern, and included a proposal to consider experience of incinerators elsewhere.
6. To ensure that the information contained within the Work Programme is up to date.

### 15. CRIME AND DISORDER REDUCTION AND COMMUNITY SAFETY

Considered a report of the Head of Neighbourhood Services providing a review of the work of the Community Safety Partnership so that the statutory responsibility to scrutinise the Community Safety Partnership (CSP), at least every six months, was undertaken and to ensure the continued monitoring of incidences of crime in Charnwood and the identification of issues requiring further scrutiny (if any) (item 7 on the agenda filed with these minutes).

The Cabinet Lead Member for Communities, Safety and Wellbeing and Chair of the CSP, the Head of Neighbourhood Services, the Community Safety Manager and Sergeant Latham assisted with the consideration of the report.

The following provides a brief summary of the Board's scrutiny of this matter, including responses given to questions:

- (i) The role of retailers in helping to reduce shoplifting was discussed, together with the position taken by some of those retailers, the measures that could be taken to reduce incidences, the guidance the Police provided to retailers, the work the Police were undertaking in respect of prolific shoplifters, and the range of penalties for shoplifting and how those were decided.
- (ii) Figures set out in the report did not always appear to be consistent with those presented previously, examples of which were given.
- (iii) Concern was expressed regarding the increase seen in burglaries over the period. It was noted that only a few additional burglaries could result in the percentage figures showing a significant increase and that, for example, the release from prison of a single individual could significantly affect matters.
- (iv) It was important that fear of crime was not fuelled by the way crime and work to reduce it was discussed and reported.
- (v) The position with Police resourcing of beats was explained.
- (vi) Individuals could assist in preventing some crimes, examples of which were given. The local knowledge of councillors was also helpful.
- (vii) Some factors affecting crime levels were outside of the control of the Council and the CSP and were matters for the Government to address. The CSP was restricted by the resources it had available and could only work to make most effective use of those.
- (viii) It was very difficult to assess what impact the activities being undertaken by the CSP were having on crime, in particular what was effective and what wasn't. Officers tried to illustrate that in the report as far as was possible. Explanation was provided of the ever-changing position with crime, in particular in relation to individual repeat offenders and how as one received a prison sentence, another was released, and the effect that had on the level of different crimes. A targeted approach was being taken, based on individuals causing the most harm, examples of which were given, and on key issues impacting crime levels, such as drug misuse, knife crime and vulnerable adults and youths. The focus was continually assessed and changed as required.
- (ix) As detailed in the report, Charnwood CSP was the best performing CSP in Leicester, Leicestershire and Rutland in 2017/18, recording a 12.6% all crime increase (against a 23% all crime average increase). It was suggested that crime levels would be much worse without the effective, targeted work being undertaken by the CSP.
- (x) Reference was made to the value of a collective approach to making use of all tools available to partners, an example being civil injunctions. Also, to the increase in crime figures caused by successful activity to target and reduce it, such as finding knives as a result of searches.
- (xi) The position in respect of anti-social behaviour caused by youths who gathered in Loughborough town centre was discussed, including the approach being undertaken to address that, whether that was sufficient and having an effect

based on conflicting reports, and that those youths also travelled to other locations.

## **RESOLVED**

1. that the report be noted;
2. that future reports to the Board are based on the position at a single point in time, if possible.

### Reasons

1. To acknowledge the work undertaken by the Community Safety Partnership and to ensure that the statutory responsibility to scrutinise the Partnership is met.
2. The Board acknowledged that those providing information for the report were trying to provide information that was as up to date as possible. However, focusing on the position at a single point in time would provide a more consistent and user-friendly report for its purposes.

## 16. CORPORATE PLAN - ANNUAL REPORT 2017/18

Considered a report of the Chief Executive presenting the annual performance information for 2017/18 which evaluated how effectively the Council had delivered the themes set out in the Corporate Plan 2016/20 (item 8 on the agenda filed with these minutes).

The Corporate Improvement and Policy Officer assisted with consideration of the report.

The following provides a brief summary of the Board's scrutiny of this matter, including responses given to questions:

- (i) The later part of the report included commentary on what had been achieved up to Quarter 4 and, where appropriate, mitigating action at that stage or actions planned to improve performance moving forward (which would be included in the 2018/19 Business Plan).
- (ii) Where targets had not been met was clearly indicated in grey in the infographic section of the report, which was helpful and accommodated previous feedback from the Board.
- (iii) Reference was made to the importance of customer satisfaction with the web service received, in particular working towards improving that performance and considering the set target on a regular basis.
- (iv) Performance in respect of reducing dog fouling was briefly discussed, in particular how that was assessed (set out on page 13 of the report) and whether the public might believe such data. Inclusion of the wording "in targeted patrolled areas" (or similar) against the statistic on page 3 of the report would be useful.



- (iv) It was confirmed that the 3,509 attendances stated on page 6 of the report related to 3 older people's sports and physical activity programmes (rather than 3 events). Amending the way this was worded in the report might make that clearer.

## **RESOLVED**

1. that the report be noted;
2. that the comments made by the Board be taken back by the Corporate Improvement and Policy Officer and conveyed to the relevant service areas as appropriate.

## Reasons

1. To acknowledge the Council's progress in delivering the themes set out in its Corporate Plan in 2017/18.
2. To ensure that those comments are taken into account in future reports.

## NOTES:

1. No reference may be made to these minutes at the Council meeting on 3rd September 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Scrutiny Management Board.

**SCRUTINY MANAGEMENT BOARD  
8TH OCTOBER 2018**

PRESENT: The Chair (Councillor Miah)  
The Vice Chair (Councillor Parsons)  
Councillors Bebbington, Capleton, Fryer, Ranson,  
Hamilton and Paling

Councillor Draycott  
Councillor Harper-Davies

Chief Executive  
Strategic Director of Neighbourhoods and  
Community Wellbeing  
Head of Cleansing and Open Spaces  
Democratic Services Officer (LS)

APOLOGIES: Councillor K. Harris and Seaton

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

17. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- (i) by Councillor Fryer, a personal interest in respect of Item 4 on the agenda as she had been the relevant Cabinet Lead Member when the contract with Serco had first been agreed, also when it had subsequently been extended.
- (ii) by Councillor Hamilton, in respect of Item 4 on the agenda as a signatory to the Call-in, but he came to this meeting with an open mind.

18. DECLARATIONS - THE PARTY WHIP

No declarations were made.

19. CALL-IN OF CABINET DECISION - ENVIRONMENTAL SERVICES CONTRACT

The decision taken by the Cabinet on 13th September 2018 in respect of this matter had been called-in under Scrutiny Committee Procedure 11.7 and required consideration by the Board.

The Board considered a report of the Head of Strategic Support which included the report considered by the Cabinet, the minute outlining the Cabinet decision and reason for it, the reasons for Call-in and the desired outcome, and the process for reviewing the decision as set out in Scrutiny Committee Procedure 11.7 (item 4 on the agenda filed with these minutes).

The report considered by the Cabinet included exempt appendices as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, circulated to members. The appendices set out information which, if released to the public domain, could prejudice outcomes for the Council and disclose commercially sensitive information about other organisations, therefore the public interest in maintaining the exemption outweighed the public interest in disclosing the information. On that basis, the Board resolved to exclude the public from this meeting during the final part of Councillor Draycott's address to the Board, as she wished to briefly refer to the information contained in those appendices. That part of the meeting was not sound recorded.

In accordance with Scrutiny Committee Procedure 11.7, Councillor Draycott, as a signatory to the Call-in, addressed the Scrutiny Management Board. Further to the reasons stated in the Call-in, she stated the following, in summary:

- (i) Councillor Draycott stated what the Cabinet's decision had been, the services included in the contract and the two main reasons for the Call-in, which were (a) to question whether the outsourcing option was the best one and (b) to question whether a responsive option for street cleaning delivered the best service to residents.
- (ii) In respect of (a), the Cabinet report stated that the recommendation to extend with Serco was to ensure continuation of services to residents in the most efficient and effective manner and to ensure maximised efficiency and effectiveness of the contract. The signatories to the Call-in would like the Board to consider whether those aims could only be achieved by outsourcing and whether that option was the best on all grounds or whether it was being recommended on ideological grounds. Councillor Draycott stated that the Eunomia report [appendix B to the Cabinet report] was non-committal as to whether outsourcing or in-house was the better option and she considered it not to be the case that one or the other was superior in cost or efficiency. The Eunomia report stated pros and cons for both systems, with various advantages of in-house given, examples of which were briefly outlined by Councillor Draycott, including flexibility where change was needed and allowing the Council to retain any efficiency savings. Reference was made to costs being lower as the Council was not-for-profit. Signatories to the Call-in felt strongly that if a contractor could provide the same or better service as in-house and still make a substantial profit, what did this say about the wages or working conditions of the employees? Councillor Draycott expressed concern regarding examples of operatives running to complete their work with two bins at a time and that cost savings were due to the conditions and wages of workers. She was concerned that the Council may be getting a less expensive service by indirectly employing people with conditions the Council would not practise with its directly employed staff. Councillor Draycott also expressed concern regarding pension provision for outsourced employees and considered that savings were made because it was a reactive service. Residents would not feel comfortable with receiving a service at the expense of staff. Finally, it was unclear why the fleet would be brought in-house, but not the workforce.
- (iii) In respect of (b), the street cleaning contract was called responsive. Councillor Draycott considered it to be reactive and reliant on councillors and members of

the public to report areas that required attention. That was not satisfactory and problem areas needed to be continually reported which could eventually result in residents “giving up”, not understanding why the problem was not permanently addressed. Residents assumed that the Council had schedules of work and did not understand its reactive approach. Signatories to the Call-in were of the view that residents would prefer a proactive approach to the service, with dedicated street cleaning schedules.

- (iv) Councillor Draycott referred briefly to the information set out in the exempt appendices.
- (v) Councillor Draycott did not consider the contract to be efficient and effective, she considered that it required councillors or residents to report the work that was needed, with some areas becoming in poor condition, examples of which were given. Councillor Draycott stated that the contractor did not need to do the work until it was reported, therefore the frequency of jobs was less and money saved. Signatories to the Call-in were of the view that residents deserved a better street cleaning service and the benefits of changing the contract needed to be weighed up at this stage, to provide better services and working conditions, allow adapting to future developments and enable a more in-depth discussion on the information set out in the exempt appendices to the Cabinet report, therefore the decision should be referred back to the Cabinet.

Having addressed the Board and as there were no questions of clarification from the Board, Councillor Draycott left the table.

Councillor Harper-Davies, Cabinet Lead Member for Performance of Major Contracts, had been invited to assist the Scrutiny Management Board with its consideration of the matter. She was assisted by the Strategic Director of Neighbourhoods and Community Wellbeing and the Head of Cleansing and Open Spaces. The following was stated, in summary and including in response to questions from the Board:

- (i) Councillor Harper-Davies referred to the detailed work she had undertaken with officers/the project board prior to the report being submitted to the Cabinet and stated that she considered the decision taken to be the most appropriate decision. She hoped that, having heard responses to the questions raised by the Call-in, the Board would be in agreement with that.
- (ii) Background information on the Street Cleansing service was provided by the Head of Cleansing and Open Spaces. The service did not rely on members of the public calling in to complain to keep the streets clean, a proactive service was provided. The contract required that the streets were kept clean to grade A or B set out in DEFRA’s Code of Practice on Litter and Refuse. Serco deployed its resources to do so in the best way possible with supervisors to facilitate that and undertake inspections. The Council employed contract officers to do the same, identifying issues where they existed. If Serco did not meet the grade A or B requirements, they could be placed under default and be subject to financial penalties. What was required to meet the Grade A or B standards was briefly explained to the Board. There were occasions when members of the public highlighted problems and the service responded accordingly, but that did not mean that the Council did not have proactive resources out in the Borough, seven days a week, cleaning the streets. That was the underlying basis of the service. Reliance only on complaints would

- soon result in the cleanliness of the Borough's streets deteriorating significantly. Reference was made to the many kilometres of roads in Charnwood and the impossibility of covering it all on sample checking, therefore sometimes responsive work was needed.
- (iii) Reference was made to the satisfaction surveys undertaken by an independent company on behalf of the Council on a quarterly basis. That showed that 71% of respondents were satisfied or very satisfied with street cleansing, that was very high for such a service. Satisfaction for waste and recycling was at 95%.
  - (iv) In considering whether a contract extension or another option was appropriate, a number of elements were considered, those were cost, public satisfaction and quality of service. The Project Board was satisfied from the independent report commissioned that the Council was currently receiving a good service and high levels of satisfaction at a good cost.
  - (v) In response to a question, clarification was provided that page 37 of the agenda referred to street cleansing costs (spending per household per year), this showed as lower than average for Charnwood. Satisfaction comparisons had been difficult as authorities had different approaches to measuring that, but of the recorded figures available, the Council was ranked 2 out of 15.
  - (vi) Information on the percentage cost of the street cleansing element of the contract and on the number of street cleansing operatives Serco had in the Borough was not available to officers at the meeting.
  - (vii) No financial penalties had been issued to the contractor in the last two years. The points threshold for the application of financial penalty had not been reached. Explanation was provided of that points system applied where faults were found, including the rectification period available.
  - (viii) In response to a question concerning how the Council knew the streets were clean, further reference was made to the 4 contract officers employed by the Council, their principal duty being to monitor the contract, this included regular area and random sample inspections, the frequency of which was outlined. That monitoring was also required in relation to the performance indicators applicable to the service. An estimate was provided of the number of times contract officers reported issues to the contractor, it was acknowledged that this suggested that the contractor was not always keeping the streets clean.
  - (ix) In response to comments regarding the Council's quick response to reported fly tipping and the importance of flexibility in the cleaning regime, the Head of Cleansing and Open Spaces stated that the flexible nature of the contract meant that specific incidents or hot spots could be dealt with appropriately. Some contracts were more rigid in terms of scheduled cleaning and did not provide that flexibility or make the best use of resources. In Charnwood, frequency was increased where hot spots were identified.
  - (x) In response to a comment regarding personal responsibility for not littering, information was provided on the work undertaken to educate in that respect, also enforcement work.
  - (xi) Background information on the position with the vehicle fleet was provided by the Head of Cleansing and Open Spaces. At the start of the current contract, the industry standard for the life of a refuse vehicle had been 7 years. Since that time, the vehicles had moved to tipping on hard standing rather than landfill and the technology they included had improved, so the longevity of the vehicles was greater than had been anticipated, such that at the time of the subsequent extension of the contract, the life of the refuse vehicles could be extended by 3

- years. This had allowed a substantial discount from the contractor during the current 3 year extension. The current vehicles would be at the end of their useful life by 2020. A fleet was required to provide the service, the options for which were to require the contractor to provide it, to lease the fleet or to buy the fleet. Cost benefit analysis of those options had been undertaken and external financial advice had been obtained, the conclusion of which had been that the most cost effective option for the Council was to buy the fleet, further explanation of which was provided. A secondary advantage of doing so was that ownership of the fleet provided better business continuity for the Council.
- (xii) In response to a concern regarding any risk to the Council of owning a 4 year old fleet at the end of the proposed extension of the current contract and whether that fleet would be viable, the Head of Cleansing and Open Spaces stated that whatever changes might happen over the next few years in terms of waste disposal, the Council would still need refuse collection vehicles. The new fleet was very unlikely to be redundant over the next 10 years and would have a useful life beyond the proposed extension of the contract. What would happen to the vehicles at that time, and responsibility for their maintenance, would depend on the service delivery model chosen at that stage. In addition, he stated that the Council would make payment for the vehicles on purchase, borrowing from the PWLB and from the Council's reserves and would depreciate them over their operational life. Warranties would apply to the vehicles, they would be leased to the contractor and the contractor would be responsible for strict maintenance regime requirements during the contract. The fleet to be purchased included smaller vehicles some of which had shorter life expectancy. Councillor Harper-Davies reiterated that purchase of the vehicles by the Council represented best value for money and an investment, also making reference to the possibility of a shared service arrangement in the future.
- (xiii) The Strategic Director of Neighbourhoods and Community Wellbeing referred to the procurement of the current contract and the quality/price approach taken, with emphasis on quality not just secured via application of the DEFRA guidance referred to earlier in the meeting, but also through providing photographic guidance to the contractor of the standards expected. No decision had been made regarding a future shared service arrangement, but the option to procure together moving forward has been retained, both in respect of the fleet and the waste contract. Available fleet options were being researched by officers to ensure the most appropriate were purchased. Reference was made to having maximised the longevity of the current fleet, and the independent advice taken that had indicated the best option to be purchase of new fleet by the Council was reiterated.
- (xiv) In response to a concern that ownership of a fleet would disadvantage the Council with a future contract, it was stated that the position was likely to make the Council more attractive to contractors as they would not be required to purchase a fleet to operate the contract and could mobilise more quickly. In response to a concern that a future contractor would charge higher maintenance costs to take on a 4 year old fleet, it was stated that maintenance costs did increase as vehicles got older, but the recommendation was to finance the vehicles over 8 years, an incoming contractor would only be obligated to use the fleet for 4 years, after which options on providing fleet

- moving forward would be considered. Using fleet for 8 years was good practice and vehicles were still very serviceable for that period of time.
- (xv) In response to a question concerning the rationale behind the outsourcing option being considered preferable to the in-house option, the Head of Cleansing and Open Spaces stated that high level advice had been taken as part of the consultant's report. Advantages of in-house had been stated earlier in the meeting, however there were disadvantages to an in-house service in terms of costs and risks, including central overheads and health and safety costs, and the option was unlikely to provide any cost efficiencies, indeed it might cost more. The project board had considered that the disadvantages of in-house provision outweighed the advantages and had recommended an option accordingly.
- (xvi) It was confirmed that all the employees employed by Serco were employed responsibly, at living wage with access to a pension scheme. Operatives did work quickly and there was a lot of work to do, however those on the refuse collection rounds finished work once all the bins were emptied, this was frequently before the end of contracted hours. It was important to recognise that Serco was a responsible employer. Council officers had a sense of what the company was like and employee turnover was not high, some employees had worked in their roles for many years.
- (xvii) The resilience provided by a company the size of Serco was explained and reference made to the considerable training provision, expertise of staff and good safety record of the company, together with the quarterly meetings held with the contractor where such matters were discussed. A recent Health and Safety Executive inspection had been passed with no recommendations made. The area of work concerned was high risk. Officers were satisfied that the contractor was doing a good job, in a safe way and was providing a good service.
- (xviii) Councillor Harper-Davies referred to page 21 of the agenda where the approach taken to assessing the options available to the Council was set out.
- (xix) In response to reference to the capital tax allowance available to a private company and whether that enabled the contractor to buy the fleet at a lower cost than the Council could, it was stated that the maximum term that the contract could be extended to took the Council to 2024. At the time the current contract extension period expired, a maximum further extension of 4 years was available. Serco were not prepared to purchase new fleet and depreciate over that remaining 4 years as that was uneconomical, so that option was not available to the Council. If the Council wished to extend the contract to 2024, it needed to either lease or buy the fleet for that. It was reiterated that buying the fleet was the best option.
- (xx) There was further reference to how the terms and conditions of Serco employees differed from those of Council employees and the importance of ensuring welfare and training of contractor's staff. Further information was provided on the contractor's training provision.
- (xxi) In response to a question regarding whether going out to tender for a new contract at this stage had been considered by the parties involved so that that option could be compared against the option of extending the current contract, Councillor Harper-Davies stated a procurement review process had been followed and all options had been looked at. A full tendering process would come at a cost to the Council and the current contractor was providing a good

- service. Councillor Harper-Davies also considered that the health and safety of Serco employees was correctly looked after and that if employees were unhappy with their employer they would not stay.
- (xxii) In response to a further suggestion that an in-house service should have been considered and there was no cost information available to allow the feasibility of that to be assessed, further reference was made to the risks involved with such an option and that a fleet was required regardless of how the service was provided. An in-house service would require not only fleet, but also skilled operatives and a licensed depot which the Council did not have. Evidence from the consultant suggested that an in-house option would be much more expensive. A tendering exercise may have resulted in the option to extend the contract no longer being available to the Council.

Having assisted the Board, Councillor Harper-Davies, the Strategic Director of Neighbourhoods and Community Wellbeing and the Head of Cleansing and Open Spaces left the table.

There followed further brief discussion by the Board, in summary:

- (i) The issue to be considered was whether extending the current contract was the best option for the Council. The view was expressed that it was. The Board had heard all information required on the matter.
- (ii) The concern regarding risks to the Council of owning a 4 year old fleet at the end of the proposed extension of the current contract and whether the most cost effective option was for the Council to purchase the fleet was repeated.
- (iii) Reference was made to the exempt appendices making reference to papers which were not available for consideration at this meeting.
- (iv) The view was expressed that it remained a concern that options in the future would be restricted by the decision and it may be appropriate for the Cabinet to reconsider.
- (v) Reference was made to the contract extension being only 4 years, but the fleet to be purchased depreciating over 8 years. The view was expressed that not all options had been explored. The Council could have gone out to tender and found a new contractor who could have provided the vehicles. The opportunity to compare that option had been lost, together with the option of in-house provision. An advantage of the latter was that the Council could better set its own agenda in terms of the service provided.

**RESOLVED** that the decision of the Cabinet be supported.

#### Reason

Having considered the decision and the reasons for it, the Board was content that the decision was appropriate.

#### NOTES:

1. No reference may be made to these minutes at the Council meeting on 5th November 2018 unless notice to that effect is given to the Democratic Services



Manager by five members of the Council by noon on the fifth working day following publication of these minutes.

2. These minutes are subject to confirmation as a correct record at the next meeting of the Scrutiny Management Board.

## SCRUTINY MANAGEMENT BOARD – 24TH OCTOBER 2018

### Report of the Head of Strategic Support

#### ITEM 6 SCRUTINY WORK PROGRAMME AND ISSUES ARISING FROM SCRUTINY GROUPS AND PANELS

##### Purpose of the Report

To enable the Board to review and agree the Scrutiny Work Programme. This includes considering requests from other scrutiny bodies and updates on the scrutiny of items previously agreed, as well as details of upcoming Executive Key Decisions and of procurement activity, to enable appropriate scrutiny to be identified.

##### Action Requested

1. To consider a recommendation made by the Performance Scrutiny Panel at its meeting on 21st August 2018 (Minute 16.1) that the Board consider the Panel's views regarding the Zero Waste Strategy (set out on page 4 of this report) and that it be scrutinised by an appropriate scrutiny body after the publication of the Government's Resources and Waste Strategy.
2. To consider a recommendation made by the Policy Scrutiny Group at its meeting on 25th September 2018 (Minute 17.2) that the following recommendations be submitted to the Cabinet in respect of the Open Spaces Strategy:
  - a) that the Cabinet be asked to note that the fact that developers could choose not to offer open spaces for adoption by the Council and the increasing use of management companies to manage open space on developments as an alternative to adoption by the Council were of concern to the Policy Scrutiny Group;
  - b) that the Cabinet be asked to also note that the Group identified the following particular issues with the operation of the management company model in addition to its general concerns:
    - the service charges that were levied by management companies could be significant for local residents affected by them;
    - there could be a lack of transparency in the way in which service charges were increased;
    - there was no consideration of ability to pay when service charges were levied;
    - there was evidence that maintenance work was of low quality in some cases;
  - c) that the Cabinet be asked to draw the attention of local MPs and the Government to the issues identified above so that a change in the law could be considered to require developers to offer areas of open space to local authorities for adoption.

3. To consider a request made by the Performance Scrutiny Panel at its meeting on 9th October 2018 (Minute 27.1) that the Customer Services Strategy and the Housing Acquisition Strategy be added to the Panel's Work Programme and scheduled for the Panel's meeting on 22nd January 2019.
4. To consider establishing a scrutiny panel to consider the likely impacts of the planned Waste Incinerator near Junction 23 of the M1 motorway, on the basis of the proposed scrutiny scope document drafted by Councillor Parsons with assistance from the Democratic Services Manager and other relevant officers (see Appendix 4).
5. To consider whether any forthcoming Executive Key Decisions or decisions to be taken in private by the Executive which are not currently programmed for scrutiny should be added to the Scrutiny Work Programme (see Appendix 1).
6. To consider whether any procurement activity from the Annual Procurement Plan (and Quarterly Updates) should be added to the Scrutiny Work Programme or recommendations made to the Cabinet (see Appendix 2).
7. To agree that the Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item and any further decisions taken during the course of this meeting (see Appendix 3).

#### Reasons

1. The Panel considered that the Strategy would benefit from the scrutiny of an appropriate scrutiny body, after the Government's publication of its Resources and Waste Strategy to determine whether the [Council's Zero Waste] Strategy and its targets required revision.
2. To draw the Cabinet's attention to an area of concern and, acknowledging that the current system could only be altered through a change in the law, to request that the Cabinet seek to influence Government policy regarding the matter.
3. As the Panel considered its scrutiny of the Zero Waste Strategy at its meeting on 21st August had been beneficial, it wished to continue with reviewing strategies and policies by scrutinising a further two strategies. The Panel had queried whether there were alternative options for acquiring properties other than on the open market as reported in the Housing Strategy Progress report and wished to understand the Council's criteria for acquiring housing in detail. With respect to the Customer Service Strategy, members considered scrutiny of the matter would be useful as the strategy was now approximately half-way through its period of operation.
4. Reasons for scrutiny as set out in the proposed scrutiny scope document attached at Appendix 4.
5. To ensure timely and effective scrutiny.

6. To ensure timely and effective scrutiny or to ensure that the Cabinet are informed of any views of the Board on procurement matters.
7. To ensure that the information contained within the Work Programme is up to date.

### Policy Context

The Corporate Plan commits the Council to review and improve its approach to the delivery of services to ensure it is constantly working to achieve a better service providing better value for money and enhancing the performance and commitment to service delivery.

### Updates on Scrutiny Bodies

#### Budget Scrutiny Panel

The process for scrutiny of the Council's 2019/20 draft budget was agreed by the Board at its meeting on 28th March 2018. Membership and the Chair of the Panel were subsequently agreed by the Board at its meeting on 13th June 2018.

The Panel held its first meeting on 26th June 2018, at which the Panel agreed to change the timing of when it will consider matters, to give it more time to consider its final report at the end of the process, as detailed in the Scrutiny Work Programme. A further meeting of the Panel was held on 2nd October 2018, at which the Panel considered the draft Medium Term Financial Strategy 2019-2022.

The next meeting of the Panel will be held on 12th December 2018 (rescheduled from 4th December 2018).

#### Overview Scrutiny Group

The Overview Scrutiny Group is responsible for scrutiny of proposed Cabinet decisions (pre-decision scrutiny) and scrutiny of external public service providers and partners, outside bodies and services shared with other local authorities.

The Group has met three times since the last ordinary meeting of the Board.

At its meeting on 13th August 2018, the Group undertook pre-decision scrutiny of Cabinet reports on (i) Model of Local Government in Leicestershire; and (ii) Charnwood Sites Safety and Security. The Group supported the officer recommendations in the reports and reported that to the Cabinet on 16th August 2018.

At its meeting on 10th September 2018, the Group undertook pre-decision scrutiny of Cabinet reports on (i) Environmental Services Contract Options for Delivery from June 2020; and (ii) Participation in Pilot Scheme – 75% Business Rate Retention. The Group supported the officer recommendations in the reports and reported that to the Cabinet on 13th September 2018.

At its meeting on 15th October 2018, the Group undertook pre-decision scrutiny of Cabinet reports on (i) Revenues and Benefits Service Delivery Future Options; and (ii) Future Cemetery Provision for Loughborough. Reports detailing the Group's recommendations and reasons in respect of the matters, for consideration by Cabinet on 18th October 2018, will be published following publication of the agenda for this meeting, so will be reported verbally to the meeting.

The next meeting of the Group is scheduled to be held on 12th November 2018.

### Performance Scrutiny Panel

The Performance Scrutiny Panel has the remit of reviewing or seeking improvement in Council performance. It receives regular performance reports and suggests items for the scrutiny work programme.

The Panel has met twice since the last ordinary meeting of the Board, on 21st August and 9th October 2018.

At its 21st August 2018 meeting, the Panel made one recommendation to the Board in respect of the Zero Waste Strategy and this is set out as an Action Requested on page 1 of this report. The recommendation included a request that the Board consider the Panel's views regarding the Zero Waste Strategy, therefore those views are extracted from Performance Scrutiny Panel Minute 16 2018/19 as follows:

*"Members of the Panel made the following comments:*

- the waste management situation had changed over the last six years and it was appropriate to review the strategy. The level of recyclate collected had altered with respect to less glass being used and the reduction in popularity of newspapers.*
- as achieving zero waste was no longer an attainable target of the Council it would be beneficial to change the name of the strategy from Zero Waste Strategy to Waste Management Strategy.*
- the strategy had not achieved its targets over the last six years and as the report noted that the cost of providing the service was below average, the performance of the Council could be improved by the provision of additional resources. It was important to consider if additional investment would add value.*
- waste prevention (not creating waste in the first place) offered the best outcome for the environment but the Borough Council was not able to influence this. It would be beneficial if the information was presented to show what the Borough Council could influence."*

At its 9th October 2018 meeting, the Panel made one recommendation to the Board and this set out as an Action Requested on page 2 of this report.

The next meeting of the Panel is scheduled to be held on 20th November 2018.

## Policy Scrutiny Group

Policy Scrutiny Group is responsible for reviewing policies and the processes used to develop them and for monitoring the progress and methods of scrutiny panels against the work programme and the timetable agreed by the Board, and may suggest changes to the scrutiny work programme.

The Group has met once since the last ordinary meeting of the Board, on 25th September 2018. The Group made one recommendation to the Board and this is set out as Actions Requested on page 1 of this report.

The next meeting of the Group is scheduled to be held on 13th November 2018.

## Scrutiny Panels

### Five Year Housing Supply Scrutiny Panel

At its meeting on 24th January 2018, the Board agreed the establishment of a new scrutiny panel to consider the Five Year Housing Supply. All meetings of the Panel have now been held, as detailed in the Scrutiny Work Programme. The Panel's report is submitted to this meeting of the Board as a separate item on the agenda.

### Forthcoming Key Decisions And Decisions To Be Taken In Private By Charnwood Borough Council's Executive

An updated Notice of Forthcoming Executive Key Decisions and Decisions to be taken in Private by the Executive will be published on 17th October 2018, the day after the publication of the agenda for this meeting. Therefore, this will be circulated to members of the Board to follow this report, as Appendix 1.

The purpose of considering forthcoming decisions is to allow the Board to ensure that they are programmed for consideration by scrutiny where necessary.

### Annual Procurement Plan (or Quarterly Update)

The report considered by the Cabinet on 15th March 2018 setting out the Annual Procurement Plan 2018/19, together with the reports considered by the Cabinet on 5th July and 13th September 2018 setting out additions to the Plan, is attached as Appendix 2.

At its meeting on 25th January 2017, the Board decided to consider the Annual Procurement Plan (and Quarterly Updates) submitted to the Cabinet as part of this report, to enable the Board to consider whether scrutiny of any procurement activity should be programmed or recommendations made to the Cabinet.

### Scrutiny Work Programme

The current Scrutiny Work Programme, as it stood at the time of the publication of this agenda, is attached as Appendix 3 to enable the Board to decide which scrutiny body

should consider new items and currently unscheduled items, and when those should be considered.

Any decisions taken by the Board during the meeting will be reflected in an updated Work Programme.

Appendices: Appendix 1 – Latest Notice of Forthcoming Executive Key Decisions and Decisions to be taken in Private by the Executive, published 17th October 2018 (to follow)

Appendix 2 – Annual Procurement Plan 2018/19 (Cabinet Report 15th March 2018) and Additions to Annual Procurement Plan 2018/19 (Cabinet Reports 5th July and 13th September 2018)

Appendix 3 – Scrutiny Work Programme

Appendix 4 – Proposed Scrutiny Scope Document – Planned Waste Incinerator near Junction 23 of the M1 Motorway Scrutiny Panel.

Background Papers: None

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**CABINET – 15TH MARCH 2018****Report of the Head of Finance and Property Services****Lead Member: Councilor Tom Barkley****Part A**ITEM                      ANNUAL PROCUREMENT PLAN 2018/19Purpose of Report

This report sets out the Annual Procurement Plan for Charnwood Borough Council for 2018/19. It is a requirement of the Council's Contracts Procedure Rules that this report is submitted for the consideration of the Cabinet at the beginning of each financial year.

Recommendations

1. That the contracts, over £25,000 and up to £75,000, listed in Appendix A be let in accordance with Contract Procedure Rules.
2. That the contracts, over £75,001 and up to £500,000, listed in Appendix B be let in accordance with Contract Procedure Rules.

Reasons

- 1 & 2. To allow contracts of the Council to be let in accordance with contract procedure rules.

Policy Justification and Previous Decisions

This links with the Council's strategic aim for a well-managed council.

Implementation Timetable including Future Decisions and Scrutiny

Contracts will be let in accordance with the timetables in appendices A and B.

Financial Implications

There are no direct financial implications arising from this report as expenditure will be funded from existing budgets.

Risk Management

The risks associated with the decisions that the Cabinet are asked to make and proposed actions to mitigate those risks are set out in the table overleaf.



<b>Risk Identified</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Management Actions Planned</b>
Failure to follow the agreed Council Procedures and, as a consequence, not obtaining best value procurement	Possible	Minor	Wide circulation of 'reasons to meet the Rules' and provide advice to officers needing to use the Rules
Failure to follow EU procurement rules by not advertising in OJEU above a threshold.	Possible	Minor	Wide circulation of information relating to contract compliance, advice and service in placing requisite advert in OJEU for officers in service areas.

Key Decision: Yes

Background Papers: None

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## Part B

### Background

1. The Contract Compliance Rules require the Contract Compliance Officer to submit a report at the beginning of the financial year showing details of contracts to be let above £25,000 and below £500,000. In approving the report, Cabinet will agree for each contract the form of tender evaluation arrangements, whether the tender specification needs to be approved by Cabinet and whether authority is delegated to the Contract Compliance Officer to agree exceptions and open negotiation procedures.
2. Having an Annual Plan does not allow sufficient flexibility for goods and services that are found to be required during the year. Therefore, to avoid individual reports being submitted for each contract, and to encourage services to adhere to the Contract Compliance Rules, update reports will be produced with contracts to be let in the second, third and fourth quarters of the year.

### Procedure

3. Heads of Service have been contacted with a view to producing a plan for 2018/19 and details of all contracts that Heads of Service have asked to be included are given in the Appendices attached to this report. The contracts have been divided into those contracts estimated to cost between £25,000 and £75,000 and those contracts between £75,001 and £500,000.
4. For contracts up to £75,000, it is recommended that, in line with Quotation and Tender procedures the relevant Head of Service should deal with these by requesting 3 written quotations. In cases where a quotation other than the lowest is accepted, authority has been given to the Contract Compliance Officer to authorise a waiver or exception to the Contract Procedure Rules. Contracts falling under this authority have been itemised in Appendix A to this report.
5. For contracts in excess of £75,000, a written specification must be prepared and tendering completed in line with Contract Procedure Rules. Contracts falling under this authority have been itemised in Appendix B to the report.
6. Contracts above the £500,000 threshold need to be reported separately to Cabinet during the year before procurement begins.

### Appendices

Appendix A – Contracts between £25,000 and £75,000

Appendix B – Contracts between £75,001 and £500,000

**APPENDIX A**

**Annual Procurement Plan 2018/2019 – Contracts Greater than £25,000, but less than £75,000**

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
1	Cleansing and Open Spaces	Outwoods - septic tank relocation	Tender	Yes	01/05/2018
2	Cleansing and Open Spaces	Sidings Park improvements (access & equipment)	Tender	Yes	01/04/2018
3	Cleansing and Open Spaces	Jubilee Park (phase 2) improvements (access & equipment)	Tender	Yes	01/04/2018
4	Cleansing and Open Spaces	Shortcliffe park access bridges	Tender	Yes	01/04/2018
5	Cleansing and Open Spaces	Dishley Pool access works	Tender	Yes	01/04/2018
6	Cleansing and Open Spaces	Resurfacing playgrounds in 4 Loughborough parks (Jubilee, Cumberland Rd, Shortcliffe and Radmore Rd)	Tender	Yes	01/04/2018
7	Cleansing and Open Spaces	Loughborough Cemetery Green Flag improvements	Tender	Yes	01/04/2018
8	Cleansing and Open Spaces	Mountsorrel Castle Park Green Flag improvements	Tender	Yes	01/04/2018
9	Environmental Protection Team	Air Quality monitoring equipment Service and Maintenance Contract	3 Quotes	Yes	02/01/2019
10	Food Safety	Food Safety Inspections for Low/Medium Risk food premises	3 Quotes	Yes	01/04/2018

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
11	Information Services	Corporate payments - Payments software which support all face to face, telephony and web based payment systems	Framework Contract / waiver	Yes	01/04/2018
12	Information Services	Annual Maintenance of the Backup solution - including product updates, upgrades and access to online services (e.g. knowledge base, customer portal, etc)	3 quotes	Yes	20/01/2019
13	Information Services	Internet Circuit - dedicated internet connection supporting all email and web traffic for all Council staff/users.	Framework Contract / waiver	Yes	05/01/2019
14	Information Services	ICT facilities for Meeting rooms - Presentation, video and audio facilities for the 14 Meetings Rooms	Framework Contract / waiver	Yes	01/04/2018
15	Licensing	Specialised printing for labels, driver badges, pouches and Licence plates for Private Hire & Hackney Carriage Licensing.	Waiver	Yes	18/01/2019
16	Neighbourhood Services	Domestic Abuse Outreach Services	Waiver / Tender	Yes	01/04/2018
17	Neighbourhood Services	Replacement CCTV Hardware	3 quotes / Tender	Yes	01/04/2018

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
18	Neighbourhood Services	Sentinel - License and Maintenance	Waiver	Yes	01/04/2018
19	Neighbourhood Services	Sports Equipment Repair, Replacement and Purchase to support New Activities	3 quotes / Tender	Yes	01/04/2018
20	Planning and Regeneration	Provision of Development Management Services	3 quotes	Yes	01/04/2018
21	Planning and Regeneration	Transport Modelling - development strategy options testing	3 Quotes	Yes	01/05/2018
22	Planning and Regeneration	Viability Study – Viability of development strategy options to support infrastructure and other planning policy requirements	3 Quotes	Yes	01/05/2018
23	Planning and Regeneration	Whole plan viability assessment Viability of preferred development strategy to support infrastructure and other planning policy requirements	3 Quotes	Yes	01/06/2018
24	Planning and Regeneration	Delivery Assessment - assessment of the rate of which new homes will be delivered over the plan period	3 Quotes	Yes	01/06/2018
25	Planning and Regeneration	Retail and Town Centre Study	3 Quotes	Yes	01/07/2018

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
26	Planning and Regeneration	Renewable and Low Carbon Assessment	3 Quotes	Yes	01/07/2018
27	Planning and Regeneration	Strategic Flood Risk Assessment for the Borough of Charnwood	3 Quotes	Yes	01/08/2018
28	Planning and Regeneration	Landscape Study - local plan	3 Quotes	Yes	01/08/2018
29	Planning and Regeneration	Houses in Multiple Occupation Study	3 Quotes	Yes	01/08/2018
30	Planning and Regeneration	Affordable Housing Need and Mix Study	3 Quotes	Yes	01/09/2018
31	Planning and Regeneration	Infrastructure Delivery Planning	3 Quotes	Yes	01/09/2018
32	Planning and Regeneration	Sustainability Appraisal - Local Plan	3 Quotes	Yes	01/10/20108
33	Planning and Regeneration	Provision of Development Management Services	3 Quotes	Yes	01/04/2018
34	Strategic and Private Sector Housing	Sheltered Housing Review - Feasibility Study	Tender	Yes	01/04/2018
35	Street Management	Beehive Lane Car Park Improvements and Refurbishment, phase 1 installation of new railings to top floor.	3 Quotes / Tender	Yes	01/06/2018
36	Street Management	Replacement of Handheld Parking Charge Notice machines and mobile printers	Waiver	Yes	01/04/2018

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
37	Street Management	Maintenance contract for payment machines, entry and exit barriers and associated software within Granby Street Car Park	Waiver	Yes	01/04/2018
38	Strategic Support	IT/Computer Internal Audit specialist internal audit support'	3 Quotes	Yes	01/09/2018
39	Leisure and Culture	Branding and Marketing of Street Dressing for Loughborough Town Centre	3 Quotes	Yes	01/06/2018
40	Leisure and Culture	Street Dressing infrastructure including catenaries and structural fixings	3 Quotes	Yes	01/06/2018
41	Leisure and Culture	Electrical works to improve supply to Markets and Fairs	Frame work / 3 Quotes	Yes	01/07/2018
42	Leisure and Culture	Street Furniture and structures to improve Town Centre / Market	3 Quotes	Yes	01/08/2018
43	Leisure and Culture	Market infrastructure improvements	3 Quotes	Yes	01/07/2018
44	Leisure and Culture	Town Hall Roof repairs	Framework	Yes	01/07/2018
45	Leisure and Culture	Town Hall Priority 1 work remedial works including emergency lighting	Framework	Yes	01/06/2018
46	Leisure and Culture	Replacement of Seating at Loughborough Town Hall	Tender / Waiver	Yes	01/08/2018

**APPENDIX B**

**Annual Procurement Plan 2018/2019 – Contracts Greater than £75,001, but less than £500,000**

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: (Full Tender/OJEU Procedure)</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
1	Cleansing and Open Spaces	Art Projects: Loughborough (Bellway Homes Development) - introduce public art (artists designed benches) into open space Shepshed (Tickow Ln) - art to be contained within the play area enhancing the overall look and feel	Tender	Yes	01/04/2018
2	Cleansing and Open Spaces	Southfields Park - improvements in paths, access, seating and equipment	Tender	Yes	01/04/2018
3	Finance and Property Services	Portfolio Valuation in respect of General Fund and Housing Revenue Account Assets	Tender	Yes	31/03/2019
4	Finance and Property Services	Banking Services	Framework / Waiver / Tender	Yes	01/04/2018
5	Finance and Property Services	Create Compound at Messenger Close	Framework Contract / Waiver	Yes	01/05/2018



<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: (Full Tender/OJEU Procedure)</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
6	Information Services	CCTV lines - provision of communication lines and cables to enable the transmission of CCTV cameras	Framework Contract / Waiver	Yes	01/04/2018
7	Information Services	Provision, maintenance and support of external Telecommunication, Broadband and mobiles	Framework Contract / Waiver	Yes	31/03/2019
8	Neighbourhood Services	Porta cabin for community hub	Tender	Yes	01/04/2018
9	Strategic and Private Sector Housing	Acquisition of properties for affordable housing	Waiver	Yes	01/04/2018
10	Strategic and Private Sector Housing	Syrian Refugee Integration support	OJEU/Tender	Yes	01/04/2018
11	Strategic and Private Sector Housing	Syrian Refugee Employment/training support	Tender	Yes	01/04/2018
12	Strategic and Private Sector Housing	Syrian Refugee English Second Other Language (ESOL) provision	Tender	Yes	01/04/2018
13	Strategic and Private Sector Housing	Supported Temporary Accommodation - 2018 -2023	OJEU/Tender	Yes	01/04/2018
14	Strategic and Private Sector Housing	Bed and Breakfast Accommodation to support the homelessness strategy	OJEU/Tender	Yes	01/04/2018

No.	Service Area	Contract Title / Description	Tendering Method: (Full Tender/OJEU Procedure)	Delegation to Contract Compliance Officer	Procurement Start:
		2018 - 2023			
15	Strategic Support	Recruitment Advertising (corporate contract)	Framework / Waiver	Yes	01/04/2018
16	Strategic Support	Corporate Health & Safety Support	Tender	Yes	01/08/2018
17	Street Management	Resurfacing and improvements to Southfields Office car park, Syston car park, Woodhouse Eaves car park and Browns Lane car park pedestrian areas.	Tenders	Yes	01/04/2019
18	Street Management	Installation of dry riser and new alarm system to Beehive Lane Car Park.	3 Quotes/Tender	Yes	01/04/2018
19	Landlord Services	Passenger Lift Service and Maintenance	Framework Contract / Waiver	Yes	01/04/2018
20	Landlord Services	Drainage clearance and CCTV inspection	Framework Contract / Waiver	Yes	01/04/2018
21	Landlord Services	Legionella Testing and remedial works	Framework Contract / Waiver	Yes	01/04/2018
22	Leisure and Culture	Replacement of Festive Illuminations, including projection and additional infrastructure for year round lighting and street dressing	Tender	Yes	01/09/2018

## CABINET – 5TH JULY 2018

### Report of the Head of Finance and Property Services

Lead Member: Councilor Tom Barkley

#### Part A

ITEM AMENDMENTS TO ANNUAL PROCUREMENT PLAN 2018/19

#### Purpose of Report

This report sets out additions to the Annual Procurement Plan for Charnwood Borough Council for 2018/19. Cabinet approved the Annual Procurement Plan on 15 March 2018. Since that report, there have been other requirements by the Council's services for the supply of goods and services, and this report seeks approval for these

#### Recommendations

1. That the contracts, over £25,000 and up to £75,000, listed in Appendix A be let in accordance with Contract Procedure Rules.
2. That the contracts, over £75,001 and up to £500,000, listed in Appendix B be let in accordance with Contract Procedure Rules.

#### Reasons

1 & 2. To allow contracts of the Council to be let in accordance with contract procedure rules.

#### Policy Justification and Previous Decisions

This links with the Council's strategic aim for Delivering Excellent Services.

#### Implementation Timetable including Future Decisions and Scrutiny

Contracts will be let in accordance with the timetables in appendices A and B.

A further report will be submitted to Cabinet on 13th September 2018 if additional Procurement approvals are required.

#### Financial Implications

There are no direct financial implications arising from this report as expenditure will be funded from existing budgets.

#### Risk Management

The risks associated with the decisions that the Cabinet are asked to make and proposed actions to mitigate those risks are set out in the table overleaf.

<b>Risk Identified</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Management Actions Planned</b>
Failure to follow the agreed Council Procedures and, as a consequence, not obtaining best value procurement	Possible	Minor	Wide circulation of 'reasons to meet the Rules' and provide advice to officers needing to use the Rules
Failure to follow EU procurement rules by not advertising in OJEU above a threshold.	Possible	Minor	Wide circulation of information relating to contract compliance, advice and service in placing requisite advert in OJEU for officers in service areas.

Key Decision: Yes

Background Papers: None

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Clare Hodgson  
Head of Finance and Property Services  
01509 634810  
[Clare.hodgson@charnwood.gov.uk](mailto:Clare.hodgson@charnwood.gov.uk)

## Part B

### Background

1. The Contract Compliance Rules require the Contract Compliance Officer to submit a report at the beginning of the financial year showing details of contracts to be let above £25,000 and below £500,000. In approving the report, Cabinet will agree for each contract the form of tender evaluation arrangements, whether the tender specification needs to be approved by Cabinet and whether authority is delegated to the Contract Compliance Officer to agree exceptions and open negotiation procedures.
2. Having an Annual Plan does not allow sufficient flexibility for goods and services that are found to be required during the year. Therefore, to avoid individual reports being submitted for each contract, and to encourage services to adhere to the Contract Compliance Rules, update reports will be produced with contracts to be let in the second, third and fourth quarters of the year.

### Procedure

3. Heads of Service have been contacted with a view to producing a plan for 2018/19 and details of all contracts that they have asked to be included are given in the Appendices attached to this report. The contracts have been divided into those contracts estimated to cost between £25,000 and £75,000 and those contracts between £75,001 and £500,000.
4. For contracts up to £75,000, it is recommended that, in line with Quotation and Tender procedures the relevant Head of Service should deal with these by requesting 3 written quotations. In cases where a quotation other than the lowest is accepted, authority has been given to the Contract Compliance Officer to authorise a waiver or exception to the Contract Procedure Rules. Contracts falling under this authority have been itemised in Appendix A to this report.
5. For contracts in excess of £75,000, a written specification must be prepared and tendering completed in line with Contract Procedure Rules. Contracts falling under this authority have been itemised in Appendix B to the report.
6. Contracts above the £500,000 threshold need to be reported separately to Cabinet during the year before procurement begins.

### Appendices

Appendix A – Contracts between £25,000 and £75,000

Appendix B – Contracts between £75,001 and £500,000

**APPENDIX A****Additions to Annual Procurement Plan 2018/2019 – Contracts Greater than £25,000, but less than £75,000**

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
1	Strategic Support	Learning Pool	Framework	Yes	01/08/2018
2	Strategic Support	Apprenticeship Degree & Masters Courses	Waiver	Yes	01/09/2018

## APPENDIX B

### Additions to Annual Procurement Plan 2018/2019 – Contracts Greater than £75,001, but less than £500,000

No.	Service Area	Contract Title / Description	Tendering Method: (Full Tender/OJEU Procedure)	Delegation to Contract Compliance Officer	Procurement Start:
1	Finance & Property Services	Corporate Stationery Contract	Tender	Yes	01/01/2019
2	Information Services	Virtual Desktops - upgrade of the virtual Windows Desktop Infrastructure that supports all Council ICT users	Framework Contract / Waiver	Yes	01/08/2018
3	Landlord Services	Window repairs	Tender	Yes	01/09/2018
4	Landlord Services	Small works responsive repairs supporting contractor	Tender	Yes	01/09/2018
5	Landlord Services	External wall insulation inspection and remedial works	Tender	Yes	01/09/2018
6	Landlord Services	Door entry maintenance	Tender	Yes	01/09/2018
7	Landlord Services	Tenants Home Contents Insurance	Tender	Yes	24/09/2018
8*	Landlord Services	Specialist fire safety works	Framework / Waiver	Yes	01/08/2018
9	Regulatory Services - Licensing	Private Hire and Hackney Carriage Vehicles enhanced compliance checks by selected Garages located within the borough.	Tender	Yes	01/09/2018
10	Strategic and Private Sector	Employment Support Services for Vulnerable Persons	Tender	Yes	01/11/2018

No.	Service Area	Contract Title / Description	Tendering Method: (Full Tender/OJEU Procedure)	Delegation to Contract Compliance Officer	Procurement Start:
	Housing.	Resettlement Scheme			

- \* The installation, service and maintenance of fire protection equipment (extinguishers, fire blankets automatic and manual smoke ventilation systems), fire stopping survey and remedial works, installation, inspection and testing of fire doors.



## **CABINET – 13TH SEPTEMBER 2018**

### **Report of the Head of Finance and Property Services**

**Lead Member: Councilor Tom Barkley**

#### **Part A**

ITEM            ANNUAL PROCUREMENT PLAN 2018/19

#### Purpose of Report

This report sets out additions to the Annual Procurement Plan for Charnwood Borough Council for 2017/18. Cabinet approved the Annual Procurement Plan on 15 March 2018 and amendments to that plan 05 July 2018. Since the amended report, there have been other requirements by the Council's services for the supply of goods and services, and this report seeks approval for these

#### Recommendations

1. That the contracts, over £25,000 and up to £75,000, listed in Appendix A be let in accordance with Contract Procedure Rules.
2. That the contracts, over £75,001 and up to £500,000, listed in Appendix B be let in accordance with Contract Procedure Rules.

#### Reasons

1 & 2. To allow contracts of the Council to be let in accordance with contract procedure rules.

#### Policy Justification and Previous Decisions

This links with the Council's strategic aim for Delivering Excellent Services.

#### Implementation Timetable including Future Decisions and Scrutiny

Contracts will be let in accordance with the timetables in appendices A and B.

A further report will be submitted to Cabinet on 13 December 2018 if additional Procurement approvals are required.

#### Financial Implications

There are no direct financial implications arising from this report as expenditure will be funded from existing budgets.

#### Risk Management

The risks associated with the decisions that the Cabinet are asked to make and proposed actions to mitigate those risks are set out in the table overleaf.

<b>Risk Identified</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Management Actions Planned</b>
Failure to follow the agreed Council Procedures and, as a consequence, not obtaining best value procurement	Possible	Minor	Wide circulation of 'reasons to meet the Rules' and provide advice to officers needing to use the Rules
Failure to follow EU procurement rules by not advertising in OJEU above a threshold.	Possible	Minor	Wide circulation of information relating to contract compliance, advice and service in placing requisite advert in OJEU for officers in service areas.

Key Decision: Yes

Background Papers: None

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## Part B

### Background

1. The Contract Compliance Rules require the Contract Compliance Officer to submit a report at the beginning of the financial year showing details of contracts to be let above £25,000 and below £500,000. In approving the report, Cabinet will agree for each contract the form of tender evaluation arrangements, whether the tender specification needs to be approved by Cabinet and whether authority is delegated to the Contract Compliance Officer to agree exceptions and open negotiation procedures.
2. Having an Annual Plan does not allow sufficient flexibility for goods and services that are found to be required during the year. Therefore, to avoid individual reports being submitted for each contract, and to encourage services to adhere to the Contract Compliance Rules, update reports will be produced with contracts to be let in the second, third and fourth quarters of the year.

### Procedure

3. Heads of Service have been contacted with a view to producing a plan for 2018/19 and details of all contracts that they have asked to be included are given in the Appendices attached to this report. The contracts have been divided into those contracts estimated to cost between £25,000 and £75,000 and those contracts between £75,001 and £500,000.
4. For contracts up to £75,000, it is recommended that, in line with Quotation and Tender procedures the relevant Head of Service should deal with these by requesting 3 written quotations. In cases where a quotation other than the lowest is accepted, authority has been given to the Contract Compliance Officer to authorise a waiver or exception to the Contract Procedure Rules. Contracts falling under this authority have been itemised in Appendix A to this report.
5. For contracts in excess of £75,000, a written specification must be prepared and tendering completed in line with Contract Procedure Rules. Contracts falling under this authority have been itemised in Appendix B to the report.
6. Contracts above the £500,000 threshold need to be reported separately to Cabinet during the year before procurement begins.

### Appendices

Appendix A – Contracts between £25,000 and £75,000

Appendix B – Contracts between £75,001 and £500,000

**APPENDIX A**

**Additions to Annual Procurement Plan 2018/2019 – Contracts Greater than £25,000, but less than £75,000**

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: 3 Quotes/Waiver</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
1	Electoral Services	Xpress Software Annual Charges	Waiver	Yes	01/04/2019
2	Landlord Services	Installation and maintenance of mechanical extraction and ventilation	Tender	Yes	01/11/2018
3	Landlord Services	Installation and maintenance of aerials and associated equipment	Tender	Yes	01/11/2018
4	Landlord Services	Assistive Technology Equipment. Equipment or product system that helps to maintain or improve a person's functioning and independence, thereby promoting their well-being e.g. a lifeline telephone, fall detector etc.	Framework/Waiver	Yes	01/12/2018
5	Landlord Services	Training to maintain competencies of technical staff	Framework/Waiver	Yes	01/11/2018

**APPENDIX B**

**Additions to Annual Procurement Plan 2018/2019 – Contracts Greater than £75,001, but less than £500,000**

<b>No.</b>	<b>Service Area</b>	<b>Contract Title / Description</b>	<b>Tendering Method: (Full Tender/OJEU Procedure)</b>	<b>Delegation to Contract Compliance Officer</b>	<b>Procurement Start:</b>
1	Electoral Services	Printing of Electoral Registration and Election Stationery. Provision of an automated response service to the canvass Household Enquiry Forms	OJEU / Tender	Yes	01/12/2019
2	Landlord Services	Void Property Security - to provide installation of temporary window and doors shutters	Framework/Waiver	Yes	01/11/2018
3	Landlord Services	Roofing repairs - to provide general roofing repairs including flat and tiled roofs and asphalt flooring	Framework/Waiver	Yes	01/11/2018
4	Landlord Services	UPVC repairs - to cover repairs, maintenance to UPVC doors and windows	Framework/Waiver	Yes	01/11/2018
5	Landlord Services	Door Entry - to provide Servicing, Responsive Repairs and Maintenance	Framework/Waiver	Yes	01/11/2018
6	Landlord Services	Client representative Services - to provide consultancy for health and safety in respect of the CDM regulations and the contract with Fortem	Framework/Waiver	Yes	01/11/2018

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Budget Scrutiny Panel	Meeting #3 12 December 2018	Draft General Fund and HRA Budgets (and Capital Plan if appropriate)	Scrutiny of draft General Fund and HRA budgets (and Capital Plan if appropriate)	Part of process for effective scrutiny of Council's budget.	S. Jackson  Relevant Heads of Service and Lead Members	<p>Process for scrutiny of 2019/20 budget agreed by SMB 28 March 2018 (Min.44).</p> <p>At meeting on 26th June 2018 the Panel 2 agreed that the process agreed by the Scrutiny Management Board be amended so that the Panel's third meeting becomes a formal one at which scrutiny of the draft General Fund and Housing Revenue Account (HRA) budgets would take place and that officers be asked to look at options for rescheduling the Panel's third meeting to a date later in December. This would enable the Panel to have more time to prepare its report and consider its conclusions and recommendations at its fourth meeting.</p> <p>Revised date now agreed as 12 December 2018</p>
Budget Scrutiny Panel	Meeting #4 08 January 2019	Draft General Fund and HRA Budgets (and Capital Plan if appropriate)	Consideration of draft report for submission to Cabinet (via SMB) as part of the budget setting process.	Part of process for effective scrutiny of Council's budget.	Leader/ Lead Member/  S. Jackson	<p>Process for scrutiny of 2019/20 budget agreed by SMB 28 March 2018 (Min.44).</p> <p>See note above re amendment to process agreed by Panel on 26th June 2018.</p> <p><u>Note:</u> Capital Plan part of process for budget scrutiny in 2020/21 (every two years).</p>

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Budget Scrutiny Panel	Meeting #1 June 2019	Quarter 4 /final outturn in respect of the previous financial year: <ul style="list-style-type: none"> <li>• Revenue</li> <li>• Capital</li> <li>• Housing Revenue Account</li> </ul>	Final outturn position information provided to be at same level of detail/presentation style as the budget report, to assist comparison (see SMB Min.44, 28 March 2018).	Part of process for effective scrutiny of Council's budget. For context purposes.  The matter of budget underspends can be considered.	C. Hodgson/ S. Jackson	Process for scrutiny of 2020/21 budget to be agreed by SMB in March 2019
Budget Scrutiny Panel	Meeting #2 October 2019	Draft Medium Term Financial Strategy (MTFS)	Review of the underlying assumptions and the implications of the calculations for efficiency plans and future budgets.  Information to be provided by the Leader/Lead Member at this meeting that will assist the Panel in scrutinising the policy background to and the rationale behind the draft budget to be proposed (see SMB Min.44, 28 March 2018).	Part of process for effective scrutiny of Council's budget.	Leader/ Lead Member/ C. Hodgson / S. Jackson	Process for scrutiny of 2019/20 budget agreed by SMB 28 March 2018 (Min.44).

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Overview Scrutiny Group	12 November 2018 (standing item)	OSG Pre-decision scrutiny – Cabinet Response	A report of Cabinet, setting out the response of Cabinet to recommendations by the Overview Scrutiny Group on pre-decision scrutiny items.		N. Ansari (report) Lead Officer (meeting)	
Overview Scrutiny Group	12 November 2018 (standing item)	Work Programme	To agree and schedule items to be considered at future meetings.	To allow the Group to identify items, including the scrutiny of forthcoming Key Decisions, pre-decision scrutiny and the scrutiny of external public service providers and partners.	N. Ansari (report) Lead Officer (meeting)	
Overview Scrutiny Group	12 November 2018 (standing item)	Cabinet items for pre-decision scrutiny			To be confirmed	Items may be determined by the Chair and Vice-chair in consultation with the Democratic Services Manager.  Further items may also be added following publication of the Cabinet agenda.
Overview Scrutiny Group	10 December 2018	Discretionary Houses in Multiple Occupation Licensing Scheme Options		Cabinet item for pre-decision scrutiny.	A. Simmons	Added by OSG at their meeting on 15 <sup>th</sup> October 2018.



## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Overview Scrutiny Group	June 2019	Capital Plan Outturn 2018/19		Cabinet item for pre-decision scrutiny.	C. Hodgson	Added by SMB 08 August 2018 (see min 14.3).
Overview Scrutiny Group	June 2019	General Fund and HRA Revenue Outturn 2018/19 and Carry Forward of Budgets		Cabinet item for pre-decision scrutiny.	C. Hodgson	Added by SMB 08 August 2018 (see min 14.3).
Overview Scrutiny Group	As required	Capital Plan Amendment Reports		Cabinet Report for Pre-decision Scrutiny.	C. Hodgson	Agreed by OSG at its meeting on 13th November 2017, with the item to be included when the Chair and Vice-chair identify that there are particular issues that require scrutiny in that quarter's report.

Note: Over the next 12 months, meetings of the Overview Scrutiny Group will be held as follows:

12 November 2018  
 10 December 2018  
 14 January 2019  
 11 February 2019  
 11 March 2019

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	20 November 2018  (standing item at every meeting)	Work Programme	To consider items for future meetings	To allow the Group to identify items for which scrutiny is required and make recommendations, as appropriate, to Scrutiny Management Board.	N. Conway/ A. Ward	
Performance Scrutiny Panel	20 November 2018	Lightbulb Service Implementation Update		To consider an update on the implementation of the Lightbulb Service in Charnwood.	Cllr Mercer / A. Simmons	See SMB 08 August 2018 (min 14.1).
Performance Scrutiny Panel	20 November 2018	K110 (the number of working days / shifts lost to the local authority due to sickness absence)	sickness absence data reported by Directorate, and that as the Chief Executive's team be merged with another directorate	to consider more detailed information by directorate. Information to be provided in a manner as to ensure that individual members of staff would not be identified	Cllr Poland / A. Ward	Agreed by PSP on 21 August 2018 Min 14.5 & 17.2
Performance Scrutiny Panel	20 November 2018	ERM5 SS (undertake regular satisfaction surveys with members of the public to ensure improvement in the web services they receive)	number of responses in relation to number of hits on the website, why the number of customers surveyed was low, the kinds of complaints received	the number of satisfaction surveys completed with members of the public could be increased to drive further improvement in the web service they received and and what could be done to improve the percentage of customers surveyed.	Cllr Rollings / K. Barnshaw	Agreed by PSP on 21 August 2018 Min 14.4 & 17.3

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	20 November 2018 (annual item)	Performance Information (Quarter 2 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarterly Report considered at the same time annually.
Performance Scrutiny Panel	22 January 2019 (Period 7 - annual item)	Revenue Monitoring Report	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Cllr Barkley / C. Hodgson	<p>Three reports to be considered through the year. Reports to be considered at the same time annually.</p> <p>Re-scheduled by PSP 14 February to its December meeting to correlate with Council's budget monitoring schedule, (see minute 49.4).</p> <p>Reporting changed from period 6 (December) to period 7 (January) to align with new 2018-19 committee dates and finance schedules.</p>

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	19 February 2019  (Six-monthly item)	Update Report – Housing Repairs Complaints	To detail the number of complaints received in respect of housing repairs, with specific reference to causes and how complaints are dealt with at the different stages of the complaints procedure.	The Policy Scrutiny Group had concerns in respect of the number of complaints being received, specifically those not resolved at stage one of the complaints procedure. However, the Group noted the introduction of a new complaints procedure, the recent appointment of a new contractor and the appointment of a tenant liaison officer and wished to allow time to review these.	Cllr Mercer / P. Oliver	<p>Quarterly Report considered at the same time annually.</p> <p>Agreed by SMB 18 June 2014 following recommendation of PSG.</p> <p>Scheduled by PSP 08 July 2014.</p> <p>Agreed by PSP 13 October 2015 that reports be considered six-monthly rather than quarterly.</p> <p>Deferred by the Chair and Vice-chair prior to the July meeting to 22 August 2017.</p> <p>Agreed at 12 December 2017 that a six monthly update be received.</p>
Performance Scrutiny Panel	19 February 2019  (Regular Item)	Tenancy Support	Performance information in relation to tenancy support, including statistics around tenancy sustainment and the number of unsuccessful tenancies and their causes, to be reported as key performance figures.	It Is important to ensure the situation with unsuccessful tenancies is monitored. To include additional information identified by PSP at its meeting 14 February 2017.	Cllr Mercer / P. Oliver	<p>Recommended by PSG 29 September 2015. Agreed by SMB 28 October 2015.</p> <p>Scheduled by PSP 5 April 2016.</p> <p>Agreed by PSP 14 February 2017 that an update report be received in 12 months, (minute 46.2) and to include information regarding recorded amount of rental income generated.</p>

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	19 February 2019 (Regular Item)	Supporting Leicestershire Families Programme	To monitor the performance of the Supporting Leicestershire Families Programme	Performance of the Programme was last scrutinised by the Policy Scrutiny Group in November 2013. At that time the Group considered that it continued to effectively deliver and co-ordinate services and support for troubled families and that policies and procedures for the programme were in place and therefore there was no need to schedule further scrutiny. With contributions now agreed for a further three years, it was now timely to monitor the continued delivery of the Programme.	Cllr Taylor / C. Traill/ J. Robinson/ S. Coupe	Recommended by the Cabinet 22 October 2015. Agreed by SMB 28 October 2015.  Scheduled by PSP 5 April 2016.  Agreed by PSP 14 February 2017 that an update report be received in 12 months, (minute 44.2)
Performance Scrutiny Panel	19 February 2019 (Period 9 - annual item)	Revenue Monitoring Report	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Cllr Barkley / C. Hodgson	Three reports to be considered through the year. Reports to be considered at the same time annually.  Agreed by PSP 23 August 2016 to receive Revenue Monitoring Report in February 2017 to receive current data in line with other monitoring schedules (see PSP min 19.4)
Performance Scrutiny Panel	19 February 2019	Charnwood Lottery	To monitor the performance of the Charnwood Lottery six clear months after commencement of the scheme	to scrutinise the Charnwood Lottery once it had been implemented to monitor its performance and ability to provide money for good causes.	Cllr Taylor / C. Traill	Agreed by SMB 28 March 2018 (Min 46.1) (following request from PSP 14 February 2018). Scheduled PSP 16 April 2018 (min 57.3)

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	19 February 2019 (annual item)	Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	<p>Quarterly Report considered at the same time annually.</p> <p>To include, in accompaniment to performance information in relation to KI4 (Percentage of household waste sent for reuse, recycling and composting), details of the number of new build properties that had signed up for the garden waste collection service in the past 12 months (see PSP min 53.3, 5 April 2016).</p> <p>Agreed by PSP on 13 December 2016 min 39.1 that the issue of Delivery against Target Housing Mix for New Housing (to be set out in Council's Housing Supplementary Planning Document) be included as part of the quarterly Performance Monitoring report as part of its existing monitoring of new housing delivery and be scheduled once the method of monitoring concerned has been developed.</p>

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	18 June 2019 (yearly)	Housing Rent Arrears – Internal Mechanisms	To detail the Council's internal mechanisms for reporting and taking action in relation to housing rent arrears.	SMB was satisfied that there was not sufficient value to be gained from forming a scrutiny panel to investigate issues surrounding Council Tax and housing rent arrears but felt that members should receive clarity on associated issues. The Panel decided regular update reports would add value.  Additional information requested to be included in Housing rent arrears regarding universal credit.	Cllr Mercer / P. Oliver	See SMB min 50.1, 23 March 2016 and PSP min 57.2, 5 April 2016.  Regular six-monthly update reports agreed by PSP on 23 August 2016.  Re-scheduled by PSP on 14 February 2017 (minute 49.3).  Deferred by the Chair and Vice-chair prior to the July meeting to 22 August 2017. Agreed at the meeting to revert to its routine six-monthly cycle.  Agreed to review housing rent arrears on an annual basis PSP 16 April 2019 (min 55.4)
Performance Scrutiny Panel	18 June 2019 (annual item)	Capital Monitoring including Outturn	Monitoring of position with the Council's Capital Plan.	To ensure progress to the Council's Capital Plan and its financing are satisfactory.	Cllr. Barkley / C. Hodgson	Annual report.
Performance Scrutiny Panel	18 June 2019 (annual item)	Revenue Monitoring (General Fund and HRA) Outturn	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Cllr Barkley / C. Hodgson	Quarterly Report considered at the same time annually.
Performance Scrutiny Panel	18 June 2019 (annual item)	Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarterly Report considered at the same time annually.

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	18 June 2019 (Regular Item)	Online Customer Service	Progress update regarding performance data relating to online customer service functions, including tracking the increase in use of online services and the number of failed online interactions.	To monitor progress regarding online customer service functions interfacing with Council customers work and development.	Cllr Rollings / S. Jackson	<p>Recommended by PSG 29 September 2015. Agreed by SMB 28 October 2015.</p> <p>Scheduled by PSP 15 December 2015.</p> <p>Agreed by PSP on 16 February 2016 that an update be received in 6 months and that a Project Board member should attend.</p> <p>Agreed by PSP on 23 August 2016 that an update be received.</p> <p>Agreed by PSP 04 July 2017 and at 12 December 2017 that a six-monthly update be received.</p>
Performance Scrutiny Panel	August 2019 (Six-monthly item)	Update Report – Housing Repairs Complaints	To detail the number of complaints received in respect of housing repairs, with specific reference to causes and how complaints are dealt with at the different stages of the complaints procedure.	The Policy Scrutiny Group had concerns in respect of the number of complaints being received, specifically those not resolved at stage one of the complaints procedure. However, the Group noted the introduction of a new complaints procedure, the recent appointment of a new contractor and the appointment of a tenant liaison officer and wished to allow time to review these.	Cllr Mercer / P. Oliver	<p>Quarterly Report considered at the same time annually.</p> <p>Agreed by SMB 18 June 2014 following recommendation of PSG.</p> <p>Scheduled by PSP 08 July 2014.</p> <p>Agreed by PSP 13 October 2015 that reports be considered six-monthly rather than quarterly.</p> <p>Deferred by the Chair and Vice-chair prior to the July meeting to 22 August 2017.</p> <p>Agreed at 12 December 2017 that a six monthly update be received.</p>



## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	August 2019 (annual item)	Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarterly Report considered at the same time annually.
Performance Scrutiny Panel	October 2019	Empty Homes Strategy - Monitoring of Action Plan	Monitoring the action plan associated with the Empty Homes Strategy.	To enable monitoring of the action plan to take place.	Cllr Mercer / A. Simmons	Added by SMB 14th June 2017.  To be programmed after the final version of the Strategy has been agreed by Cabinet.  Scheduled at PSP 04 July 2017. Agreed in consultation with the Chair and Vice-chair to be deferred from 14 February 2018 meeting and be rescheduled to coincide with annual strategy review in July 2018. Rescheduled by the Panel on 23 July 2018.
Performance Scrutiny Panel	October 2019	Progress against actions in the Housing Strategy	To scrutinise progress against the actions in the Housing Strategy.	See Policy Scrutiny Group 26 September 2017, Minute 16, Resolution 3. The Group considered that, although good progress in delivering the Strategy had taken place, it might be useful to continue to monitor the situation.	Cllr Mercer / A. Simmons	Added by SMB 25 October 2017, see min 26.1.  Scheduled by the Panel on 12 December 2017. Rescheduled by the Panel on 23 July 2018.
Performance Scrutiny Panel	October 2019 (annual item)	Climate Local Action Plan	Monitoring of the Climate Change Strategy Action Plan	Monitoring of progress on Action Plan.	Cllr Vardy / M. French / D. Pendle	Yearly update on Plan.

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	October 2019	Housing Rent Arrears	To detail the Council's internal mechanisms for reporting and taking action in relation housing rent arrears,	SMB was satisfied that there was not sufficient value to be gained from forming a scrutiny panel to investigate issues surrounding Council Tax and housing rent arrears but felt that members should receive clarity on associated issues. The Panel decided regular update reports would add value. Additional information requested to be included in Housing rent arrears regarding universal credit	Cllr Mercer / P. Oliver	<p>See SMB min 50.1, 23 March 2016 and PSP min 57.2, 5 April 2016.</p> <p>Regular six-monthly update reports agreed by PSP on 23 August 2016.</p> <p>Re-scheduled by PSP on 14 February 2017 (minute 49.3).</p> <p>Deferred by the Chair and Vice-chair prior to the July meeting to 22 August 2017. Agreed at the meeting to revert to its routine six-monthly cycle.</p> <p>Agreed to receive update in October 2018 and going forward review housing rent arrears on an annual basis PSP 16 April 2019 (min 55.3/55.4)</p>
Performance Scrutiny Panel	October 2019 (Period 4 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Cllr Barkley / C. Hodgson	<p>Three reports to be considered through the year. Reports to be considered at the same time annually.</p> <p>Re-scheduled by PSP 14 February to its August meeting to correlate with Council's budget monitoring schedule, (see minute 49.4)</p> <p>Reporting changed from period 3 (August) to period 4 (October) to align with new 2018-19 committee dates and finance schedules.</p>

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Performance Scrutiny Panel	tbc	Customer Service Strategy	Mid-term review	To enable the Panel to scrutinise a particular policy half way through its review cycle as a test case to determine the benefits of the Panel scrutinising policies and strategies.	Cllr Rollings / K. Barnshaw	Request to SMB to be added to the work programme for 22 January 2019 meeting (09 Oct 2018 min 27.1).
Performance Scrutiny Panel	tbc	Housing Acquisition Strategy	Mid-term review	To enable the Panel to scrutinise a particular policy half way through its review cycle as a test case to determine the benefits of the Panel scrutinising policies and strategies.	Cllr Mercer / A. Simmons	Request to SMB to be added to the work programme for 22 January 2019 meeting (09 Oct 2018 min 27.1).
Performance Scrutiny Panel	tbc	Zero Waste Strategy	mid-term review of the Zero Waste Strategy	To enable the Panel to scrutinise a particular policy half way through its review cycle as a test case to determine the benefits of the Panel scrutinising policies and strategies.	Cllr Harper-Davies / M. Bradford	Added to the Work Programme by SMB (at the Panel's request) 13 June 2018. To be reviewed once it has been revised and scrutinised by an appropriate scrutiny body as determined by the Scrutiny Management Board (21 Aug 2018 min 16.2)

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Policy Scrutiny Group	13 November 2018 (standing item at every meeting)	Work Programme	To consider items for future meetings	To allow the Group to identify items for which scrutiny is required and make recommendations, as appropriate, to Scrutiny Management Board.	M. Hopkins (agenda) Lead Officer (meeting)	To include consideration of the latest Key and Exempt Decisions Notice (See SMB, min 38.2, 2015/16).
Policy Scrutiny Group	13 November 2018 (standing item at every meeting)	Progress With Panel Work	To consider updates on the work of scrutiny panels.	Section 6.1 of the Council's Constitution states that Policy Scrutiny Group will monitor the progress and methods of scrutiny panels against the work programme and timetable agreed by Scrutiny Management Board.	M. Hopkins (agenda) Lead Officer (meeting)	
Policy Scrutiny Group	13 November 2018	Children and Young People Strategy		To ensure consideration of policies and strategies by the Group where its scrutiny can add value.	Cllr Taylor J. Robinson/ S. Wheatley	Agreed by SMB 13 June 2018.
Policy Scrutiny Group	05 February 2019	Tenancy Support Policy		To ensure consideration of policies and strategies by the Group where its scrutiny can add value.	Cllr Mercer P. Oliver	Agreed by SMB 13 June 2018.  Brought forward from 05 February to balance work programme by Group on 25 September 2018 (minute 19.2 2018/19).
Policy Scrutiny Group	05 February 2019 (six-monthly item)	Performance Scrutiny Panel Update	The six monthly update report to include details of issues, changes and challenges faced by the Panel	Agreed by PSG on 17 August 2010 that the Performance Scrutiny Panel reports the position with its work programme to PSG every six months.	A. Ward/ S. Kinder/ Councillor Fryer	Last considered 10 July 2018.

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Policy Scrutiny Group	05 February 2019	Local Plan	<p>To enable the Group to scrutinise the development of the Local Plan.</p> <p>The focus of the Group's scrutiny at this meeting will be on how conclusions from the first phase of consultation had been incorporated into the consultation documents for the second phase and how the value of the two additional stages of consultation set out in the Council's Statement of Community Involvement could be demonstrated.</p>	To ensure appropriate scrutiny of the development of the Local Plan.	Cllr Vardy R. Bennett/ D. Pendle C. Clarke	<p>Agreed by SMB 15 June 2016.</p> <p>Last considered by the Group on 10 July 2018 at which the results of the consultation were considered (min 6).</p> <p>Rescheduled from 25 September 2018 to 5 February 2019 by Chain and Vice-chair in August 2018.</p>
Policy Scrutiny Group	05 February 2019	Business Plan		To ensure consideration of policies and strategies by the Group where its scrutiny can add value.	Cllr Morgan A. Ward/ S. Kinder	Agreed by SMB 13 June 2018.
Policy Scrutiny Group	09 April 2019	ICS Strategy		To ensure consideration of policies and strategies by the Group where its scrutiny can add value.	Cllr. Poland K. Barnshaw / A. Khan	Agreed by SMB 13 June 2018.
Policy Scrutiny Group	To be scheduled	Tenancy Strategy and Policy		To scrutinise a new or revised policy in a timely fashion.	A. Simmons	Agreed by SMB on 29 March 2017 (min 41.2).

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Policy Scrutiny Group	To be scheduled	Houses in Multiple Occupation Accreditation Scheme		To scrutinise a new or revised policy in a timely fashion.	A. Simmons	Agreed by SMB on 29 March 2017 (min 41.2).
Policy Scrutiny Group	To be scheduled	Houses in Multiple Occupation Licensing Policy		To scrutinise a new or revised policy in a timely fashion.	A. Simmons	Agreed by SMB on 29 March 2017 (min 41.2). Group expressed wish to scrutinise linked report on 13 November 2018 if possible (minute 19.4).

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Management Board	24 October 2018 (standing item at every meeting)	Scrutiny Work Programme and Actions Following Cabinet Consideration of Scrutiny Reports	Various requests from scrutiny bodies. Monitoring of actions taken following Cabinet consideration of scrutiny recommendations.	To enable the Board to determine the Scrutiny Work Programme.	L. Strong (agenda) Lead Officer (meeting)	24 October 2018 report to include proposed scrutiny panel scope document for consideration (J23 Incinerator). See SMB Min 14.5, 08 August 2018.
Scrutiny Management Board	23 January 2019	Budget Scrutiny Panel	To consider the findings and recommendations of the Budget Scrutiny Panel		BSP Chair	Scheduled on the assumption that the same budget process is followed as in previous years.
Scrutiny Management Board	06 March 2019 (six-monthly item)	Community Safety Partnership	To review the work of the Community Safety Partnership on a six monthly basis, in the form of a briefing given by the Lead Member for Community Safety, in order to enable any issues to be identified for further scrutiny by the appropriate scrutiny body and to enable incidences of violent crime to be monitored	To ensure effective scrutiny of the work of the Community Safety Partnership.	Cllr. Taylor (Lead Member & CSP Chair) / C. Traill / J. Robinson / T. McCabe	SMB agreed 29 March 2017 that future reports include information on all beats in Charnwood (min 36.2).

## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Management Board	06 March 2019 (annual item)	Draft Annual Scrutiny Report 2018-19	To report on the activities of Scrutiny and look forward to the forthcoming year.	To agree on the content of a report to Council on the workings of scrutiny over the past year.	Dem. Services Manager	
Scrutiny Management Board	06 March 2019 (annual item)	Budget Scrutiny Processes	To review the Budget Scrutiny Panel processes.	To enable the Board to consider if and how the processes could be improved to facilitate effective scrutiny of the Council's draft budget for 2020/21.	S. Jackson	
Scrutiny Management Board	August 2019  (six-monthly item)	Community Safety Partnership	To review the work of the Community Safety Partnership on a six monthly basis, in the form of a briefing given by the Lead Member for Community Safety, in order to enable any issues to be identified for further scrutiny by the appropriate scrutiny body and to enable incidences of violent crime to be monitored	To ensure effective scrutiny of the work of the Community Safety Partnership.	Cllr. Taylor (Lead Member & CSP Chair) / C. Traill / J. Robinson / T. McCabe	SMB agreed 29 March 2017 that future reports include information on all beats in Charnwood (min 36.2).



## Scrutiny Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Management Board	August 2019  (annual item)	The Corporate Plan – Annual Report	To review delivery of the Corporate Plan.	To review how effectively the Council, both corporately and through individual services was delivering the themes set out in the Plan.	Relevant Cabinet Lead Members & Heads of Service  A. Ward & H. Gretton	
Scrutiny Management Board	Originally due to be additional meeting for purpose in March or April 2018.  <i>Postponed pending outcome of review of Council's scrutiny function by CfPS</i>	Topics for Scrutiny in 2018/19 Council Year	To identify and plan potential topics for scrutiny in the forthcoming year.	To enable the Board to undertake its role in setting the work of scrutiny more effectively, and in a more forward thinking and planned way.  That process would be assisted by the Leader (and other Cabinet Lead Members should the Leader wish them to attend) informing the Board of the Executive's priorities for 2018/19, although topics for scrutiny remained a matter for the Board to decide.	G. Parker/ Leader/ Dem. Services Manager	Agreed by SMB 25 October 2017 (see min 26.8).  Leader, together with, at the Leader's discretion, other members of the Cabinet, to be invited to attend to assist the Board.  SMB 28 March 2018 decided to postpone this matter/additional meeting pending outcome of review of Council's scrutiny function by CfPS.
Scrutiny Management Board	To be scheduled	Partnership Arrangements	To review the current effectiveness of partnership working and how this impacts on the delivery of the Corporate Plan and Sustainable Community Strategy	1. To discover from partners (e.g. parish councils and the LSP) their satisfaction with the Council and partnership working arrangements. 2. To ensure that the infrastructure to support partnership working is in place.	TBC	Originally agreed at SMB 23 May 2012 to programme this item at its July 2012 meeting. Scheduling was then deferred to be considered following the Empowering Communities Panel report. 14 August 2013 SMB agreed to defer consideration again – revisit January 2014.

## Scrutiny Work Programme

### Scrutiny Panels

Due to officer capacity there is an agreement that no more than four scrutiny panels should be convened during any given period. Currently, there is one established scrutiny panel.

<b>Name of Panel</b>	<b>Meeting Number and Date</b>	<b>Review Title</b>	<b>Evidence and information considered / to be considered</b>	<b>Attendees / Officers</b>	<b>Progress / Notes / Action Requested</b>
Five Year Housing Supply Scrutiny Panel	Meeting #1 Held 20 <sup>th</sup> March 2018	Five Year Housing Supply	Background information relating to the current situation of the five year housing supply. Confirm witnesses for meetings.	R. Bennett/ D. Pendle	Established by SMB 24 Jan 18 (Min 35.5)
Five Year Housing Supply Scrutiny Panel	Meeting #2 Held 18 <sup>th</sup> April 2018		Developers to be interviewed by the Panel to provide their view of the situation.	External attendees	Meeting completed and notes circulated to the Panel.
Five Year Housing Supply Scrutiny Panel	Meeting #3 9 <sup>th</sup> May 2018 – cancelled and to be re-arranged.		Planning officers to be interviewed by the Panel to provide their view and response to the developer's comments.	R. Bennett, D. Pendle	Meeting cancelled due to lack of available staff and to be rescheduled once officers are available.
Five Year Housing Supply Scrutiny Panel	Meeting #4 Held 6 <sup>th</sup> June 2018		Best practise examples from neighbouring authorities and experts in the sector.	External attendees	Meeting completed and notes circulated to the Panel.
Five Year Housing Supply Scrutiny Panel	Meeting #5 Held 5 <sup>th</sup> September 2018		Planning officers to be interviewed by the Panel to provide their view and response to the developer's comments.	Officers	Meeting completed and notes circulated to the Panel.

### Scrutiny Work Programme

Name of Panel	Meeting Number and Date	Review Title	Evidence and information considered / to be considered	Attendees / Officers	Progress / Notes / Action Requested
Five Year Housing Supply Scrutiny Panel	Meeting #6 3 <sup>rd</sup> October 2018		Review of the evidence, building conclusions and recommendations.	Panel and Dem Services	Meeting completed, recommendations agreed and draft report to be circulated to the Panel for approval.



<b>REVIEW TITLE: Proposed Newhurst Quarry Incinerator</b>	
<b>SCOPE OF ITEM / TERMS OF REFERENCE</b>	
<p>There is a need to research the impact of similar scale facilities as that proposed, on their local communities with a view to informing the Loughborough and Charnwood public of the potential impact of the proposed Newhurst Quarry Incinerator.</p>	
<b>REASON FOR SCRUTINY</b>	
<p>To identify and communicate any expected impact on the local community from the opening and operation of the proposed Newhurst Quarry Incinerator.</p> <p>To identify best available technology which might mitigate any of the identified impacts.</p> <p>To provide public reassurance of the role of scrutiny on behalf of the public.</p>	
<b>MEMBERSHIP OF THE GROUP</b>	
<p>Councillor Councillors</p>	<p>(Chair) Cllr. Parsons (TBC) Volunteers to be sought Cllr Tassell as a Shepshed Ward Councillor has indicated an interest to sit on the Panel</p>
<b>WHAT WILL BE INCLUDED</b>	
<p>To understand and assess, if evidenced, any effect on local communities due to:</p> <ul style="list-style-type: none"> <li>• Impact on air quality and other environmental issues</li> <li>• Impact on recycling performance in relation to Charnwood Borough Council policies and recycling targets and potential impact on the operation and future procurement of environmental services waste and recycling contracts</li> <li>• Economic Impact including residential property, jobs, energy and tourism</li> <li>• Others issues raised by the research, with special consideration to be given to any potential impact upon the UK's sportsmen and women training at Loughborough University for both the Olympic Games and other non-Olympic, international sports. Additional consideration to be given as to any potential reputational damage to Loughborough University's global sporting</li> </ul>	

reputation and brand and any impact this might have on the local community.

#### **WHAT WILL BE EXCLUDED**

No issues currently identified.

#### **KEY TASKS** \* \* including consideration of efficiency savings

Desk research of similar facilities  
Site visits and exploratory discussions with affected authorities and communities  
Establish and convene expert panels of key subject areas  
Publication of outcomes report from the Scrutiny Panel Chair

#### **STAKEHOLDERS, OUTSIDE AGENCIES, OTHER ORGANISATIONS** \*

To be researched during the desk research stage, but to include:

- Environment agency
- Expert witnesses on identified research areas
- Impacted local authorities and local communities
- Charnwood Borough Council
- Shepshed Town Council
- Leicestershire County Council
- Incinerator Owners
- Health experts
- British Olympic Association, National Governing Bodies, and UK Sport

#### **EQUALITY IMPLICATIONS**

The requirement for an impact needs assessment to be considered at the Panel's penultimate meeting

#### **LINKS/OVERLAPS TO OTHER REVIEWS**

None identified.

#### **RESOURCE REQUIREMENTS**

Officer support from democratic services, within defined overall scrutiny budget  
Limited travel expenses to facilitate site/location visits and panel invites

#### **REPORT REQUIREMENTS (Officer information)**

A review of the information gained during the exercise, produced to inform the Loughborough and Charnwood public.

#### **REVIEW COMMENCEMENT DATE**

#### **COMPLETION DATE FOR DRAFT REPORT**

\* Key tasks and stakeholders may be subject to change as the review progresses.

**PROGRESS OF PANEL WORK**

<b>MEETING DATE</b>	<b>PROGRESS TO DATE</b>

<b>REPORT SUBMITTED TO SCRUTINY MANAGEMENT BOARD</b>

## SCRUTINY MANAGEMENT BOARD – 24TH OCTOBER 2018

### SCRUTINY PANEL: Five Year Housing Supply

#### ITEM 7 FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL REPORT

##### Purpose of the Report

To report the findings and consider the recommendations of the Five Year Housing Supply Scrutiny Panel.

##### Action Requested

That the Scrutiny Management Board considers the content and recommendations of the Five Year Housing Supply Scrutiny Panel report, attached as an Annex to this report, and if satisfied submit the recommendations to the appropriate decision making body or decision maker in accordance with the Council's Constitution.

##### Background

At its meeting held on 24th January 2018, the Scrutiny Management Board resolved to establish the Five Year Housing Supply Scrutiny Panel. The first meeting of the Panel took place on 20th March 2018. The Panel agreed its recommendations at its fifth and final meeting on 3rd October 2018.

##### Background Papers

As detailed at the end of the Panel's report, attached as an Annex.

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**REPORT OF THE SCRUTINY PANEL: To what extent can Charnwood Borough Council show a Five Year Housing Land supply?**

**Foreword by Councillor Seaton, Chair of the Scrutiny Panel**

The welfare of its residents is one of the key concerns for Charnwood Borough Council and the Councillors who preside over it. The lack of available housing in the Borough has become an increasing concern which is why this scrutiny panel was established, to investigate the problem and make recommendations going forward.

This Panel was tasked with scrutinising how effective the current method of calculating the five year housing land supply is and what the current situation is with local developers bringing sites to completion. The Panel has taken evidence from a number of witnesses who have differing views on the barriers to development but a consensus that everyone should be working together to move forward.

This report sets out the findings and recommendations of the Five Year Housing Supply Scrutiny Panel which sought to gain information into what the current position is with the land supply and what can be done to bring more development forward.

The Panel wishes to acknowledge and thank all those who acted as witnesses or provided written evidence to assist the Panel with its deliberations.



## 1. Background

At its meeting on 24th January 2018, the Scrutiny Management Board (SMB) resolved that a Scrutiny Panel be established to scrutinise and evaluate the Council's five year housing land. The Panel's first meeting took place on 20th March 2018. The Panel concluded its business at its final meeting on 3rd October 2018.

## 2. Panel Membership

Chair: Councillor Seaton

Councillors Gaskell, Hamilton, Hayes(part), Pacey and Snartt.

NOTE: Councillor Taylor was an original Panel member and appointed by SMB as the Chair but resigned following her appointment to Cabinet.

## 3. Terms of Reference and Reason for Scrutiny

The Panel's Terms of Reference, agreed by the SMB on 24th January 2018 were as follows:

"The Panel should consider the national context of housing supply and investigate the reasons why the Local Planning Authority is unable to demonstrate a five year housing land supply, in conjunction with other local authorities in Leicestershire, and identify what can realistically be achieved.

Following the fact finding stage, the Panel would then draw on good practices from elsewhere and consider if there are any areas for improvement or change, and whether they sit with other policies, including national policies, and practices within the Council."

The Scope Document for the scrutiny review undertaken by the Panel is attached at **Appendix 1**. This sets out the above Terms of Reference and Reason for Scrutiny. The document outlines the position at the conclusion of the Panel's work and, therefore, includes additional stakeholders and resources identified by the Panel as its work progressed, notes added to assist the Panel and a summary of the progress made by the Panel which was reported to meetings of the Policy Scrutiny Group.

The Panel were also aware of the sporadic nature of development throughout the Borough in their role as Ward Councillors and as members of the Plans Committee. A table is attached at **Appendix 2** detailing the total number of developments across the Borough to date, both large and small and does show the varying level of development that has taken place.

#### **4. Evidence, Stakeholders and Witnesses**

The Panel received information from the following stakeholders and witnesses:

- Local housing developers and the Commercial Estates Group (CEG) who provided their view and opinion of the current position regarding the Five Year housing supply.
- Councillor Terry Richardson, Leader of Blaby District Council who provided his viewpoint.
- Council's Planning Officers and the Lead Member for Planning who gave their viewpoint on the situation.

The Panel received information from Council officers as follows:

- Meeting 1 (20th March 2018) – Introduction from the Council's Planning team on the current situation regarding the Five year housing land supply, the history and the trajectory for the future.
- Meeting 5 (5th September 2018) – The Lead Member for Planning, the Group Leader for Plans, Policies and Place and the Principal Planning Officer attended the meeting to answer the Panel's questions and give their opinions.

The Panel considered a briefing note from Councillor Hamilton summarising the progress of other local authorities around the country in meeting the Five year housing supply.

The Panel also received a written response from Leicestershire Highways Authority in their role as a partner organisation.

There was also a written submission from Melton Borough Council detailing their situation regarding their Five Year housing supply and their attempts to improve it.

The Panel were given a copy of the revised National Planning Policy Framework (NPPF) to enable them to see the updates made since the last Framework was published.

Technical Support was provided to the Panel by:

Richard Bennett – Head of Planning and Regeneration  
David Pendle – Team Leader for Plans, Policies and Place  
Richard Brown – Principal Planning Officer

The Panel wishes to thank all stakeholders, witnesses and officers for the assistance provided with its work.

## 5. Summaries of Panel Meetings

Full details of the information provided by witnesses and the issues considered by the Panel are detailed in the notes of the Panel's meetings listed in Background Papers section of this report, also attached at **Appendix 3**.

## 6. Equality Impact Assessment (EIA)

The Improvement and Organisational Development Manager stated that the need for an Equality Impact Assessment would be considered following the final submission of the report.

## 7. Key Findings

The Panel obtained evidence from a range of sources both internal and external as described in section 4 above.

The following key findings are set out in sections linked to the evidence the Panel received which led them to those findings.

### Key points from the local developers:

- (i) The working relationship between the local developers and the Council's Planning officers was described as challenging at times. It was felt that the use of agency workers recently had caused some continuity issues with a lack of suitable handover and lack of knowledge. Resolution of the staffing/ recruitment issue was considered important by all.
- (ii) Pre-start conditions were identified as a key delay in the development process. It was felt that some conditions could be dealt with later on in the process to allow development to commence on site. It was also felt that there was a large number of pre-start conditions requested which were not always necessary.
- (iii) Reserve matters were cited as another issue causing delays. There was a suggestion that the details could be discussed in a wider forum to allow for all interested parties to air their views and come to an agreement quicker. It would also allow for a more general discussion about what was expected so there could be a level of continuity throughout the design process for every site.
- (iv) A lack of labour force and materials were cited as an issue for local companies. It was part of the planning and development process to ensure materials were available for the sites and there were enough house builders to build in order to meet set deadlines. This was believed

- to be a nationwide problem so the search for labour and materials was competitive.
- (v) Larger sites were identified as causing more problems due to their size and the surrounding problems such as infrastructure requirements. Larger developments could require schools, shops, open spaces and healthcare which were costly and could delay progress. Utility works such as gas and electricity were also needed as well as input from the Highways Authority. All of these factors added to the complexity of developing a larger site.
  - (vi) Disagreement between the Council officers and local developers over the proposed housing mix was cited as causing a delay to the process. This was due to the Council wanting to meet the needs of the residents on the housing waiting list versus the most profitable house sizes for developers.
  - (vii) A number of communication issues were raised between the developers and officers as well as with local partner organisations. The Panel suggested that they could act as intermediary to help combat some of the problems.

Key points from Councillor Richardson, Leader of Blaby District Council:

- (i) Blaby Council was taking a different approach to calculating their Five year housing supply and using the Liverpool model instead of the preferred Sedgfield model. The reason being that they could spread out the requirement over a period of time and plan developments in a timely manner. There was also a lot of training provided for officers and the Plans Committee to ensure an understanding of the model used and the process involved. This helped the committee to present robust decisions.
- (ii) There was a lot of time and effort put into the pre-application process to ensure that agreements were in place before the development began. The likelihood of a successful agreement was down to good communication on both sides and an agreement of the shared outcome.
- (iii) There was a national demand for Planning Officers which meant that the Council was experiencing difficulty in recruiting. They were combatting the problem by endeavoring to provide a variety of experience for officers as well as good terms and conditions to ensure retention. There was also more money from the planning fee income being spent on employing officers to track the Five year supply. The Economic Investment Manager at Blaby was tasked with managing the Five year supply and reporting on any changes.
- (iv) Community engagement was cited as a strong element in creating successful developments. The Council aimed to create a good community

feel to every development to ensure that the residents were engaged and took ownership of their area. This was proving to be successful.

- (v) Councillor Richardson reiterated the importance of good communication and engagement between partners, officers and developers to create successful developments. There were good examples of working together to create successful developments such as New Lubbesthorpe.

#### Key points raised by Charnwood Council officers

- (i) The Council was using the Sedgefield method for calculating the Five year housing supply in accordance with government guidance. The government preferred this method as it required any historic under supply in the delivery of homes to be added to the Five year housing requirement, rather than being spread out and moved towards the end of the plan period. Using the government's preferred approach meant that the Council could be confident that the housing supply calculations could withstand scrutiny at appeals.
- (ii) Although the Planning team was tracking the Five year housing supply and reporting it to the Local Development Framework Project Board and to members of Plans Committee, the figures were not being scrutinised by any Council committees. In time, the figures would be challenged through the appeals process or by public examination of the local plan which would scrutinise the figures and test the Council's defense. It would only be through one of these processes that the figures could be confirmed or rejected.

It was highlighted by the Panel at this point that a level of scrutiny was needed to ensure that the Five year housing supply figures were monitored and scrutinised as necessary.

- (iii) The biggest issue cited was getting the developers to start building. The planning permissions had been granted but work on the site was not commencing. This was causing frustration for the Council as it was causing delays and the Council was not meeting its housing requirements. Communication was highlighted as a problem by the developers and the officers acknowledged that there had been staffing and recruitment issues which had contributed to this although they were endeavouring to resolve this. There was a suggestion that the developers had their own business agenda which affected the timing and pace of progress on developments which was beyond the control of the Council and had the potential to add to the delays.

## **8. Linking Key Findings to Panel's Terms of Reference**

The Panel reviewed its key findings to determine whether the issues identified in its Terms of Reference and set out in section 3 above have been adequately considered.

The Panel used the evidence it received from the Planning Officers to clarify the stage of development for each of the major sites. It also confirmed this with the local developers and clarified any areas of slippage.

The Panel interviewed the Leader of Blaby District Council as well as receiving written responses from Melton Borough Council and Councillor Hamilton providing information on local authority approaches across the country, to allow the Panel to investigate the national situation regarding the five year housing supply as well as gather examples of good practice which could be applied to this Council.

Interviewing the local developers allowed the Panel to identify barriers to development and highlight areas for improvement. This was reiterated when they interviewed the Council Officers who provided their opinion on the situation.

The interviews provided a good basis to create recommendations for what could realistically be achieved by the Council. This was supported by the background information supplied and the responses gathered from Leicestershire Highways Authority and Melton Borough Council.

## **9. Recommendations and Panel Observations Not Requiring Further Action**

### **9(a) Panel Observations Not Requiring Further Action**

The Panel wishes to draw the Board's attention to the following observations which it considers do not require further action.

1. That the Panel believes a robust exit strategy should be in place to alleviate confusion and minimise delays when a member of staff leaves. This refers to project handover and IT tasks such as deleting email accounts and communicating any staff changes to Members as well as officers.
2. Due to the differing viewpoints between the Council officers and local developers it was felt that communication on both sides could be improved, mostly at the pre-application stage where the development could be talked through and agreed.

3. The Panel was reassured to hear that the Council was using the Government preferred model for calculating the five year housing supply.
4. The Panel welcomed the changes to the revised National Planning Policy Framework as it has improved the Council's position regarding its five year housing supply.

#### **10. Recommendations Requiring Further Action**

The Panel wishes to make the following recommendations to the Board:

1. That the Five Year housing supply figure be added to the Council's Key Performance Indicator (KPI) list.
2. That a quarterly report is provided to the Performance Scrutiny Panel if the Five Year housing supply figure falls below 20% of the requirement and the Lead Member to attend the meeting to explain any changes.
3. That the Planning application deadline figures are added to the KPI's.
4. That the Chair of the Panel and the Lead Member for Planning to write a letter to Government reinforcing the need for enforcement sanctions for non-completion of developments.
5. To complete a best practise review of the Council's section 106 agreement processes to identify any areas of improvement.
6. That a possible review of the Core Strategy be completed.

#### Reasons

1. To ensure the figures are reported and monitored on a regular basis.
2. To ensure that the figures are scrutinised by the Panel on a regular basis and any action can be taken if required.
3. To ensure that the figures are reported and monitored on a regular basis.
4. To reiterate the need for more powerful sanctions for non-completion and delayed developments.
5. To reassure Members that the Council is following best practise in relation to its processes.
6. To ensure that it remains the most relevant for the residents of Charnwood.

## 10. Background Papers

- Scope Document (Appendix 1)
- Development Completion List (Appendix 2)
- Agenda Papers and Notes of Panel meetings available on the Council's website at:  
[https://www.charnwood.gov.uk/committees/five\\_year\\_housing\\_supply\\_scrutiny\\_panel](https://www.charnwood.gov.uk/committees/five_year_housing_supply_scrutiny_panel)

Meeting 1 - 20th March 2018

Meeting 2 - 18th April 2018

Meeting 3 – 6th June 2018

Meeting 4 – 5th September 2018

Meeting 5 – 3rd October 2018

Notes of Panel meetings 1-4 also attached (Appendix 3)

- Information considered by the Panel as detailed in Paragraph 4 of this report and available on request.





<b>REVIEW TITLE: Five Year Housing Supply</b>
<b>SCOPE OF ITEM / TERMS OF REFERENCE</b>
<p>There is a need to explore upcoming developments in Charnwood, including sites at North East Leicester, West of Loughborough and North of Birstall to find out the stages of development and how soon they are to be built (and any slippage).</p> <p>The Panel should consider the national context of housing supply and investigate the reasons why the Local Planning Authority is unable to demonstrate a five year housing land supply, in conjunction with other local authorities in Leicestershire, and identify what can realistically be achieved.</p> <p>Following the fact finding stage, the Panel would then draw on good practices from elsewhere and consider if there are any areas for improvement or change, and whether they sit with other policies, including national policies, and practices within the Council.</p>
<b>REASONS FOR SCRUTINY</b>
<p>To clarify timescales and current position of the three strategic sites.</p> <p>To clarify and understand reasons for slippage.</p> <p>To understand obstacles that exist to obtaining a five year land supply.</p> <p>To look at measures needed to keep strategic balance in line with Core Strategy Policy SC1 and the Defined Settlement Hierarchy.</p> <p>To provide public reassurance that scrutiny is looking at the matter.</p> <p><i>Note: Background information to the request for this panel was submitted by Councillor Snartt and attached to the draft scope document considered by the Scrutiny Management Board at its meeting on 24th January 2018.</i></p>
<b>MEMBERSHIP OF THE GROUP</b>
Chair – Councillor Taylor. Other members TBC.
<b>WHAT WILL BE INCLUDED</b>
Position Statements from Local Planning Authority and Developers involved with Strategic Development Sites.

Gaps and obstacles in the planning process to maintain a five year supply.

Understand communication links and meeting outcomes between the Local Planning Authority and Developers.

Analysis of current position with Strategic Development Sites.

Recommendations to maintain the Local Planning Authority's five year supply.

#### **WHAT WILL BE EXCLUDED**

Planning processes that do not focus on maintaining a five year supply.

#### **KEY TASKS** \* \* including consideration of efficiency savings

Gathering views of Leicestershire councils.

Interviewing witnesses, including regarding national policy.

Interviewing Charnwood planning officers.

Meeting with the Growth Advisory Group

Compiling information around engagement processes with developers and other associated procedures and processes.

#### **STAKEHOLDERS, OUTSIDE AGENCIES, OTHER ORGANISATIONS \***

Strategic Director Charnwood Borough Council

Lead Member Planning Charnwood Borough Council

Head of Planning Charnwood Borough Council

Developers of strategic sites North East of Leicester, West of Loughborough and North of Birstall. (e.g. William Davies, Davidsons, David Wilson Homes, Persimmon Homes)

Leicestershire County Council Highways

#### **EQUALITY IMPLICATIONS**

**Is an impact needs assessment required? – to be considered at the Panel's penultimate meeting**

#### **LINKS/OVERLAPS TO OTHER REVIEWS**

None

#### **RESOURCE REQUIREMENTS**

Support from Democratic Services can be accommodated.

#### **REPORT REQUIREMENTS (Officer information)**

None (at this stage)

#### **REVIEW COMMENCEMENT DATE**

#### **COMPLETION DATE FOR DRAFT REPORT**

\* Key tasks and stakeholders may be subject to change as the review progresses.

### PROGRESS OF PANEL WORK

MEETING DATE	PROGRESS TO DATE

<b>REPORT SUBMITTED TO SCRUTINY MANAGEMENT BOARD</b>
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The Panel should aim to complete its work within 6 months and submit its report to the SMB meeting in Autumn 2018.
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<b>TOTAL DEVELOPMENT COMPLETIONS 2011 – 2018 INCLUSIVE</b>	
<b>LARGE + SMALL</b>	<b>Parish</b>
280	Anstey
1	Barkby/Beeby
230	Barrow Upon Soar
614	Birstall
2	Burton on the Wolds
0	Cossington
0	Cotes
60	East Goscote
204	Hathern
2	Hoton
1392	Loughborough
111	Mountsorrel
4	Newtown Linford
0	Prestwold
167	Queniborough
237	Quorn
4	Ratcliffe on the Wreake
57	Rearsby
579	Rothley
9	Seagrave
227	Shepshed
443	Sileby
2	South Croxton
4	Swithland
401	Syston
1	Thrussington
6	Thurcaston & Cropston
312	Thurmaston
0	Ulverscroft
1	Walton on the Wolds
6	Wanlip
30	Woodhouse
20	Wymeswold
<b>Total: 5406</b>	

**FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL - ACTION NOTES**

**MEETING 1:** 20th March 2018

**ATTENDED BY:** Councillors Hamilton, Hayes, Seaton, Snartt and Taylor (Chair).

Officers: R. Bennett, D. Pendle, K. Widdowson, N. Ansari

**APOLOGY:** Councillors Gaskell and Pacey

**MATTERS CONSIDERED AT THIS MEETING:**

**INFORMATION PROVIDED BY THE HEAD OF PLANNING AND REGENERATION**

In addition to the information contained within the report received by the Panel, the following additional information was stated:

- The monitoring of the 5 year housing supply is carried out by the planning team.
- The Council's core strategy is reviewed annually in relation to the expected delivery times of the projects. The 5 year supply plan is based on the outcome of the review.
- There is consideration given to sustainable development and creating a balance within the proposed schemes.
- The annual statement published shows the Council's current position regarding their own land supply to highlight current assets.
- In terms of what was included in the 5 year land supply it had to be developments that had a reasonable prospect of being built in the next 5 years. Any barriers to the building process need to be considered.

**ISSUES RAISED/DISCUSSED AT THIS MEETING:**

In addition to the discussions referred to above, Members expressed the following views:

- Clarity was given regarding the level of permissions given for planning applications versus the trajectory of development taking place. The Panel expressed their concerns that the developers were holding up progress.
- The Panel agreed to invite one of the investment companies CEG to one of the Panel meetings to talk about their involvement in the development process and the highlighted role of secure infrastructure.

## ACTIONS

*Members of the Panel were each given a task or research to complete to help gather information:*

- Councillor Seaton – contact an identified university researcher and the contact at CEG to ask about attending one of the Panel meetings.
- Councillor Snartt – contact local councils to ask about their experiences and attending one of the Panel meetings to present and answer questions.
- Councillor Taylor – contact local PHD students to attend one of the Panel meetings to talk about their research.
- Councillor Hamilton and Councillor Hayes – research best practise around the country for comparison.

*Action for the officers:*

- Provide the permission end dates for the 3 SUE sites.
- Provide the original submissions from the developers of the 3 sites.
- The Democratic Services (DS) Team advised they would ask if any other DS Teams were scrutinising the 5 year supply and could provide assistance.
- The DS Team to contact the local developers and invite them to one of the Panel meetings to present their view of the current situation.

Timetable for Review	It was agreed that information be considered at future meetings as follows:  Wednesday, 18th April 2018:  Wednesday 9th May 2018:  Wednesday 6th June 2018:  Wednesday 4th July 2018:
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## FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL - ACTION NOTES

**MEETING 1:** 18th April 2018

**ATTENDED BY:** Councillors Gaskell, Hamilton, Hayes, Pacey, Seaton, Snartt and Taylor (Chair).

Officers: K. Widdowson, N. Ansari

**WITNESSES:** Developer 1 (D1)  
Developer 2 (D2)  
Developer 3 (D3)

**1. APOLOGIES:** Developer 4

**2. DECLARATIONS OF INTEREST:** Councillor Snartt declared that his grandson worked for David Wilson homes who were referred to at the meeting.

### MATTERS CONSIDERED AT THIS MEETING:

#### WITNESS INFORMATION PROVIDED BY LOCAL DEVELOPERS

**1) Would you outline the development site/sites within Charnwood Borough you are involved with and are there any other developers involved on these sites?**

D1 – Garendon Park SUE, Grange Park, Hathern site, Lodge end in Loughborough, Rothley. All developments were either near completion, under development or granted permission. Very active in the local area.

D2 - Currently working on the North East SUE as the promoter and master developer, working with the principal land owner. Also have 3 housebuilder partners involved on the site: Davidsons, David Wilson Homes and William Davis.

D3 - Actively involved in Charnwood with sites at Barrow Upon Soar, Shepshed and Anstey all under construction and current applications for further sites in the area such as Birstall and Rearsby.

**2) How does your experience of working in Charnwood compare to that elsewhere in the country? In terms of the Council and the Planning Team?**

D1 - Their experience of working with Charnwood was very comparable to the rest of their local authority contacts. There were some delays that were encountered but no more than elsewhere. Some of the delays were due to late comments from officers but other delays were due to stakeholders such as the

highways authority and the land drainage authority.

D2 – working with Charnwood was similar to some other local authorities with comparable geographical character and generally there was a constructive relationship with officers from application through to development stage. Recent experience with contract agency officers had been mixed and it was felt that they received more robust decisions from permanently employed officers as they knew the projects and politics better.

D3 - The working relationship was described as challenging and staff continuity was identified as an issue, although appreciated that it was a problem nationally. It had caused delays due to lack of contact from officers and delays in dealing with planning applications. Lack of continuity was mentioned as officers were replaced and the developers were not notified as well as difficulty in contacting officers which was sometimes due to the same issue. Resolution of the staffing issues was considered important to move forward with developments.

**3) In your view, how was the initial planning process carried out and are there any outstanding issues, especially pre-start conditions placed during the planning cycle?**

D1 - There were also some issues with pre-start conditions in terms of the way some conditions were phrased as pre-start and perhaps some conditions could be discussed at a later date to allow progress on site, for example sign off on lighting. It was also identified that developers often don't see conditions until the agenda for Plans Committee is published which meant there was a reluctance to discuss issues in a timely manner.

D2 - There were a limited number of pre-start conditions that had been attached to the site plan which was cause for ongoing discussion. Generally well placed to discharge pre-start conditions. The permission process allowed some conditions to be discharged before others and allowed progress on the site.

D3 - Conditions were seen as a big issue which needed to be addressed during the planning process. The need and reason for so many conditions and how they were controlled was identified as problematic, for example some conditions needed to be agreed before any progress could be made onsite. It was felt that some details could be requested and agreed at a later stage to allow progress to be made on the site.

**4) What are the obstacles, if any, stopping your company starting development on site?**

D1 - A particular example was given in relation to the Garendon East site. There had been a delay in getting the section 106 agreement signed due consent being given for the reserve matters and technical details such design and place making. It was felt that those details (reserve matters) could be discussed in a wider capacity to understand what the planning team wanted to see so that there was a level of continuity throughout the design process. This would



eliminate a perceived unnecessary layer of process.

Although there had been change of officers on sites there was no major concern as there had been a degree of overlap. The Panel was advised that the planning team wanted to arrange a community group going forward for community engagement purposes. This was welcomed but the group needed to be tightly managed as there was a need to focus on delivery instead of processes.

D2 – The ideal timeline was outlined for the development of the site (2019/20 for activity on the site) but the Panel was advised that the process needing speeding up as time had been lost due to delays on reserve matters. It was however pointed out that the site was in a stronger position now due to a stronger officer team and more commercially aware officers. It was felt that strong officers with knowledge of the area and the projects were particularly important on larger sites. Progress had also been made with the highways authority.

D3 - Dealing with the local planning authority was highlighted as an obstacle as well as technical details being approved by the County Council, the highways authority and Severn Trent. These were significant obstacles which were not always appreciated as such. Agencies needed to be working together to play their part, for example better working between officers and developers. Difficulty contacting officers by email, phone or trying to arrange a meeting was also cited as one obstacle to the process. The Panel advised that they as members could help with the communication issues and could be used to help air concerns as well as provide a response.

**5) Are there any other obstacles outside the planning process contributing to works starting, e.g. materials and labour shortages?**

D1 - Supply of materials was an ongoing concern as the developers could not guarantee the supply and there needed to be a constant management process to ensure that delivery dates were met. Agreeing material changes with planning officers could cause delays and sometimes it was down to officer discretion whether they were agreed although non-material amendments being agreed were not viewed as a concern. It was seen as more of an issue for smaller sites as larger sites could order sufficient quantities to meet demand.

D2 – dwelling sites have increased significantly and there is a need to prepare the site more before it is sold to the developers and created more work for the business. There was also a limit of local house builders which meant that choice was limited.

There had been a loss of time working on the site due to getting reserve matters signed off and a total of approximately 2 years had been lost due to various delays. Some of the delays such as the agreement of the section 106 and County wide issues had caused delays to the site which meant that the current deal was agreed on a conditional basis and the site was sold using an outline of a plan. It was noted that this was increasingly the case with sites nationally.

D3 - There was a labour and materials supply issue and changes needed to be made in order to meet the requirements of the site. It was felt that directly

employed labourers tended to show more loyalty and as a family run business there were no issues retaining staff. Officers had been understanding to issues so far although there was a lack of consistency. There were not however the difficulties that larger organisations faced with labour shortages and material supplies.

**6) In your view, are there any complex issues with these larger sites that are delaying construction e.g. infrastructure, highways?**

D1 - Larger sites were identified as being more complex as they require larger infrastructure investment and issues with power supply and capacity. The highways authority was identified as causing concern in terms of issuing constraints.

D2 - As sites got bigger they demanded more infrastructure and planning (e.g. highways, sewage and schools). There was some discrepancy between creating larger sites and developers wanting to be involved in smaller sites where they had more control. It was felt that more needed to be done to create a site which encouraged house builders which would help speed up development. The finances involved in developing a site were mentioned as larger sites did require more initial investment which was expensive to the developer. It was proposed that limiting early infrastructure would help as progress could be made whilst further details were agreed.

D3 - Infrastructure was identified as a problem on larger sites as well as viability issues when there were different opinions on the design of the site. Larger sites commanded larger infrastructure which created a higher burden in terms of supply but also cost and legal agreements. Smaller sites could be delivered quickly but there was less scope as the demand for larger sites seemed to grow. The benefits of creating smaller sites were pressed upon the Panel.

**7) Are there any other areas of concern that, in your view, are delaying construction we have not touched on?**

D1 - Discussions and disagreement over the proposed housing mix for sites can delay development. There was a suggestion that there should be round table discussions between the Council and the industry about housing mix preferences to agree what should be built which would be beneficial to all. The market demand for larger properties (4/5 bedrooms) was prevalent but was conflicted with what the Council required. An agreement through the round table discussions could assist the viability of the site. William Davis felt it was a burning issue.

D2 - It was felt that major progress had been made as the construction stage was nearing and it was hoped that there would be a smooth transition and delivery of the site. Long term development was already in mind to ensure sustained delivery. There were some outstanding issues which needed officer and Councillor support and the Panel were encouraged to speak to the City Council and arrange a discussion meeting.

D3 - A proactive development control service was considered the best way to ensure sites developed smoothly. The housing mix of sites was identified as a cause for concern where Councils were trying to influence the mix of dwellings proposed. It was felt there needed to be flexibility on agreeing the preference for house sizes which would satisfy both parties although the developers were more in tune with the market demand.

**ISSUES RAISED/DISCUSSED AT THIS MEETING:**

- Continuity with officers regarding queries and working on projects.
- Problems with the highways authority putting constraints onto developments
- Pre-start conditions slowing down progress on the site
- Supply of materials being a concern
- Infrastructure being an issue with larger sites
- Agreeing the housing mix for sites
- Members being used to help resolve problems

**ACTIONS**

*Democratic Services Team:*

- *Email the list of questions to Developer 4 and other local developers to get further responses.*
- *Invite the highways authority to the next meeting to answer questions from the Panel on the issues raised*
- *Circulate the action notes to the Panel to formulate the questions for the next meeting.*

<p>Timetable for Review</p>	<p>It was agreed that information be considered at future meetings as follows:</p> <p>Wednesday 9th May 2018:</p> <p>Wednesday 6th June 2018:</p> <p>Wednesday 4th July 2018:</p>
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## FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL - ACTION NOTES

**MEETING 1:** 6th June 2018

**ATTENDED BY:** Councillors Gaskell (Chair), Hamilton, Pacey, Seaton, Snartt.

Officer: N. Ansari

**WITNESSES:** Councillor Terry Richardson – Blaby District Council

**1. APOLOGIES:** Councillor Hayes

**2. DECLARATIONS OF INTEREST:** None

### MATTERS CONSIDERED AT THIS MEETING:

#### WITNESS INFORMATION PROVIDED

Councillor Richardson explained the current situation at Blaby District Council regarding the 5 year housing supply and made the following points:

- Currently using the Liverpool model to calculate the housing supply. There was some pressure to use the Sedgefield but the Council had a robust policy in place to defend planning applications and put sufficient time and effort into ensuring that the lack of 5 year housing supply could not be used as a reason to refuse an application.
- A lot of time and effort was also spent on pre-applications and talking to developers to agree on how a development would progress. Communication was seen as important as it created understanding and ultimately success for all parties involved. It was good to engage the developers as they understood the look and feel of the developments and what would be attractive.
- Extensive training was provided for the Council's Planning Committee to ensure they were sufficiently informed to make decisions. As well as the standard training master classes were offered for members which were well received.
- An example of a development in New Lubbethorpe was given to explain how the development worked from start to completion. The infrastructure had been provided by the land owner who wanted to create a legacy for the area and which provided an advantage for developers who could start work quickly. There were dedicated officers at the Council working on the development as well as interacting with the highways authority and a community worker onsite who generated a community feeling which could be sold to potential owners. There was a cohesive approach to the development which helped towards the success.
- There was an issue nationally with losing Planning Officers to the private sector but the Council believed they offered good scope and experience for its employees to retain staff. When officers did leave the word of

mouth was positive for a Council that offered support and training so recruitment was not an issue.

- There was a good working relationship with the County Council which was in part due to understanding their limitations and to compromise to make things work. Talking to County was always seen as a challenge and more needed to be done to bring the District Councils and the County Council together.
- One of the initiatives set up was to create a trust for the residents on the development currently paying a service charge. The idea was to create a community feel to the development and was proving popular.
- The idea of community was thought to be particularly important for new developments. Councils should be creating a vision for their area that would be part of the Strategic Growth Plan. Councils also needed to be more commercial but still ensure that developments met the needs of the residents.
- Rural exception sites were used as a means of meeting the housing supply. Seed funding was provided by the Council to help establish one in the local area which could provide housing for local residents.
- There was an ongoing calculation of the housing supply to take into account the start and completion of developments and to ensure it was up to date. The calculations were also used for planning applications and appeals so it was necessary to have the figures available. The Council had employed an Economic Investment Manager to manage the developments and oversee the housing supply. The salary for the post was paid for out of the increased planning fee income which was re-invested into the department.
- The Lead Member for Planning was more involved in supporting the team rather than being actively involved in the development process. They also attended the Cabinet meetings every 6 weeks where they developed an understanding of each member portfolio and gave support to upcoming projects.
- 

Councillor Richardson's main point was the importance of communication with partner agencies and developers to ensure that developments are successful for the residents and create a community that will thrive.

## **ACTIONS**

- Democratic Services Officer to invite the Lead Member, Strategic Director of Housing, Planning, Regeneration and Regulatory Services and the Head of Planning to the next meeting.

Timetable for review – it was agreed that information be considered at future meetings as follows: Wednesday 4<sup>th</sup> July 2018.

## FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL - ACTION NOTES

**MEETING 1:** 5th September 2018

**ATTENDED BY:** Councillors Seaton (Chair), Hamilton, Hayes, Snartt.

Officers: K. Widdowson and N. Ansari

**WITNESSES:** Councillor Eric Vardy – Lead Member for Planning, Inward Investment & Tourism Strategy

David Pendle – Group Leader for Plans, Policy and Place

Richard Brown – Principal Planning Officer

**1. APOLOGIES:** Councillors Gaskell and Pacey

**2. DECLARATIONS OF INTEREST:** None

### MATTERS CONSIDERED AT THIS MEETING:

#### WITNESS INFORMATION PROVIDED

Councillor Vardy gave an opening statement to the Panel about the current state of the five year land supply in the area and highlighted the following points:

- Local Planning Authorities are required to identify a supply of deliverable land to create a minimum of five year's land supply in line with the corporate plan.
- National guidance requires a buffer to be added to the five year housing supply figure based on past performance although the measuring system has changed. This has meant that the Council have changed from being an under developing Council and having to add 20% to the housing requirement to having a record of delivery and having to only add 5%.
- The Council has continued to work with developers to bring new homes into action but this has not been easy as the developers have not met the timetables specified. Progress on the three main urban expansions has been slow and stalled. Officers and the Lead Member have met with the representatives of the developers to try and fix delays but the delivery assurances provided were not met.
- Senior officers and members have also met with government ministers, MP's and Homes England to try and influence government policy.
- The pressure for growth remains ongoing and is a key component of the National Planning Policy Framework.

The Panel then asked the following questions with the following responses:

**1. What method do we use to calculate the five year housing land supply and why?**

The Council use two different methods to calculate the housing requirement. In accordance with National practise and the Council's adopted plan 820 homes were identified as the requirement. The rate of build was also checked to see what the undersupply was and whether the Council was under delivering or delivering at the rate expected.

In relation to the model it was noted that Blaby use the Liverpool model which spreads out the housing requirement whereas the Sedgefield model deals with the requirement at the beginning of the process. The Council use the Sedgefield model in line with government advice to significantly boost house building. This model directs the Council to deal with the issue of the housing supply now rather than spread out the problem over a period of time. For example Blaby use a version of the Liverpool model which means that for any appeals they do not count some building projects which they did not expect to have started yet. Charnwood Borough Council use a different approach where the under supply is addressed now and a plan put in place to achieve the five year supply required. This approach is used by the majority of Councils and is supported by the planning inspectorate.

**2. When and how often is the five year land supply scrutinised and by which committee?**

The five year land supply had been to one scrutiny panel at the time when the Core Strategy was being created but not to any scrutiny panels recently. It was explained that the figures were challenged through the planning appeals process and the results used to reinforce the figures and ensure the Five year supply position is robust.

There was a consensus that scrutinising the land supply would be beneficial and it was suggested that performance targets could be reviewed by the Performance Scrutiny Panel.

**3. Why do the Council only calculate the five year housing land supply annually when it seems that other Council's calculations are ongoing?**

It is common practise to produce an annual statement, in line with National guidance detailing the Council's land supply position. In the meantime the Planning officers track the position throughout the year and on a quarterly basis to review the situation and check the direction of travel which can help when making decisions. Getting accurate figures can be time consuming but it is important to show the trend over the year. The statistics are already published for the Plans Committee on a regular basis and given to partners but they could be produced on a quarterly basis for Member's benefit.

**4. Does the Lead Member have confidence that the Council can maintain a five year housing land supply?**

The biggest problem is getting the developers to build. There are a lot of planning permissions granted but work is not commencing onsite. The Council

Lead Member and officers are trying to get the government to introduce some enforcement powers for developers who do not meet their deadlines. Ideally legislation is needed and the Council have advised the local MP's who can add some weight to the proposition.

**Is the issue down to the developers?**

There have been issues over the lack of resources available, building site selection and quality of development and various issues with the developers which have halted production onsite and caused concerns.

A three stage process was outlined to the Panel of the Council releasing land through a local plan, the Plans Committee giving permissions to start building and the developers taking over the sites to start building, which is where the delays were occurring. The Council's role was to keep control of the sites by managing the release of sites and by having sufficient permissions to ensure the five year supply remains.

**5. Does the Lead Member have confidence that the current 5.9 land supply calculation will stand up to scrutiny if challenged?**

There was a rigorous defence in place but no one was sure until it was tested. The judgement would be based on their figures, the buffer in place and the development rates. There was also little room for manoeuvre on the deliverable sites as they had already been through enquiries and the public inspectorate. The appeals panel could not ignore new information and new government guidance regarding the build out rates but the local authority was still penalised over non-completion of sites.

**6. What is the current state of the three major sites and what are the current obstacles going forward?**

The three deliverable sites are based at Garendon Park in Loughborough, Thurmaston and Broadnook which was proving the most difficult to progress. The main obstacle with the Garendon Road site was the section 106 agreement which was signed in July and now going through the reserve matters process, agreeing the details of the planning application before the sign off. The Thurmaston site appears to be slightly behind with the planning process.

Broadnook has caused a lot of frustration due to concerns over the quality of plans received from the developer and the same concerns were true for the Garendon site as the progress has been very slow.

Action: the planning team to update the Panel on the progress of the three sites.

**7. There was a viewpoint from the developers that communication between the officers was poor. Do you have a reason as to why this might be?**

There were still monthly meetings with developers and handovers by the team leaders so the department was doing everything it could to keep progress going.



It was acknowledged that there have been issues with staffing and recruitment but the Planning department had been through a restructure which was hoped to address some of the problems.

It was suggested that the developers were addressing their own agenda and their responsibilities to their shareholders which did not necessarily match those of the Council officers.

**8. How has the relationship with local partners developed and what can be done to improve it?**

There were some delays caused due to the relationship with Leicestershire County Council and the Highways Authority being strained although it was understood that resources were stretched on both sides causing frustration.

The Development Team's approach was that more preparatory work was done in advance and the steering group were involved in an effort to solve strategic barriers. At working level the partnerships do exist and are good working relationships as everyone is working towards the same goal.

**9. The developers raised concerns over delays agreeing the section 106 agreements. What is your view on this?**

Section 106 agreements were by nature complicated agreements. Although some of the timescales were thought to be realistic there had been some delays, in one instance due to the landowner but also due to the development progress. The dates for development are agreed and some slippage time built in but there have still been delays.

**10. Are there any other obstacles outside the planning process that you feel contribute to delays moving forward?**

There were a number of obstacles involved which included the weather, industrial problems, lack of skilled labour force and materials, to name a few. There can also be delays at the start of the progress agreeing sale prices for the land and getting developers on board. Developers also have their own agenda and the situation can change over time in terms of good and bad investments.

Any public enquiries had an impact as they could change the process for development part way through. There could also be changes to agreements due to service requirements such as schools, utilities and highways. From inception to end build there were any number of problems that could arise.

**ACTIONS**

- Democratic Services Officer to draft the notes from the meeting and compile a draft report for the Panel.

Timetable for review – it was agreed that information be considered at future meetings as follows: Wednesday 3<sup>rd</sup> October 2018.