

**SCRUTINY MANAGEMENT BOARD
6TH MARCH 2019**

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

Councillors Morgan (Leader of the Council) and
Taylor (Chair of the Community Safety
Partnership) and Inspector Barker (Leicestershire
Police)

Chief Executive
Strategic Director of Neighbourhoods and
Community Wellbeing
Strategic Director of Housing, Planning &
Regeneration and Regulatory Services
Strategic Director of Corporate Services
Head of Neighbourhood Services
Head of Strategic Support
Community Safety Manager
Corporate Improvement and Policy Officer
Democratic Services Officer (LS)

APOLOGIES: None

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.

33. MINUTES OF PREVIOUS MEETING

The minutes of the meeting of the Board held on 23rd January 2019 were confirmed as a correct record and signed.

34. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

35. DECLARATIONS - THE PARTY WHIP

No declarations were made.

36. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURE 11.16

No questions had been submitted.

37. AGENDA VARIANCE

RESOLVED that item 7 on the agenda be considered prior to item 6.

Reason

Inspector Barker was due to attend another appointment later in the evening and considering item 7 earlier in the meeting would ensure that he was available to assist the Board.

38. CRIME AND DISORDER REDUCTION AND COMMUNITY SAFETY

The sound recording failed part way through the consideration of this item.

Considered a report of the Head of Neighbourhood Services to ensure that the statutory responsibility to scrutinise the Community Safety Partnership (CSP), at least every 6 months, was undertaken effectively and to ensure the continued monitoring of incidences of crime in Charnwood (item 7 on the agenda filed with these minutes).

Councillor Taylor (Chair of the CSP), the Strategic Director of Neighbourhoods and Community Wellbeing, the Head of Neighbourhood Services, the Community Safety Manager and Inspector Barker 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 issue of knife crime both nationally and locally was raised. In Charnwood, incidents had decreased, although it remained a priority moving forward. The matter had been picked up at an early stage and proactive work undertaken, details of which were outlined. The term 'habitual knife carrier' and ongoing work with a particular group of youth habitual knife carriers were also explained.
- (ii) Following reference to an additional Police Community Support Officer resource for Leicestershire Police, it was confirmed that a share of that would be allocated to Charnwood.
- (iii) A significant proportion of the increased vehicle theft figure related to motorbike theft by a particular group of young people. Theft of keyless entry cars via use of an amplifier had not been evident in Leicestershire.
- (iv) Work undertaken to protect vulnerable people was briefly outlined, with particular reference to the focus now provided by a dedicated Youth Joint Action Group. Where that Group sat within the CSP's governance structure, its composition, how it operated and the challenges it faced in achieving best outcomes were explained.
- (iv) Where quarterly data was provided, it would be useful to see all quarters for the year to date, so that trends could be better understood.
- (v) The CSP being evidence-led did not mean that it was only reactive, considerable pro-active work was undertaken, examples of which were given. Explanation was provided of the strategic assessment model used, which was evidence and intelligence based, with a view to early identification and getting upstream of issues.

- (vi) Noting that the current CSP Plan ended in 2020, it would be useful if, moving forward to a new plan, attention was given to how long-term trends might be better illustrated over the period, to assist in scrutiny of performance over time, although it was recognised that this was often difficult. Contextual and graphical information was also very useful, together with explanation of options considered and decided upon. Officers continued to work to provide that and how that might be better achieved moving forward was briefly outlined.
- (vii) Some of the percentage figures stated on agenda page 66 seemed to be incorrect and required attention.
- (viii) The increase in crime in Loughborough town centre was briefly discussed. It needed to be clear that this area was wider than the immediate town centre, covering also the University, the Ashby Road Estate and the Storer Road area. The increase was likely to be due to a range of factors. Reported incidents, which were all recorded, suggested that the night-time economy was not a significant problem. In response to a concern that that was not the experience of local residents, reference was made to the fear of crime often being far greater than the incidence of crime and to the role social media could play in fuelling the former. Work to improve reporting and address issues within the immediate town centre was briefly outlined.
- (ix) Context was given to the increase in hate crimes, this largely related to the behaviour of individuals when caught committing crime, rather than being as a result of community tensions.

Inspector Barker thanked the Board for considering this item earlier in the meeting to accommodate his later appointment.

RESOLVED that the report be noted and that officers be asked to consider, for future reports, the comments made in paragraph (vi) above.

Reason

To acknowledge the work undertaken by the Community Safety Partnership, to ensure that the statutory responsibility to scrutinise the Partnership is met and to assist the Board with its future scrutiny of this matter.

39. 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, identify Key Decisions on which scrutiny could be undertaken, to consider whether scrutiny of any procurement activity should be programmed, and setting out Cabinet's response to the recommendation made by the Board at its last meeting (Budget Scrutiny Panel) (item 6 on the agenda filed with these minutes).

The Chief Executive assisted with consideration of the report. In response to a question, he stated that it was not yet certain that the exempt Cabinet report "Revenues and Benefits Future Service Delivery Options" would be considered by

Cabinet on 11th April 2019, but that members of the Board could be kept informed of the position in that respect, if they so wished.

RESOLVED

1. that scrutiny of the new service model replacing the Troubled Families Programme (Supporting Leicestershire Families) be included on the work programme of the appropriate scrutiny committee (under the new scrutiny committee structure effective from the start of the 2019/20 council year);
2. that it be noted that the exempt Cabinet report “Revenues and Benefits Future Service Delivery Options” was not available for scrutiny at this meeting as the item has been rescheduled from the Cabinet’s meeting on 14th March 2019 to its following meeting on 11th April 2019;
3. that the Cabinet’s response to the recommendation made by the Board at its meeting on 23rd January 2019 (Budget Scrutiny Panel), as detailed on the fourth page of the report, be noted;
4. that forthcoming Executive Key Decisions and 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;
5. that the Annual Procurement Plan, set out in Appendix 2 to the report, be noted;
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. To agree a recommendation made by the Performance Scrutiny Panel at its meeting on 19th February 2019 (Minute 54.1). The Panel had wished to highlight the importance of continued scrutiny of this service, particularly as partner contributions would cease after this council year to the Troubled Families Programme, and that the replacement Children and Family Wellbeing Service, which would become operational in April 2019, would benefit from review.
2. To ensure that the Board was informed of the position in respect of this matter.
3. To ensure that the Board was informed of the outcome of its recommendation.
4. To ensure timely and effective scrutiny.
5. 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 was programmed or to ensure that the Cabinet was informed of any views of the Board on procurement matters.
6. To ensure that the information contained within the Work Programme was up to date.

40. MEETING AFFORDABLE HOUSING NEEDS IN THE BOROUGH - BRIEFING NOTE

Considered a briefing note of the Strategic Director of Housing, Planning, Regeneration and Regulatory Services setting out the actions the Council was taking and planned to take to meet affordable housing needs in the Borough (item 8 on the agenda filed with these minutes).

The Board had wished to receive this information to assist it in deciding whether more detailed scrutiny of the matter would be useful and add value.

The Strategic Director of Housing, Planning, Regeneration and Regulatory Services assisted with consideration of the report.

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

- (i) The shortfall position set out in the table on agenda page 85 was explained.
- (ii) The issue of developers challenging affordable housing requirements based on viability was discussed, this was often due to the time taken until sites were developed. When requirements were recalculated as a result, developers often favoured other Section 106 obligations over affordable housing. The difficulty that developers faced in securing Registered Social Landlord partners to deliver affordable housing on sites and the reasons for that were also explained.
- (iii) The considerable challenge the Borough faced in meeting its affordable housing needs were clear, with some factors being very difficult for the Council to influence.
- (iv) Affordable housing need was regularly assessed using the most up to date information available.
- (iv) Purchasing new properties from developers could be more cost effective than the Council building those properties and that was an option. The resources available were dependent on what the Council wished to invest.
- (v) The view was expressed by some members that developer profits suggested that affordable housing provision was viable.
- (vi) Reference was made to the proposal to consider setting up a Housing Development Company (considered by Cabinet in December 2018) and the assistance that could provide in meeting affordable housing need. Effective scrutiny of the company would be needed.
- (vii) The issue of meeting affordable housing needs in the Borough was important and should be kept at the forefront of scrutiny's work. Particular areas of concern were the shortfall position and that developers were looking to re-negotiate agreed affordable housing provision. It was acknowledged that the current position in respect of the Council's Five Year Housing Supply placed the Council in a stronger position.
- (viii) Any future scrutiny of the matter needed to be clear in its scope and in how that scrutiny could add value.

The Board thanked the Strategic Director of Housing, Planning, Regeneration and Regulatory Services for the information provided.

RESOLVED that Councillor Bebbington, with the assistance of the Democratic Services Manager, drafts a proposed scrutiny scope document for a scrutiny panel to consider the issue of meeting affordable housing needs in the Borough, aimed at adding value in that respect, with a view to consideration of that proposed scope by the appropriate scrutiny committee under the new scrutiny committee structure effective from the start of the 2019/20 council year.

Reason

Having considered the submitted briefing note, the Board considered that the issue of meeting affordable housing needs should be kept at the forefront of scrutiny's work and that a scrutiny panel would be the most appropriate means of doing so. The Board recognised that it would be from the new scrutiny committee structure to decide whether a panel should be established, having considered the scrutiny scope document which the Board had agreed should be drafted.

41. BUSINESS PLAN 2019/20 (CABINET REPORT)

Considered a report to be considered by the Cabinet at its meeting on 14th March 2019, Business Plan 2019/20, following programming of this by the Board at its last meeting (item 9 on the agenda filed with these minutes).

The Leader of the Council, the Chief Executive, the Strategic Director of Corporate Services and 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 draft Plan had been considered by the Policy Scrutiny Group at its meeting in February 2019 and the comments of the Group taken into account.
- (ii) The Business Plan 2019/20 delivered in its entirety the Corporate Plan 2016-2020, with the exception of one item.
- (iii) Arrangements for performance monitoring of the Plan by scrutiny during 2019/20 were outlined.
- (iv) The Business Plan had been amended to include "harder measurables" that could be tracked and that was welcomed.
- (v) Agenda supplement page 19 referred to the development of an Investment Strategy. It was explained that this was specific to setting out the Council's approach to investment decisions. Concern was expressed that the timetable for agreeing the Strategy by July 2019 might not allow for appropriate scrutiny, particularly as there would be Borough Council elections in May 2019. The Chief Executive stated that the matter could be rescheduled if required, to enable that scrutiny.

RESOLVED

1. that the report be noted;

2. that it be recorded that the Board considers that the timetable for agreeing the Council's Investment Strategy should be such that it allows effective scrutiny of the proposed Strategy to take place.

Reasons

1. The Board was content with the report and had no issues or concerns that it wished to raise in respect of the proposed Business Plan 2019/20.
2. The importance of the Strategy meant that such scrutiny was required.

42. DRAFT ANNUAL SCRUTINY REPORT 2018/19

Considered a report of the Head of Strategic Support presenting a draft Annual Scrutiny Report 2018/19, for recommendation to Council for approval (item 10 on the agenda filed with these minutes).

The Head of Strategic Support assisted with consideration of the report.

RESOLVED that it **be recommended to Council** that the Annual Scrutiny Report 2018/19, as set out in the report of the Head of Strategic Support, be approved.

Reason

To report annually, as required by the Council's Constitution, on the operation and workings of Scrutiny.

43. ALLOCATION OF SCRUTINY WORK PROGRAMME ITEMS TO NEW SCRUTINY STRUCTURE

Considered a report of the Monitoring Officer to assist the Board in allocating items on the scrutiny work programme to the new scrutiny committee structure agreed by Council on 25th February 2019 (item 11 on the agenda filed with these minutes).

The Chief Executive and the Head of Strategic Support assisted with consideration of the report. Further to the report, it was suggested that the Board might also wish to consider removing items from the programme if it was of the view that those no longer warranted scrutiny. Reference was also made to the Centre for Public Scrutiny's recommendation regarding a fresh and innovative approach and setting an annual scrutiny plan in advance.

RESOLVED

1. that the proposed allocation of existing items in the scrutiny work programme to the new scrutiny committee structure, as set out in the report of the Monitoring Officer, be agreed;
2. that the Head of Strategic Support be asked to ensure that committees under the new scrutiny committee structure are asked to review their work programmes at their first meetings, and are provided with appropriate guidance to assist that, so

that any items which no longer warrant scrutiny are removed and any items requiring scrutiny are added;

3. that it be noted that the Board does not consider that pre-meetings of scrutiny committees are required moving forward.

Reasons

1. To ensure that the work programme items are allocated appropriately within the new scrutiny committee structure.
2. To ensure a current, useful and focused scrutiny work programme under the new scrutiny committee structure, set by those undertaking that scrutiny.
3. To record the Board's position on this matter. The Board acknowledged that committees under the new scrutiny committee structure may wish to continue with pre-meetings.

44. BUDGET SCRUTINY PROCESS (2020/21 BUDGET)

Considered a report of the Strategic Director of Corporate Services to consider the budget scrutiny process for the 2020/21 budget (item 12 on the agenda filed with these minutes).

The Chief Executive and the Strategic Director of Corporate Services assisted with consideration of the report.

The Board considered the different options for scrutiny of the Council's budget, particularly in light of the new scrutiny committee structure that would be in place. It considered that the agreed option set out in the resolution below would not prevent individual scrutiny committees from also looking at the proposed budget relevant to their remits, if they so wished. However, the Board did consider that scrutiny needed to look at the budget as a whole and on a regular, ongoing basis. Improved arrangements for scrutiny of outturn positions, including as part of the budget scrutiny process, were welcomed.

RESOLVED that the process for scrutiny of the 2020/21 budget be as set out in Paragraph 9 of Part B of the report of the Strategic Director of Corporate Services.

Reason

To ensure effective scrutiny of the 2020/21 budget. The Board acknowledged that the new scrutiny committee structure may wish to take a different approach to budget scrutiny than the agreed option set out in the resolution above.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 24th June 2019 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.