

**SCRUTINY COMMISSION
16TH NOVEMBER 2020**

PRESENT: The Chair (Councillor Seaton)
The Vice Chair (Councillor Hamilton)
Councillors Bolton, Hadji-Nikolaou, Grimley and
Ranson

Councillor Morgan (Leader of the Council)
Councillor Barkley (Deputy Leader)
Councillor Harper-Davies
Councillor Taylor
Strategic Director; Commercial Development,
Assets and Leisure
Strategic Director; Community, Planning and
Housing
Head of Planning and Regeneration
Head of Cleansing and Open Spaces
Head of Landlord Services
Head of Neighbourhood Services
Head of Strategic and Private Sector Housing
Head of Leisure and Culture
Charnwood NPA Commander
Team Leader Building Control
Regeneration and Economic Development Officer
Information Development Manager
Head of Strategic Support
Democratic Services Officer (SW)

APOLOGIES: Councillor Brookes

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She 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.

68. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Commission held on 12th October 2020 were approved.

69. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

70. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

71. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

72. AGENDA VARIANCE

It was agreed that the Review of the Community Safety Partnership, listed on the agenda as item 12b, be considered at this point in the meeting.

73. REVIEW OF THE COMMUNITY SAFETY PARTNERSHIP

A report of the Head of Neighbourhood Services to ensure that the statutory responsibility to scrutinise the Community Safety Partnership, at least every 6 months, is undertaken effectively and to ensure the continued monitoring of incidences of crime in Charnwood was selected from the Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme (item 12b on the agenda filed with these minutes).

The Chair of the Community Safety Partnership, the Lead Member for Community Support and Equalities, the Head of Neighbourhood Services and the NPA Commander for Charnwood assisted with the consideration of this item. The following summarises the discussion:

- i. Members acknowledged the 4% decrease in overall crime between 1st April 2020 and the 23rd October 2020 and praised the partnership for this achievement. This success was believed to be due to effective and co-operative partnership working, a more focussed, evidence-lead approach and more robust policing.
- ii. It was emphasized that the Partnership had faced challenges during the Covid-19 Pandemic as positive action such as engagement activities had not been possible during this period.
- iii. There had been a notable increase in crime relating to violence with injury during the period reported on. It was considered that some of the increase in violent crime was associated with the Covid-19 restrictions, such as the initial lock down period, as there had been an increase in time spent at home. It was also highlighted that during this period there had been a change in crime recording standards, which had potentially caused some misrepresentation in figures.
- iv. The increase in crime involving violence with injury included, but was not exclusive to, domestic violence. The Partnership acknowledged the importance of this issue and had responded to the increase by supporting victims through the Partnership Locality Fund and the Strategic Partners Grant. In addition, the County had secured Home Office funding, which would be used to establish further programmes aimed at reducing domestic violence.

- v. Some local villages had recently experienced uncharacteristic crimes involving the presence of low-level organised crime gangs and this had caused anomalies in the statistics.

RESOLVED that the Committee notes the report.

Reason

To ensure that effective scrutiny of the work of the Community Safety Partnership takes place in the absence of Directorate Scrutiny Committees, in line with statutory requirements.

74. RECOVERY CELL UPDATE

A report of the Strategic Director for Community, Planning and Housing to provide the Commission with more detail on the approach to community recovery (item 6 on the agenda filed with these minutes).

The Strategic Director for Community, Planning and Housing, the Head of Leisure and Culture, the Head of Cleansing and Open Spaces, the Head of Strategic and Private Sector Housing, the Head of Neighbourhood Services and the Head of Landlord Services attended the meeting to assist with the consideration with this item. The following summarises the discussion:

- i. Members acknowledged the significant and thorough work undertaken by Officers as outlined in the report and thanked them for their efforts.
- ii. The Covid-19 pandemic had had an impact on vulnerable communities and the Council had worked to alleviate this through pro-active contact with individuals concerned, resulting in 16,000 calls to vulnerable council tenants and lifeline customers.
- iii. The Council had utilised online platforms in order to support communities during the lock down period, including virtually seated exercise classes. The Council had also established a small-scale IT initiative for members of the community otherwise unable to access this content. Physical activity packs containing guidance, information and equipment had also been distributed to individuals interested in continuing exercise during the pandemic. In addition, the Council was identifying methods of digital inclusion that could be used in sheltered accommodation facilities in the Borough.
- iv. The Council have provided accommodation for 117 individuals identified as at imminent risk of homelessness in the Borough since the 23rd March 2020. The Council had been allocated funding in order to support homeless individuals and rough sleepers. The Council led on a collaborative bid for the County Districts and Boroughs and Rutland County Council:

- Extended emergency accommodation - £210,908 (Charnwood £75,970.72)
- Supported accommodation - £53,735 (5 bed spaces 2 for CBC and 3 for County /Rutland)
- Private rented sector/reconnection incentives - £45,300 (Charnwood £18,652.90)
- Support staff - £20,000 (Charnwood to recruit, County/Rutland resource)

The Council was able to claim £6,400 Cold Weather Fund Allocation, the money allocated to Charnwood would be used:

- Contribution of £1,750 toward 1 x additional Outreach Worker (for County Districts and Boroughs and Rutland County Council) for the winter period.
- Remaining put towards the provision 2 x emergency beds for Charnwood

A bid was placed for the Next Steps Accommodation Programme - Charnwood Supported Housing for Rough Sleepers. On the 16th November 2020 an email was received confirming the £586,000 funding. The funding would be used to purchase a property and provide 5 bed spaces with ensembles to be used as supported move-on accommodation and the purchase of 2 x 1 bedroom units to be used for move on accommodation from emergency accommodation for those rough sleepers who were tenancy ready on fixed term tenancies.

- v. Initiatives based in Loughborough, such as the work undertaken at John Storer House and the Loughborough Wellbeing Café operated Borough-wide. Members of the community were being sign posted where appropriate in order to ensure individual needs were being met and the Council was working with VCS organisations and GP practices in supporting hard to reach individuals experiencing loneliness and mental health issues.

RESOLVED that the Commission noted the report.

Reason

To ensure the Commission was kept informed of the Council's Covid-19 recovery efforts.

75. RETROSPECTIVE REVIEW OF COMMERCIAL PROPERTY PURCHASES

A report of the Strategic Director for Commercial Development, Assets and Leisure to provide the Commission with detail on retrospective property purchases (item 7 on the agenda filed with these minutes).

The Leader of the Council and the Strategic Director for Commercial Development, Leisure and Culture assisted with the consideration of this item. It was highlighted that there was a typing error in the risk section of Appendix A to the report. The mitigation to the risk of 'the macroeconomic impact of Brexit results in general economic difficulty' refers to a tenant. The property was currently vacant and therefore the mitigation element to this risk should be discounted. The following summarises the discussion:

- i. It was financially advantageous to use internal borrowing as the revenue cost against the budget for higher cost purchases was more viable longer-term. A balance would be achieved between risk and reward and internal and external borrowing in order to establish the best approach possible.
- ii. The treasury management at the Council included investment returns on money in general circulation. The acquisitions presented would enable the Council to utilise funds more beneficially.
- iii. The two acquisitions presented were distinct in that the Belton Road property was intended for income generation and the Market Place property had been identified for social value as part of the Town Deal plan but would become commercially viable within a number of years.

RESOLVED that the Commission noted the report

Reason

To ensure the Commission is kept updated on the purchase of property.

76. AUDIT UPDATE

There was nothing of this nature for the Commission to be updated on.

77. PRE-DECISION SCRUTINY OF ANY SPECIFIC FINANCIAL MATTERS TO BE CONSIDERED BY CABINET

There were no items of this nature on the Cabinet agenda for the Commission to consider.

78. CABINET ITEMS FOR PRE-DECISION SCRUTINY

The following items were identified for pre-decision scrutiny from the Cabinet agenda for 19th November 2020.

79. SHEPSHED TOWN CENTRE PUBLIC REALM IMPROVEMENT PROJECT

A Cabinet report of the Head of Planning and Regeneration to seek in principal approval of the scheme design for public realm improvement works in Market Place, Bull Ring, Hall Croft and Field Street in Shepshed town centre so that a Section 278 application to the County Highway Authority, work on preparing Traffic Regulation Orders and the necessary detailed technical work on the construction design drawings can proceed, was considered for pre-decision scrutiny (item 10a on the agenda filed with these minutes).

The Leader of the Council, the Head of Planning and Regeneration and the Regeneration and Economic Development Officer assisted with the consideration of this item. The following summarises the discussion:

- i. Councillors felt that the work outlined in the report was positive and necessary.
- ii. The consultation undertaken had yielded 294 responses which was considered good given the current circumstances, which had meant that physical exhibitions and drop-in sessions to consult the community were not possible. Similar consultations outside of the Covid-19 pandemic had not received this number of responses.
- iii. Consultation responses had largely been collected through an online survey, which would not be accessible to some members of the community. In order to assist those without access to digital formats, the Council publicised the consultation by erecting information boards and information posters in Shepshed Town Centre and undertaking press releases, radio interviews, contacting businesses one to one and providing a postal address for responses.

RESOLVED that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Planning and Regeneration.

Reason

The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.

80. BUILDING CONTROL ALTERNATIVE SERVICE DELIVERY PROJECT

A Cabinet report of the Head of Planning and Regeneration to seek Cabinet approval to accept the request from North West Leicestershire District Council to undertake its Building Control Service under delegated powers was considered for pre-decision scrutiny (item 10b on the agenda filed with these minutes).

The Deputy Leader, the Head of Planning and Regeneration and the Team Leader Building Control assisted with the consideration of this item. The following summarises the discussion:

- i. Members felt that the arrangement was positive and beneficial to the Council.

- ii. It was identified that the vacant posts available through the arrangement may be unattractive to the market, which would have implications on the workforce. In order to overcome this, the Council would consider the introduction of career grades and apprenticeship level posts. It was also highlighted that where public sector posts may not reflect the higher salaries and benefits of private sector posts, the Council was able to offer other benefits, including flexible working, a generous annual leave entitlement and pension scheme.
- iii. The Building Act 1984 required that the statutory fee earning account maintained on a cost neutral basis, taking one year to the next. The budget required monitoring and dynamic management each year to ensure it was in balance from one year to the next.

RESOLVED that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Planning and Regeneration.

Reason

The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.

81. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to the recommendations of the Commission on pre-decision scrutiny items (item 11 on the agenda filed with these minutes).

RESOLVED that the Cabinet's responses to the Commission's recommendations be noted.

Reason

The Commission was satisfied that it added value where appropriate and welcomed the Cabinet's consideration of the Commission's views and recommendations as part of its decision making process.

82. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support to enable the Commission to review items from the paused Scrutiny Work Programme. This includes items for discussion highlighted by members of the Directorate-based Scrutiny Committees.

The Head of Strategic Support assisted with the consideration of this item.

The Commission did not identify any items from Directorate-based Scrutiny Committee Work Programmes to be added to the Scrutiny Commission Work Programme.

RESOLVED

1. That the Commission reviewed the Scrutiny Committee Work Programmes.
2. That the Commission reviewed the items previously selected from Scrutiny Committee Work Programmes.

Reasons

1&2. To ensure timely and effective scrutiny of the matter/subject.

83. FIVE YEAR HOUSING LAND SUPPLY UPDATE

A report of the Head of Planning and Regeneration to provide an update on the Council's housing land supply to enable Scrutiny Commission to determine whether further scrutiny is required was selected from the Housing, Planning, Regeneration and Regulatory Services Scrutiny Committee Work Programme (item 12a on the agenda filed with these minutes).

The Head of Planning and Regeneration and the Strategic Director for Community, Planning and Housing assisted with the consideration of this item. The following summarises the discussion:

- i. Since the 9th November 2020, the Council had been unable to demonstrate a five-year housing land supply. This meant that in accordance with paragraph 11 of the NPPF, permission should be granted for residential development unless this was in protected areas, or the adverse impact of doing so would significant and demonstrably outweigh the benefits when assessed against the policies of the NPPF. Where there was an up to date Neighbourhood Plan less than two years old, and this contained policies and allocations to meet its identified housing requirement, and the Council could demonstrate a three-year housing land supply, the adverse impacts of allowing development that conflicted with the Neighbourhood Plan was likely to significantly and demonstrably outweigh the benefits. Members acknowledged that it would be beneficial for Parish Councils that had formulated a Neighbourhood Plan to be briefed on the implications of the housing supply for their areas.
- ii. The Council did not control the supply of land for development and the development agenda but had granted permission in excess of the five-year supply number, although not all of these developments have been delivered. In addition, the Council was not able to control changes in Government policies relating to housing land supply, such as the recent alterations in calculations for housing need. It was acknowledged that previous periods where there had been shortfalls in housing land supply had resulted in development in areas which were not preferable. The Council was continuing to press for development associated with the Local Plan and meetings had taken place with developers.

- iii. The Development of a Local Plan involved significant time and effort and during the life span of the document, there would be inevitable policy and legislative changes affecting the plan.
- iv. Any development produced as a consequence of the introduction of the new five-year supply figure would be included within the overall tally of housing to be deducted from the target figure.
- v. The Covid-19 pandemic had had a significant impact on the consultancies involved in the Local Plan process and also the development industry as staff had been furloughed and projects were paused.

RESOLVED

1. That the Commission noted the report.
2. That it be recommended to Cabinet that the Parish Councils which have adopted Neighbourhood Plans are informed of the implications of the five-year housing land supply update in relation to potential development applications in their areas.

Reasons

1. To ensure that, when necessary, the housing supply figures are scrutinised on a regular basis and any actions can be identified if required, in the absence of Directorate-based Scrutiny Committees.
2. To ensure that Parish Councils were kept informed of the implications of the housing land supply on existing Neighbourhood Plans.

84. REVIEW OF THE COMMUNITY SAFETY PARTNERSHIP

This item was discussed after item 5 on the agenda.

85. SCRUTINY COMMISSION WORK PROGRAMME

A report of the Head of Strategic Support to enable the Commission to review its own work programme, including considering the list of forthcoming Executive Key Decisions in order to schedule items for pre-decision scrutiny (item 13 on the agenda filed with these minutes).

The Head of Strategic Support assisted with the consideration of this item. The following changes were made to the Work Programme;

- i. The Bedford Square Gateway Project would be considered by Cabinet at its meeting on 10th December 2020 and therefore would be discussed at the Scrutiny Commission's next meeting, scheduled for 7th December 2020.

- ii. The additional meeting of the Scrutiny Commission scheduled for 4th January 2021 as agreed at the last meeting to conduct pre-decision scrutiny of the Charnwood Local Plan Pre-submission Consultation Submission would be rescheduled for March 2021, as the corresponding Cabinet meeting to consider the item would be moved to March 2021.

RESOLVED

1. That forthcoming Executive Key Decisions or decisions to be taken in private by the Executive, set out in Appendix 2 to the report, and scheduled scrutiny of those matters, be noted.
2. That the Commission's current work programme be noted.
3. That the work programme be updated in accordance with the items highlighted.

Reasons

- 1&3. To ensure effective and timely scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.
2. To ensure effective and timely scrutiny.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 18th January 2021 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 Commission.