

**SCRUTINY COMMISSION
10TH FEBRUARY 2020**

PRESENT: The Chair (Councillor Rattray)
The Vice Chair (Councillor Draycott)
Councillors Bailey, Baines, Bolton, Hadji-Nikolaou
and Parsons

Head of Strategic Support
Head of Planning and Regeneration
Plans, Policies and Place-Making Group Leader
Democratic Services Officer (SW)

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.

97. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Commission held on 13th January 2020 were approved.

98. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

99. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

100. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

101. DRAFT LOCAL PLAN CONSULTATION

Councillor Baines arrived at the meeting at 6:03pm.

A report of the Head of Planning and Regeneration was considered to provide an overview of the recent consultation on the Draft Charnwood Local Plan, outlining the process of consultation, a summary of the consultation responses and an explanation of how the responses received would be used to prepare the Local Plan for Submission on the Secretary of State for Examination (item 6 on the agenda filed with these minutes).

The Leader of the Council, the Head of Planning and Regeneration and the Group Leader for Plans, Policies and Place-Making attended the meeting to assist with the consideration of this item and gave the following responses:

- i. The consultation in December 2019 was not statutory and was a stage that the Council had chosen to undertake. Responses were still being received and these were being accepted as the consultation was informal.
- ii. The general level of response and the variety received were considered to be good in comparison to other Local Plan consultations held by the Council at equivalent stages. The Planning Service was satisfied that it had sufficiently engaged residents, communities and local organisations.
- iii. There had been six landowners that had indicated they were not willing to develop their sites. The Council was using the Land Registry and existing networks to make contact with 12 landowners that had not responded. Contact would be required by the end of February 2020 in order to overcome the issues, but it was acknowledged that adaptations were possible.
- iv. Potential issues with infrastructure was a recurrent theme and there was ongoing engagement with stakeholders such as schools, Clinical Commissioning Groups, County Highways, Western Power, Severn Trent, Natural England, Parish Councils and residents' groups to ensure sites were deliverable. In the event that infrastructure requirements could not be met, there was potential to adapt the scale of a development to reflect this or to consider alternatives.
- v. There was liaison with neighbouring Councils to ensure Local Plans were cross referenced and consistent as these would impact on one another.
- vi. The next stage in preparing the plan involved a Statutory Consultation, which was separate from that undertaken in December 2019. This would be bound by regulation and the results reviewed by an Inspector. There would be an opportunity for respondents to communicate with the Inspector at a formal hearing which could involve residents or interest groups influencing the Local Plan. The Local Development Scheme, detailing the Local Plan preparation programme, would be considered by Cabinet at its meeting on 12 March 2020.
- vii. There had been issues regarding the operation of the Draft Local Plan exhibition in Shepshed. Some residents were unable to access the exhibition and materials on display due to the layout of the rooms and the pedestrian congestion created. The Planning Service would consider ways to maximise access and the communication of information to residents at future consultation exhibitions.
- viii. The analysis would lead to the development of actions based on responses received. The Planning Service would note challenges and identify any opportunities that had previously been missed and reassess plans as appropriate and necessary. It was emphasised that at this stage the Draft Local Plan remained flexible.

- ix. It was suggested by residents that the Council needed to be more ambitious in terms of sustainable development, including climate change, transport, design, health and provision of green spaces. There were limitations due to affordability, availability of space and infrastructure. However, these aspects could be reassessed as it was recognised that there had been significant changes in attitudes towards climate change nationally and locally since the previous Core Strategy and so there was potential for further progress in this area.
- x. Responses for the informal consultation in December 2019 would be entirely separate from future Statutory consultation. Comments would not be considered unless they had been submitted specifically to the Statutory consultation and this would be explicitly communicated. This was due to the specific requirements of the legislation.
- xi. The extent to which the consultation had been successful was based upon the response rate, the type of response and the nature of the proposals subject to consultation. As 65% of responses had been received by members of the public, it was considered the consultation had been effective in eliciting views from people that would not normally be involved in the process. It was difficult to obtain a Borough-wide response as the Draft Local Plan would impact upon residents to a greater or lesser degree depending on the development strategy and proposals contained in the plan.
- xii. The Customer Satisfaction survey was distributed at roadshow events only. There was a suggestion that commissioning a market research company to measure customer satisfaction during the next consultation stage could be advantageous.

RESOLVED

1. That the Commission considered the approach to consultation on the Draft Charnwood Local Plan and received a summary of representation made.
2. That Officers within the Planning Service consider the use of a market research organisation to undertake customer satisfaction surveys on behalf of the Council, following the Statutory consultation. Officers should research other services that may have employed this method.

Reasons

1. To scrutinise the effectiveness of the consultation on the Draft Charnwood Local Plan.
2. To ensure the Council receives an accurate and unbiased response regarding the satisfaction of Local Plan consultations in order to establish best practice.

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

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

103. CABINET ITEMS FOR PRE-DECISION SCRUTINY

a) INSURANCE ARRANGEMENTS

The report of the Head of Strategic Support to consider joining the Local Government Mutual as an alternative to traditional insurance was no longer to be considered at the Cabinet meeting on 13th February 2020 and therefore was not considered for pre-decision scrutiny.

104. 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 9 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.

105. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support was considered to review progress with Scrutiny Panels and update on the detail of the Scoping Document for the 'Parking Enforcement and Enhancement' Panel, following amendments recommended at the last meeting of the Commission on 13th January 2020 (item 10 on the agenda filed with these minutes).

The Head of Strategic Support assisted with the consideration of this item. The following summarises the discussion:

- i. Councillor Howe, Chair of the 'Parking Enforcement and Enhancement' informal scrutiny panel had met with the Head of Regulatory Services and the Democratic Services Manager. At that meeting, discussion focussed on the issues raised within the scoping document following the request for research into the legality, finance and resourcing implications, and the process of transferring powers in respect of parking enforcement from the County Council. It was established that there was no current legislation in place for Charnwood Borough Council to take on the powers relating to parking enforcement. The only power the Council has relates to its own car parks.
- ii. It was also established that a Parliamentary Select Committee was looking into this matter and that the Devolution Bill currently processing through Parliament

may impact upon the powers devolve from top tier Councils, such as Leicestershire County Council.

- iii. The Commission felt there was real value in retaining the 'Parking Enforcement and Enhancement' scrutiny panel, as this was a substantial concern of residents across the Borough and the devolution of powers aspect was only considered to be one area of potential research.
- iv. The 'Waste Services and Waste Management' scrutiny panel was progressing, and Councillor Rattray as Chair had identified some beneficial resources having made contact with Officers at North West Leicestershire District Council regarding a waste trial, as suggested by the Commission at its meeting on 9th December 2019.
- v. Councillor Parsons as Chair of the 'Digitisation and Transformation of Services' scrutiny panel was due to meet with Officers on the 25th February 2020 in order to discuss the scope of the panel.
- vi. Councillor Miah as Chair of the 'Funding for Small Businesses' scrutiny panel had been consulted on the initial concept of the panel. It was not likely that the scoping document would be complete in March 2020 as previously anticipated. The Commission was satisfied that the panel could be delayed.

RESOLVED

1. That the Commission requests the scoping document for the 'Parking Enforcement and Enhancement' scrutiny panel be redrafted to focus on other areas of research outside of the devolution of powers from Leicestershire County Council.
2. That Councillor Baines meet with the Head of Regulatory Services in order to gain information on the legality, finance and resourcing implications, and the process of transferring of powers, in relation to parking enforcement and enhancement. This information should be communicated at the next meeting of the Scrutiny Commission.
3. That the following changes be made to the scrutiny panels:
 - Funding for Small Businesses (informal), which was due to start in February 2020, be deferred to April 2020.

Reasons

1. To ensure the concerns of local residents are considered effectively.

1- 3. To ensure timely and effective scrutiny.

106. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support was considered to agree the Scrutiny Work Programme for the committees including any amendments to the current work programme (item 11 on the agenda filed with these minutes).

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

Councillor Parsons expressed dissatisfaction with the work programme of the Corporate Services Scrutiny Committee, for which he was Chair. He stated he felt meetings were too infrequent to allow Members of the Committee to effectively scrutinise key documents, such as the Corporate Delivery Plan 2020/21 in good time.

The Head of Strategic Support advised that the Chair could request additional meetings of the Committee, although there was limited resources to support a regular increase in the frequency of meetings.

RESOLVED that following the review of the Scrutiny Work Programme set out in the appendix to the report, the scheduled scrutiny of those matters, be noted.

Reason

To ensure timely and effective scrutiny.

107. SCRUTINY COMMISSION WORK PROGRAMME

A report of the Head of Strategic Support was considered, to enable the Commission to consider its work programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny (item 12 on the agenda filed with these minutes).

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 and updated following this meeting, in accordance with the decisions taken during consideration of this item and at this meeting and any items of pre-decision scrutiny that require changing due to their reprogramming by the Cabinet. The Commission made the following changes to its Work Programme:
 - The deferred pre-decision scrutiny item, 'Insurance Arrangements', should be added to the work programme for pre-decision scrutiny at the Commission's meeting on 9th March 2020.
 - The 'Air Quality and Assessment Report 2019' item was moved from the Commission's meeting on 9th March 2020 to the meeting on 6th April 2020 as it was recognised that the agenda for the meeting of the Commission on 9th March 2020 was substantial and this item was not time critical.

Reasons

1. To ensure timely and effective scrutiny.
2. 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.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 24th February 2020 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.