

**SCRUTINY COMMISSION
13TH JANUARY 2020**

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

Chief Executive
Strategic Director of Housing, Planning,
Regeneration and Regulatory Services
Head of Neighbourhood Services
Head of Planning and Regeneration
Neighbourhoods and Partnerships Manager
Team Leader Natural & Built Environment
Improvement and Organisational Development
Manager
Head of Strategic Support
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.

85. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Commission held on 9th December 2019 were approved.

86. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

87. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

88. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

89. 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.

90. AGENDA VARIANCE

RESOLVED that item 7d be considered in place of 7a and that 7a be considered in place of 7d.

Reason

To allow Officers and the Lead Cabinet Member for Communities, Safety and Wellbeing to leave the meeting following the consideration of the Charnwood Grants Strategic Partners 2020/21 – 2021/22 item in order to continue other business.

91. CABINET ITEMS FOR PRE-DECISION SCRUTINY

a) CORPORATE PLAN 2020-2024

A Cabinet report of the Chief Executive to present the final version of the Corporate Plan for 2020 – 2024, was considered for pre-decision scrutiny (item 7a on the agenda filed with these minutes).

The Chief Executive and the Improvement and Organisational Development Manager attended the meeting to assist with the consideration of this item and gave the following responses to questions raised:

- i. The Corporate Plan was an overarching document that referred to the whole Council and Borough. There was a desire that all residents resonated with the Corporate Plan and to enable this there was an acknowledgement that some areas within the Borough may require a higher concentration of resources than other areas.
- ii. The Business Plan 2020/21, which would be reviewed by Cabinet at its meeting on 12th March 2020, contained more detailed information on strategic priorities. The current set of draft documents were a suite which collectively contained detail on the organisation and its objectives.
- iii. Once approved, the Corporate Plan 2020-2024 would be communicated to the public through social media channels, Charnwood News and the Council's website. Councillors that were active on social media could also be encouraged to support the promotion of the Corporate Plan.
- iv. There was recognition that towns and villages within the Borough should be involved in the work of the Corporate Plan. The potential for a Towns Deal could provide funding for the development of Loughborough, although other areas within the Borough would also need investment.

RESOLVED that the Cabinet be informed that the Commission supports the recommendations set out in the report of the Chief Executive.

Reason

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

b) PRIVATE SECTOR LICENSING SCHEME

A Cabinet report of the Head of Strategic and Private Sector Housing to consider proposals for Private Sector Licensing and the resources required to complete a public consultation exercise was considered for pre-decision scrutiny (item 7b on the agenda filed with these minutes).

The Lead Member for Housing, the Lead Member for Regulatory Services, Enforcement and Licensing and the Strategic Director for Housing, Planning and Regeneration and Regulatory Services attended the meeting to assist with the consideration of this item and gave the following responses to questions raised:

- i. The significance of the areas covered for selective licensing was based upon specific areas of need, as opposed to ward boundaries.
- ii. There were two high risks identified associated with the scheme. These referred to the likelihood of Landlords legally challenging the decision making process to implement the scheme, and the concern over the Council resourcing the scheme. The vast majority of issues experienced by other local authorities employing a similar scheme had been in relation to the consultation processes used. The Council had placed significant emphasis on ensuring the scheme and process were suitable and could identify best practice from reviewing the work of the other local authorities engaged in a similar scheme.
- iii. The licencing fee was derived from the estimated cost of the initial inspection and administration required. The process was considered to be sufficient at the current stage and further work would be undertaken to develop the next stages. There would be scope to evolve the scheme if evidence suggested this was appropriate.
- iv. The consultation process was expected to highlight aspects that may have been overlooked, general opinions and any discontent.
- v. Any issues related to resourcing implications would need to be addressed as the scheme was required to be financially viable, commercially sensible and effective. More detailed information on this would be available in the next report which would be reviewed by Cabinet at its meeting on 2nd July 2020.
- vi. Information on the escalation process for non-compliance was not available at the meeting. The Council worked positively to gain compliance when this was required and there was also a corporate enforcement policy in place. Compliance enforcement was crucial in ensuring the scheme worked effectively.
- vii. The requirements of the legislation meant that significant detail had been included within the scheme, detailing a range of potential issues. The information available to the Council was evidence to support the implementation of the scheme.

- viii. Any Landlords that chose to exit the scheme would be subject to the usual enforcement actions that might apply at any time. Intelligence information would be gathered from a range of sources to support enforcement actions.

RESOLVED

1. That the Cabinet be informed that the Commission welcomes and supports the recommendations set out in the report of the Head of Strategic and Private Sector Housing. The Commission also stated that they recognised the substantial work that had enabled the scheme to be progressed to the current stage.
2. The Housing, Planning and Regeneration and Regulatory Services Scrutiny Committee should review the Private Sector Licencing Scheme Update report, due to go to Cabinet at its meeting on 2nd July 2020. If timings do not permit due to the schedule of meetings then the Scrutiny Commission will instead review the report.

Reason

1. The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.
2. To ensure the suitable time and attention is given to the development of the scheme and to ensure effective scrutiny.

c) DESIGN SUPPLEMENTARY PLANNING DOCUMENT

A Cabinet report of the Head of Planning and Regeneration to seek approval for the adoption of the Design Supplementary Planning Document (SPD) was considered for pre-decision scrutiny (item 7c on the agenda filed with these minutes).

The Head of Planning and Regeneration and the Team Leader for the Natural and Built Environment attended the meeting to assist with the consideration of this item and gave the following responses to questions raised:

- i. The SPD provided guidance to support applicants to prepare suitable planning applications. The Council encouraged innovative design and the SPD was not intended to be prescriptive on what development looked like. It was important that schemes reflected the character of the location.
- ii. The SPD was aimed at smaller developers and householders. The Council worked closely with larger developers to establish the design and layout of larger schemes, often before the scheme was submitted as a planning application. In the event of a difference in opinion, an independent design review was employed.
- iii. The SPD could not include a standard for tree planting as this would be beyond remit. It did include advice on tree planting and the benefits of trees in

development schemes. The new Local Plan would consider how the Council's ambitions to address climate change related to tree planting.

- iv. Neighbourhood Plans often referenced design in their own policies. There was a need to ensure that these policies were consistently reflected in other documents, including the Design SPD.

RESOLVED that the Cabinet be informed that the Commission supports the recommendation 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.

d) CHARNWOOD GRANTS STRATEGIC PARTNERS 2020/21 - 2021/22

A Cabinet report of the Head of Neighbourhood Services to put forward proposals for the Strategic Partner Grant Scheme funding for 2020/21 and 2021/22 was considered for pre-decision scrutiny (item 7d on the agenda filed with these minutes).

The Lead Member for Communities, Safety and Wellbeing, the Head of Neighbourhood Services and the Neighbourhoods and Partnerships Manager attended the meeting to assist with the consideration of this item and gave the following responses:

- i. There would be no reductions in funding from Strategic Partners that had resubmitted a bid for the year 2020/21 – 2021/22.
- ii. The Council actively investigated new potential partners on a regular basis. Organisations that were not eligible to apply for the Charnwood Grants Strategic Partners scheme would be signposted towards other available funding and grants that would be more appropriate.
- iii. Strategic Partners were encouraged to work towards financial self-sufficiency and the Council provided support to facilitate this.

RESOLVED that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Neighbourhood Services.

Reason

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

92. 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 8 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.

93. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support was received to review progress with scrutiny panels and to approve the content of the scoping document for the 'Parking Enforcement and Enhancement' panel (item 9 on the agenda filed with these minutes).

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

The feasibility of the 'Parking Enforcement and Enhancement' Scrutiny Panel was reconsidered as there was potential for delegated authority from the Police and Leicestershire County Council to be approved in the coming months as national legislation was due to be reviewed. The Commission was unsure of the progress of this legislation.

RESOLVED

1. That the Commission requests amendments to the content of the scoping document for the 'Parking Enforcement and Enhancement' panel as set out in appendix 2 as follows, and for the scoping document to return to the Scrutiny Commission at its meeting on 10th February 2020;
 - In the section titled 'what will be included?' to include 'legality, finance and resourcing implications, and the process of transferring of powers'.
2. That the following changes be made to the scrutiny panels:
 - Waste Services and Waste Management (informal), which was due to end in Winter 2019, to be extended for completion in Spring 2020.

Reasons

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

94. BUDGET SCRUTINY PANEL

A report of the Budget Scrutiny Panel to consider recommendations and observations of the panel was submitted (item 10 on the agenda filed with these minutes).

The Chair of the Budget Scrutiny Panel was in attendance and assisted with the consideration of the item. The following summarises the discussion:

The Budget Scrutiny panel had reviewed the recommendations of the previous year's panel and maintained the process of budgeting underspend and finding savings where available. There was less scope for underspend anticipated in future budgets, but conscious savings were potentially achievable.

RESOLVED

1. That the Budget Scrutiny Panel report be submitted to Cabinet at its meeting on 13th February 2020.
2. The Corporate Services Scrutiny Committee review the Budget Scrutiny Panel report, submitted to the Scrutiny Commission for its meeting on 13th January 2020 on a quarterly basis, to commence at its September 2020 meeting.

Reasons

1. The Commission, having carefully considered the report felt the Cabinet should receive the report of the Budget Scrutiny Panel.
2. To ensure the recommendations within the report are being delivered against the required targets.

95. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support was considered enabling the Commission to review and agree the scrutiny work programme (item 11 on the agenda filed with these minutes).

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

RESOLVED

1. 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.
2. That the Commission agreed the Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item as follows:
 - The Housing, Planning and Regeneration and Regulatory Services Scrutiny Committee should review the Private Sector Licencing Scheme Update report, due to go to Cabinet at its meeting on 2nd July 2020. If timings do not permit due to the schedule of meetings then the Scrutiny Commission will instead review the report.
 - The Corporate Services Scrutiny Committee should review the Budget Scrutiny Panel report, submitted to the Scrutiny Commission for its

meeting on 13th January 2020 on a quarterly basis, to commence at its September 2020 meeting.

Reasons

1&2 To ensure timely and effective scrutiny.

2. To ensure the information contained within the Scrutiny Work Programme is up to date and

96. 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).

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

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 Scrutiny Tracker will be reviewed by the Commission on a quarterly basis, commencing at its meeting on 6th April 2020.

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 20th January 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.