

**SCRUTINY COMMISSION  
9TH MARCH 2020**

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

Councillor Harper-Davies (Cabinet Lead Member  
for Performance of Major Contracts)

Chief Executive  
Strategic Director of Corporate Services  
Head of Landlord Services  
Improvement and Organisational Development  
Manager  
Corporate Improvement and Policy Officer  
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.

108. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Commission held on 10th February 2020 were approved.

109. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

110. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

111. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

112. 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.

113. CABINET ITEMS FOR PRE-DECISION SCRUTINY

a) CORPORATE DELIVERY PLAN 2020/21

Councillor Baines arrived at the meeting at 6:04pm.

Councillor Hadji-Nikolaou arrived at the meeting at 6:10pm.

A Cabinet report of the Chief Executive to propose the Council's Corporate Delivery Plan for 2020-21 was considered for pre-decision scrutiny (item 7a on the agenda filed with these minutes).

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

- i. Within the Strategic Direction document it was suggested that wording under 'Financial Stability' was to be extended to reflect that the Council aimed to reduce reliance on financial reserves to fund services in the short term, with a vision to replenish these reserves in the medium to longer term. Local Government funding would determine the rate at which replenishing financial reserves would be achievable.
- ii. The Council's aim to plant 30,000 trees across the Borough by March 2021 was not subject to Lottery funding, as suggested in the appendix to the report of the Chief Executive. This was an error and the document would be amended.
- iii. Enquiries were made regarding the net loss or net gain following the fulfilment of the Council's aim of planting 30,000 trees by March 2021, given recent tree-felling operations. This information could be accessed and circulated to Members of the Commission, and where appropriate included with quarterly performance reporting for transparency. Accessing the number of trees lost through third party clearance could be challenging.
- iv. The temporary Regulation 7 Order which referred to the removal of lettings boards on residential accommodation in Loughborough was due to the proliferation and the extensive time taken to remove the boards following a lettings agreement. The order improved the character of the residential area and reduced adverse impacts on visual amenity.
- v. There was currently only one aim which referred to waste and recycling as the Plan was focussed on one year. Additional objectives would be detailed in the Service and team plans of the Cleansing and Open Spaces department of the Council.
- vi. The Council recognised the significance of the Air Quality Review and the legislative requirements associated with this. The consideration of a 'Charnwood Standard' in air quality in the future would be put forward for subsequent years.
- vii. Fly-tipping was a national issue and the impact of introducing a bulky waste charge was difficult to measure. There had not been an additional cost to the

- Council in introducing mobile CCTV units in fly-tipping 'hot spot' areas, as these cameras were already in use.
- viii. Success criteria regarding the reduction of crime and creating safer communities included delivering events and crime prevention campaigns.
  - ix. The location of planned physical activities to support the Council's 'Healthy and Happy Residents' outcome was evidence-based and mapped for maximum impact.
  - x. The target of 50 empty homes brought back into use as a result of action by the Council were additional to the 50 empty homes that had been quoted in the previous Business Plan 2019-20. This was an ambitious target as properties required differing resources.
  - xi. Increasing the reporting of anti-social behaviour was included in one of the campaigns outlined in the Healthy Communities section of the Corporate Delivery Plan.
  - xii. The Quest accreditation awarded to Leisure Contractors included a variety of aspects such as customer service and facilities. The accreditation followed an intensive and stringent process. A query was raised regarding the inclusion of Quest accreditation in the contract with the provider.
  - xiii. Violence reduction initiatives were led by the Charnwood Community Safety Partnership. The Council worked with a number of partners in order to support projects and maximise impact.
  - xiv. It was acknowledged that some of the 'measurable success criteria' referred to the success of the process, as opposed to success of the impact created. The current Corporate Delivery Plan 2020 - 2021 was concerned with year one of the Corporate Strategy. There was further opportunity to develop measurable success criteria for subsequent years of the strategy.
  - xv. The Council was involved in the Leicester, Leicestershire and Rutland Prepared group in order to overcome any potential resilience and civil contingency issues. Central Government were leading on current threats and the role of the Council as a facilitator or enabler was to be determined in the coming days. The current situation involving Corona Virus was dynamic but the Council was preparing for various scenarios.
  - xvi. There had recently been a number of market days cancelled due to poor weather conditions. There was a possibility to explore options to overcome this in future, such as alternative covered venues and pop-up markets in other locations.
  - xvii. There was potential for the Corporate Delivery Plan 2020- 2021 to be developed in order to incorporate public realm improvements of villages within the Borough, as well as the Towns referred to in the appendix to the report of

- the Chief Executive. This was unlikely to be included in year one of the plan but could be a prospective aim.
- xviii. A proportion of the Towns Deal funding that the Council was working towards could be used towards improvements to Bedford Square, Wards End and Devonshire Square. This was within the remit of the funding.
  - xix. The Council aimed to enhance and continue to develop the Trade Waste Expansion Project. Opportunities for expanding this service would be carefully considered.
  - xx. The Treasury Management Strategy was an obligatory requirement of the Council. Therefore, it was acknowledged that the development of this could be removed from the Corporate Delivery Plan 2020 – 2021 as an action.
  - xxi. The reason for the Key Indicator references KI13, KI14 and KI15 (timescales of planning applications determined) being reviewed annually was due to a historic request from Members. It was acknowledged that reporting of the measures was included within all quarterly reports, and therefore could be displayed as a quarterly, rather than an annual indicator, in the Corporate Delivery Plan 2020-21.
  - xxii. The Council had not met the stretch target for the Key Indicator reference KI4 (a) regarding the percentage of household waste sent for reuse, recycling and composting. The stretch target was 50%, although the Council was achieving 44%. This was due to the current delivery of the service and was difficult to achieve.

## **RESOLVED**

1. That the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Chief Executive.
2. That the Strategic Direction Document 2020 – 24, appended to the report of the Chief Executive, be amended to indicate that the Council would aim to replenish financial reserves in the medium to long term.
3. That the Corporate Delivery Plan 2020-2021 be amended to reflect that the Council's tree-planting aims were not subject to Lottery funding and this wording instead be included to the measurable success criteria regarding the Charnwood Forest Landscape Partnership Scheme.
4. That information on the net loss or the net gain of trees in the Borough following the fulfilment of the Council's aim to plant 30,000 trees by March 2021 be circulated to Members and where appropriate included in the quarterly performance reporting for transparency.
5. That guidance on air quality standards and air pollutants be provided to Members at the next meeting of the Commission.

6. That information on the attendance at crime reduction events be communicated to Members and where appropriate included with quarterly performance reporting for transparency.
7. That future Delivery Plans more robustly indicate success measures based upon the impact created.
8. That the Head of Leisure and Culture explore alternative options for the Loughborough Market in adverse weather conditions and to increase the profile of the market.
9. That a prospective aim of incorporating public realm improvements to villages of the Borough, as well as Towns, be considered for subsequent years of the Corporate Delivery Plan.
10. That the Head of Cleansing and Open Spaces considered the use of dual services to include residential waste and trade waste in the Trade Waste Expansion Project.
11. That the Development of the Treasury Management Strategy as an action be removed.
12. That the Committee recommending annual reviews of KI13, KI14 and KI15 be identified and consulted on the decision and the KPIs in the Corporate Delivery Plan be changed from annually to quarterly.

### Reasons

1. The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.
2. To maintain aspiration and to ensure the Council's financial aims are appropriate.
3. To ensure the information in the Corporate Delivery Plan 2020 – 2021 was accurate.
4. To allow Members to better understand the impact of the Council's aim to plant 30,000 trees by March 2021 and to maintain transparency.
5. To allow Members to better understand the Council's Air Quality Review and the potential for air quality improvements.
6. To allow Members to better understand the impact of crime reduction events that the Council was involved in and to maintain transparency.
7. To ensure that the Council demonstrates success against the Corporate Strategy Outcomes.

8. To ensure the Loughborough Market is able to fulfil its maximum potential and to ensure resilience.
9. To ensure the villages within the Borough are able to fulfil their maximum potential and to encourage community development.
10. To potentially increase the attraction of potential customers to the scheme.
11. To ensure an understanding that the Treasury Management Strategy was an obligatory requirement of the Council.
12. To potentially increase the frequency of review of KI13, KI14 and KI15.

b) APPROACH TO COMMERCIALISATION

A Cabinet report of the Strategic Director of Corporate Services setting out the Council's approach to commercialisation was considered for pre-decision scrutiny (item 7b on the agenda filed with these minutes).

The Chair stated that she had consulted the Chief Executive and the Strategic Director of Corporate Services regarding commercialisation and the exemption to the scrutiny call-in procedure approved by Full Council and was comfortable with the approach.

The Chief Executive and the Strategic Director of Corporate Services attended the meeting to assist with the consideration of this item and gave the following responses to questions raised:

- i. The Government had reviewed Local Authority commercialisation and had concluded that it was broadly suitable. The scale of investments that the Council would undertake were not substantial in comparison to other Councils.
- ii. The Council acknowledged that the impact of commercialisation would potentially require an increase in Council resources. The employment of staff with the appropriate skillsets was important and the Council had robust plans in place to ensure resourcing requirements were met.
- iii. The measurement of success of the Council's Approach to Commercialisation would be based on the generation of income and the efficiency of the dedicated Directorate post in place. The Council would fund the Directorate role for one year from reserves and anticipated that following this, the post would be self-sufficient.
- iv. The resourcing costs associated with the acquisition of commercial property were known and capped, and would be agreed during the purchase process with the relevant providers.
- v. The process of acting within the commercial market required quick decision making. There would be opportunities for the scrutiny of decisions taken by the Council which were subject to the scrutiny call-in procedure exemption, and this

was common procedure in Local Government. This included scrutiny of the portfolio, recommendations on, and influencing future purchases, the balance of risk management and identifying best practise.

- vi. There would be further opportunities to develop the Council's commercialisation investments, although the acquisition of commercial properties was considered to be the most significant and potentially the most profitable. The success of the acquisition of commercial property programme would determine the level of investment in other commercial enterprises and the level of efficiency savings required.

**RESOLVED** that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Strategic Director of Corporate Services.

#### Reason

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

#### c) HOUSING CAPITAL PROGRAMME 2020-2021

A Cabinet report of the Head of Landlord Services to consider the Housing Capital Programme for 2020-21 was considered for pre-decision scrutiny (item 7c on the agenda filed with these minutes).

The Lead Member for Performance of Major Contracts and the Head of Landlord Services attended the meeting to assist with the consideration of this item and gave the following responses to questions raised:

- i. The Council held energy ratings of the current housing stock, including new properties and voids, and this could be used as a baseline to measure improvements. There was an overall standard which acquired properties were brought in line with, which reflected that of the existing council housing stock.
- ii. The performance of the main capital contractor was measured on satisfaction and time taken inside the property, amongst other aspects, and liquidated damages had been applied for where the time in property had been exceeded. Ultimately, the Council could decide not to place works with a contractor.

**RESOLVED** that the Cabinet be informed that the Commission supports the recommendation as set out in the report of the Head of Landlord Services.

#### Reason

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

#### 114. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET RESPONSE

There were no responses to report as there were no items considered for pre-decision scrutiny at the meeting of the Scrutiny Commission on 10th February 2020.

#### 115. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support was considered to review progress with scrutiny panels (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:

- i. The meeting between Councillor Baines and 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 had not taken place. It was anticipated that this meeting would take place before the next meeting of the Commission and that an update would be available at that time. Following this, Councillor Grimley, as Chair of the Housing, Planning, Regeneration and Regulatory Services Scrutiny Committee, would be approached with a view that he would become Chair the panel as this was within the Committee's remit.
- ii. There was a suggestion that when a scrutiny panel was suggested by a Member of the Commission, the relevant Lead Officer would be invited to attend the next meeting of the Commission in order to discuss the feasibility of the panel proposed. However, it was acknowledged that this could create a shift in responsibility of the panel in discussion, and that Councillors were obliged to undertake the work of the panel they were assigned.
- iii. There was a suggestion that Councillors involved in the scrutiny panel process could be reminded of the associated requirements.
- iv. There had been significant progress with the Waste Services and Waste Management Scrutiny Panel and Councillor Rattray, as Chair requested that this panel develop into a formal panel in order to allow further exploration of ideas.
- v. The Funding for Small Businesses Scrutiny Panel would be delegated to the Housing, Planning Regeneration and Regulatory Services Scrutiny Committee to develop a scoping document, at their meeting on 23rd June 2020 due to capacity issues. It was also requested that the panel be renamed 'Grant Funding for Small Businesses'.

#### **RESOLVED**

1. That the following changes be made to scrutiny panels:

- The Chair of the Parking Enforcement and Enhancement Scrutiny Panel would change to Councillor Grimley, as the Chair of the Housing, Planning, Regeneration and Regulatory Services Scrutiny Committee.

- The Waste Services and Waste Management Scrutiny Panel would be made into a formal panel, as opposed to an informal panel, which it had previously been operating as.
  - The Funding for Small Businesses Scrutiny Panel would be renamed 'Grant Funding for Small Businesses'.
  - The Grant Funding for Small Businesses Scrutiny Panel would be delegated to the Housing, Planning, Regeneration and Regulatory Services Scrutiny Committee to develop a scoping document.
2. That Councillors involved in the scrutiny panel process would be reminded of the associated requirements.

#### Reasons

1&2. To ensure timely and effective scrutiny.

2. To ensure Councillors are aware of their responsibilities in relation to undertaking scrutiny panel work.

#### 116. SCRUTINY WORK PROGRAMME

A report of the Head of Strategic Support enabling the Commission to review and agree the scrutiny work programme was considered (item 10 on the agenda filed with these minutes).

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

#### Reason

To ensure timely and effective scrutiny.

#### 117. SCRUTINY COMMISSION WORK PROGRAMME

A report of the Head of Strategic Support 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 was considered (item 11 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.

#### 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 27th April 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.