

**SCRUTINY COMMISSION
14TH SEPTEMBER 2020**

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

Councillors Harper-Davies (Cabinet Lead Member for Community Support and Equalities), Morgan (Leader of the Council) and Smidowicz (Cabinet Lead Member for Strategic Support)

Chief Executive
Strategic Director of Corporate Services
Head of Neighbourhood Services
Head of Regulatory Services
Neighbourhoods and Partnerships Manager
Information Technology Delivery Manager
Community Safety Manager
Corporate Health & Safety Officer
Information Development Manager
Democratic Services Officer (SW)

APOLOGIES: Councillor Ranson

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.

43. MINUTES OF THE PREVIOUS MEETING

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

44. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

45. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

46. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

47. RECOVERY CELL UPDATE

A report of the Strategic Director of Corporate Services to provide the Commission with more detail on the approach to organisational recovery was considered (item 6 on the agenda filed with these minutes).

The Strategic Director or Corporate Services attended the meeting, provided a presentation and assisted with the consideration of this item. The Leader of the Council, the Chief Executive, the Head of Regulatory Services and the Information Technology Delivery Manager also attended the meeting to assist with the consideration of this item. The following summarises the discussion:

- i. The Council had worked closely with the Local Resilience Forum (LRF) throughout the pandemic and had participated in multi-agency meetings at various levels, such as the Strategic Recovery Group, the Tactical Recovery Group and a number of recovery cells. There was also a Nominated Contact Officer whose role was to regularly liaise between the Council and the LRF. The pandemic was included within the LRF's risk register and so the Council was able to act quickly at the outbreak with support from the LRF.
- ii. The pandemic had enabled the Council to develop a more appropriate and agile work culture and the Leader acknowledged that all Officers across the Council had successfully adapted to new working practices and had embraced the challenge. He recognised and gave thanks to the Chief Executive, Directors and Officers at all levels for enabling the transition.
- iii. It was recognised that Display Screen Equipment (DSE) assessments were relatively easy to undertake in an office environment and were more difficult when colleagues were working from home. The Council had developed an interim solution at the start of the pandemic, which included a training module on self-assessment. A more comprehensive risk assessment had been developed following the extension in home working. This referred to working environments, work equipment, the organisation of work and the physical and mental wellbeing of staff, amongst other things. Members of staff were provided with training materials, demonstration videos and guidance documents. There had been consultation with Trade Unions and employees regarding the process of developing a long-term health and safety solution and it was acknowledged that policies and procedures developed change as working practices develop. There was confidence in the approach and Members were assured that all issues were being considered carefully and that all actions were being closed.
- iv. It was recognised that some members of staff preferred to work in an office environment, and some were not able to work from home. The agile working policy would refer to this and would give staff more choice in their working environments, providing this reflected the business needs of the relevant service within the Council. The preferred working practice of the Council was that staff that were able to should continue to work from home at present. The Council was monitoring infection rates in the community closely and ensuring appropriate controls were in place to help prevent infection in offices and this enabled some staff to work in the office environment if there was a requirement.

- v. The Council was conscious of the potential implications of home working on the mental and physical wellbeing of staff and had taken action to prevent negative impacts. In addition, the Council would continue to consider this and would develop further solutions.

RESOLVED that the Commission noted the report.

Reason

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

Alan Twells and Aymen Khan left the meeting at approximately 6:50pm.

48. AUDIT COMMITTEE UPDATE

A report of the Head of Strategic Support to update the Commission on developments in the relationship between the Scrutiny Commission and the Audit Committee following advice from the Centre for Public Scrutiny during the Covid-19 pandemic was considered (item 7 on the agenda filed with these minutes).

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

RESOLVED that the report be noted and that Bev Angell, the Chair of Audit Committee, be a co-opted member of the Budget Scrutiny Panel.

Reason

To ensure the relationship between the Council's audit and financial scrutiny functions was maintained.

49. 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.

Councillor Morgan and Rob Mitchell left the meeting at approximately 7pm.

50. CABINET ITEMS FOR PRE-DECISION SCRUTINY

The following items were identified for pre-decision scrutiny from the Cabinet agenda for 17th September 2020.

51. ANNUAL HEALTH AND SAFETY REPORT 2019-20

Councillor Parton joined the meeting at 7:06pm.

Councillor Bolton experienced connectivity issues during the consideration of this item.

A Cabinet report of the Head of Strategic Support to inform Cabinet and provide a public record of the Council's health and safety performance was considered for pre-decision scrutiny (item 9a on the agenda filed with these minutes).

The Lead Member for Strategic Support, the Head of Strategic Support and the Health and Safety Officer assisted with the consideration of this item. The following summarises the discussion:

- i. The data presented on incidents of injury were wide ranging and did not result in serious impact to Officers. Officers were provided with appropriate training, tools and PPE to reflect their role to reduce the risk of injury.
- ii. It was noted that the perceived reduction in accidents and incidents over the past year could in part be due to a vast increase in Officers working from home and some services operating at a reduced capacity due to the Covid-19 pandemic.
- iii. Officers working from home had continued to report accidents and injury and each case was assessed individually. If the role undertaken by an Officer required a specific work act, and this was related to the accident or injury sustained, then it would be recorded as a work-related accident or injury. It was highlighted that Officers working from home were encouraged to continue to report any accidents or injuries and that the respective Manager was also kept informed.
- iv. One recorded accident or injury was anticipated to result in an insurance claim against the Council, although the progress of this claim was unknown at the time of the meeting.
- v. Officers working from home were encouraged to check and verify their home insurance policy as part of the comprehensive home working assessment, and subsequently disclose their working practices and environment to their insurance company where applicable.
- vi. It was acknowledged that health and safety practices were appropriately adapting to accommodate for new working arrangements.

RESOLVED that the Cabinet be informed that the Commission supports the recommendation as set out in the report of the Head of Strategic Support.

Reason

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

52. CHARNWOOD COMMUNITY LOTTERY REVIEW

Anthony O'Brien left the meeting at approximately 7:20pm.

Verity Graham experienced connectivity issues during the consideration of this item.

A Cabinet report of the Head of Neighbourhood Services to review the Charnwood Community Lottery scheme 18 months after the first lottery draw in line with the original Cabinet report recommendations was considered for pre-decision scrutiny (item 9b on the agenda filed with these minutes).

The Lead Member for Community Support and Equalities, the Head of Neighbourhood Services and the Neighbourhoods and Partnerships Manager assisted with the consideration of this item. The following summarises the discussion:

- i. The Community Lottery was promoted by Officers at local events and on market days in Loughborough Town Centre.
- ii. The Community Lottery scheme had maintained its support throughout the Covid-19 pandemic, despite an anticipated decrease. It was considered that without the pandemic, support for the lottery may have increased.
- iii. Officer time was not specifically allocated to the promotion of the Charnwood Lottery, but was part of all roles within the team. Promotional activities involved Officers discussing the scheme with members of the public and community organisations where possible and regular promotion through the internal Communications team at the Council. Therefore, it was difficult to identify a specific financial cost to the Council.
- iv. There was a suggestion that the lottery be promoted wider and that an increase in communications were targeted at players in order to increase understanding of the process and the way in which the money raised was utilised by the organisations that benefitted. It was highlighted that the individual organisations involved in the scheme were responsible for their own promotional activities and that this varied. The Council regularly liaised with organisations involved to encourage an increase in their communications and marketing to customers and would continue to do so. Training had been organised by the Council in order to further facilitate this, although this did not occur due to the Covid-19 pandemic. The target of 1,000 ticket sales per year was encouraged by a strategy involving an enhanced communications plan which would begin in the coming weeks.
- v. It was suggested that the Council provided guidance and further information on the process of the scheme as it was acknowledged that some players were not fully aware of the positive impact that the lottery had on the community. There was extensive information available on the website and this would be highlighted to players.
- vi. The scheme did not involve intensive marketing towards existing, previous or potential supporters.

RESOLVED

1. that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Neighbourhood Services.
2. that the Head of Neighbourhood Services be asked to review the way the Council communicates to its Lottery supporters on its impact within the community.

Reasons

1. The Commission, having carefully considered the report, felt the Cabinet should approve the recommendations set out.
2. To ensure supporters of the Charnwood Community Lottery were knowledgeable and informed on the scheme and the positive impact which they were funding.

Verity Graham left the meeting at approximately 7:40pm.

53. PUBLIC SPACE PROTECTION ORDER (PSPO) LOUGHBOROUGH TOWN CENTRE

A Cabinet report of the Head of Neighbourhood Services seeking approval to extend the current Public Spaces Protection Order (PSPO) for Loughborough Town Centre for a further three year period was considered for pre-decision scrutiny (item 9c on the agenda filed with these minutes).

The Lead Member for Community Support and Equalities, the Head of Neighbourhood Services and the Community Safety Manager assisted with the consideration of this item. It was acknowledged that there was an error within the report on page 80 of the agenda, which suggested that the consultation had covered the period between 24th July 2020 and 7th August 2020. The actual period was between 24th June 2020 and 7th August 2020.

The following summarises the discussion:

- i. The risk that approval was not provided to extend the PSPO past 20th October 2020 was considered low as legal regulations had been adhered to and so was unlikely to be subject to legal challenge.
- ii. It was acknowledged that delegated authority existed for the Head of Neighbourhoods and Communities, as outlined in section 8.3 of the Council's Constitution. There was a suggestion that the rationale for the delegated authority be emphasized as part of recommendation 2 of the report.
- iii. The maximum amount of extension time for the PSPO was three years. In anticipation of this term expiring, the Council could make preparations for further extension. Any substantial changes to the PSPO would be considered by Cabinet.

- iv. The consultation had received 129 responses which was consistent with previous consultations. It was acknowledged that there was a lack of formal responses from local businesses and partners and this was considered to be due to the ongoing dialogue between the Council and these organisations throughout the consultation period.
- v. The Southfields Park was not included within the PSPO but was within the Civil Injunction area imposed. A Civil Injunction was considered to be the most appropriate course of action, given the issues experienced in the area, involving drug use and begging. If there was a recognised requirement for a PSPO covering the Southfields Park area, then evidence would be sought in order to facilitate this.

RESOLVED

1. that the Cabinet be informed that the Commission supports the recommendations as set out in the report of the Head of Neighbourhood Services, subject to:
 - the reason for recommendation 2 of the report including a clearer rationale for the requirement of the delegated authority, be noted.
2. that the correction to the report reflecting the correct consultation period of 24th June 2020 to 7th August 2020, be noted.

Reasons

1. The Commission, having carefully considered the report, wished the Cabinet to approve the recommendations set out but considered further clarification was required on the delegated authority function in relation to the PSPO, outlined in the Constitution for the Head of Neighbourhood Services.
2. To ensure the information within the report was accurate.

54. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET RESPONSE

Tim McCabe, Julie Robinson and Councillor Harper-Davies left the meeting at approximately 8:05pm.

A report of the Cabinet was considered setting out its responses to the recommendations of the Commission on pre-decision scrutiny items (item 10 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.

55. SCRUTINY COMMISSION WORK PROGRAMME

A report of the Head of Strategic Support was considered 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 11 on the agenda filed with these minutes).

The Head of Strategic Support assisted with the consideration of this item. The Commission added the following items to the work programme:

- i. Pre-decision scrutiny - Changes to Procurement Service – To consider entering into a public SLA to deliver the Procurement Service on behalf of the Council - 12th October 2020.
- ii. Commercialisation Update - To review the commercialisation development plans and the progress against the recommendations made by the Commercialisation Scrutiny Panel, six months after its recommendations were considered by the Cabinet. This would need to include commercial entities that the Council had become involved in and any commercial opportunities the Council was seeking – 11th January 2020.

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 following items be added to the Scrutiny Commission Work Programme:
 - Pre-decision Scrutiny – Changes to Procurement Service – 12th October 2020,
 - Commercialisation Update – 11th January 2020.

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 9th November 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.