

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Friday, 10 October 2014.

PRESENT

Mr. S. J. Galton CC (in the Chair)

Mrs. R. Camamile CC
Mrs. J. A. Dickinson CC
Dr. R. K. A. Feltham CC
Dr. S. Hill CC
Mr. Max Hunt CC

Mr. D. Jennings CC
Mr. P. G. Lewis CC
Mr. K. W. P. Lynch CC
Mr. R. J. Shepherd CC
Mr. L. Spence CC

136. Minutes.

The minutes of the meeting held on 16 September 2014 were taken as read, confirmed and signed.

137. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

138. Questions asked by Members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

139. Urgent Items.

There were no urgent items for consideration.

140. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

The following members each declared a personal interest in respect of Agenda Items 9 and 10 (Minutes 144 and 145 refer) as either a District/Borough Council or Parish Council members (as indicated):

Mrs. R. Camamile CC (Borough/District Council and Parish Council)
Mrs. J. A. Dickinson CC (Borough/District Council and Parish Council)
Mr. S. J. Galton CC (Borough/District Council)
Dr. S. Hill CC (Borough/District Council)
Mr. M. J. Hunt CC (Borough/District Council)
Mr. D. Jennings CC (Borough/District Council and Parish Council)
Mr. K. W. P. Lynch CC (Borough/District Council and Parish Council)

Mr. L. Spence CC (Borough/District Council and Parish Council)

141. Declarations of the Party Whip.

There were no declarations of the party whip.

142. Presentation of Petitions.

The Chief Executive reported that no petitions had been received under Standing Order 36.

143. Presentation by Voluntary Action LeicesterShire (VAL).

The Commission considered a presentation by Kevan Liles and Simon Jenner of Voluntary Action LeicesterShire (VAL) concerning its recent activities in delivering the County Council's countywide infrastructure contract. A copy of the slides forming the presentation is filed with these minutes.

Arising from the presentation, the following points were noted:

General

- VAL had seen a reduction in County Council funding from £920k to £600k over five years. It would see a further reduction in 2014/15 to £450k. During this period, the number of volunteers in Leicestershire had increased from 200,000 to 500,000 – an increase of 130%. The number of community groups and organisations supported (2,500) had also seen a significant increase;
- VAL obtained £3 million of additional funding through other competitive bidding/tendering processes to provide a range of other services to the public and voluntary sector, such as its support for HealthWatch Leicestershire. A further example given was VAL's support for "Think Leicestershire's" work to recruit volunteers, which was added to the Council's existing infrastructure support contract. A concern was expressed that VAL could be seen to be obtaining additional work and funding from the Council without having been through a competitive process. It was noted that the Commission had agreed at its previous meeting that the Council's contract with VAL would be audited by the Council's Internal Audit service;
- There was a criticism amongst some local groups that VAL was not sufficiently visible in communities. It was acknowledged that, due to reductions in funding, the District Development Officer posts, which had engaged with communities at a local level, had had to be removed. VAL had taken a decision to prioritise support rather than visibility;
- Austerity measures had impacted medium sized community groups who were already delivering services previously. Smaller groups had been better able to adapt because they were less reliant on public money. Reduced public money to support activities and services had meant that communities were more engaged than ever before. Innovation would be the key to success in securing funding going forward. Those groups who continued to rely solely on public funding would struggle to survive;

- VAL provided some support to all groups, but prioritised those groups whose activities supported the Council's strategic priorities. Groups that fell outside of this remit were directed to other sources of support;
- It was highlighted that without VAL's support, community groups across the County would have been less successful in areas such as funding bids. A recent national study supported the view that community groups were less likely to secure funding without an effective support organisation in place;
- The relationship between VAL and district voluntary sector organisations had improved though it was acknowledged that VAL no longer had the resources to attend district meetings. A network of quarterly forums had been set up by VAL in the Districts that funded them (Charnwood, Harborough, Melton and North West Leicestershire) to enable engagement between VAL and voluntary sector/community groups;

Community Libraries

- It was VAL's belief that the period between the Council ceasing to run a library and a community successfully taking it over independent of infrastructure support would be at least two years. Support would be required through this period;
- VAL hoped to have a dialogue with the Council to extend the infrastructure contract and secure extra funds to assist with community library support. VAL outlined its offer, which would include governance support and training in areas such as resource management. The Council had yet to make a decision on its community infrastructure support offer, as a Scrutiny Review Panel had been charged with taking evidence from community groups and making recommendations to the Cabinet. The Chairman asked that the minute of the discussion with VAL on this issue be reported to the Scrutiny Review Panel.

RESOLVED:

That Mr. Liles and Mr. Jenner be thanked for their informative presentation.

144. Leicestershire County Council Planning Obligations Policy Consultation Draft.

The Commission considered a report of the Chief Executive concerning a review of the County Council's planning policy for developer contributions towards County-wide services and infrastructure. A copy of the report, marked "Agenda Item 9", is filed with these minutes.

Arising from the discussion, the following points were noted:

Section 106 (S106) Agreements

- (i) In response to issues raised in relation to agreements with developers on financial contributions towards schools which had not come to fruition, it was suggested that developers could review at any stage the type of development it was putting forward and therefore the likely contribution for schools. It was noted that the Council had a similar policy to other councils not to charge for 1 bedroom dwellings (most commonly flats) as the occupancy was not felt likely to include children. Yield rates from housing developments were based on evidence from

surveys conducted several years ago. It was felt that this area would merit some review to ensure that the data was up to date;

- (ii) Not all developers were willing to pay S106 charges up front. Review mechanisms were in place to ensure that developers with plans for sustainable urban extensions with provision for over 500 dwellings could review their plans after the agreement was in place. This arrangement led to both increases and reductions in S106 funds for the Council;
- (iii) Some district councils had trialled the issuing of bonds as a way of ensuring greater protection in instances where a developer went bankrupt. Officers offered to consider this option, though it was pointed out that where a viable development existed it was likely to lead a new developer taking on development and the associated planning obligations;
- (iv) It was acknowledged that Page 21 of the Draft Policy would need to link to the final version of the mainstream Home to School Transport Policy;
- (v) Some members felt that the policy to seek contributions for a larger sub-regional library, rather than a local library may cause public concern (Page 40);
- (vi) It was confirmed that District and Borough Councils (as “planning authorities”) would be responsible for applications relating to economic growth (Page 33). It was hoped that District and Borough Councils would draw down on the County Council’s Policy to ensure consistency;
- (vii) The point was made that some planning authorities were being required to take a decision on applications without knowing what would be included in the S106 agreement. It was noted that where there was any significant variation to a development, the matter should be brought before the planning authority’s member committee again;
- (viii) The yield rate of 24 school pupils per 100 dwellings was determined by the Council’s survey whilst the multiplier rates were based on the Department for Education’s (DfE) 2009 nationally based guidelines. Officers in Children and Family Services had been requesting the DfE to review this multiplier figure for upward of two years. A suggestion was made for officers in the Department to re-emphasise this request in a letter to the Secretary of State for Education, Nicky Morgan MP;
- (ix) A view was expressed that there should be greater account taken of the impact of developments on the arts. Officers felt that, though it was difficult to justify this as part of S106, it was ultimately a matter for planning authorities.

Section 278 (S278) Agreements

- (x) It was felt that there would be merit in the Policy taking a greater account of the impact of developments on road traffic (S278). Whilst the Council’s draft Policy was directly about S106 obligations, officers agreed to discuss this suggestion with the Director of Environment and Transport.

RESOLVED:

That the comments made on the Leicestershire County Council Planning Obligations Policy be submitted to the Cabinet for consideration at its meeting on 19 November 2014.

145. Communities Strategy.

The Commission considered a Cabinet report to be submitted to its meeting on 13 October 2014 concerning the outcome of the consultation process on the draft Communities Strategy. A copy of the Cabinet report, marked "Agenda Item 10", is filed with these minutes.

The Chief Executive reported that, the Commission was being asked for its comments on the response to the consultation process and the revised draft Strategy, which would be submitted to the Cabinet for approval at its meeting on 13 October. A further report, summarising the outcomes of the further engagement undertaken in relation to a detailed Delivery Plan to sit below the Strategy would be presented at a later date.

Arising from the discussion, the following points were made:

- 90 responses had been received to the online consultation exercise and 220 participants had been actively engaged at workshops run by the County Council. One of the messages that had emerged from the consultation was that the document was high level. The Delivery Plan (as described above) would be a more accessible document on which the public could engage;
- Members felt that the Strategy as it appeared now was an improvement over the version that was previously submitted to the Commission's meeting on 11 July. There were however, still some concerns around the type of language used and whether this would be understandable for members of the public;
- There was a concern that "hard to reach" and vulnerable communities were not sufficiently engaged on documents such as this, where the future of services was reliant on the willingness of communities. It was acknowledged that further work needed to be done to engage these communities and this work was already planned into the engagement programme;
- There was concern from some that there was a lack of emphasis in the Strategy on communities "owning" the delivery of their services. Whilst some felt that communities would need to lead on identifying what they required of the Council in terms of support, a view was expressed that the Council's activities should continue to be driven by the Council's strategic priorities;
- It was felt that there should be greater account taken in the document of areas which were non-parished and how their needs would be addressed as part of the Strategy;
- The following page-specific points were made in relation to the layout and presentation of the Strategy:
 - Page 72: consideration should be given to removing the term "building blocks"
 - Page 85: the table was confusing to read with text at different angles

- Page 86: the second line in "Background" should read "poverty of identity"

RESOLVED:

That the draft Communities Strategy and the comments made thereon be submitted to the Cabinet for consideration at its meeting on 13 October 2014.

146. Date of next meeting.

It was NOTED that the next meeting of the Commission would be held on Wednesday 5 November 2014 at 2.00pm.

10.30 am - 1.00 pm
10 October 2014

CHAIRMAN