

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 6 November 2019.

PRESENT

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

Mr. T. Barkley CC
Mr. P. Bedford CC
Mr. D. C. Bill MBE CC
Mr. G. A. Boulter CC
Dr. T. Eynon CC
Dr. R. K. A. Feltham CC

Mrs. H. J. Fryer CC
Mr. D. Harrison CC
Mrs. R. Page CC
Mr. A. E. Pearson CC
Mr. T. J. Richardson CC

43. Question Time.

The Chief Executive reported that questions had been received under Standing Order 35.

Mr Stott asked the following question of the Chairman of the Commission:-

‘Given the significant effect that proposals in the Strategic Growth Plan will have on climate change, will the County Council and its partners review this plan urgently in the light of the declaration of a Climate Change Emergency by the County, City and Leicestershire Local Authorities and the UK wide commitment to achieve zero emissions by 2050? What steps will the County Council undertake to put such a review in place?’

The Chairman replied as follows:-

‘Although a climate emergency has recently been declared, climate change is not a new issue to spatial planning. It has been embedded at the heart of national planning policy and spatial planning for many years and was fully considered and taken into account during the preparation of the Strategic Growth Plan (SGP). The Sustainability Appraisal that informs the strategy identified climate change as a key issue and assessed alternative growth options from a climate change perspective.

In preparing the SGP partners have sought to address the climate change challenge. The SGP is predicted to have a minor positive effect overall, reflecting a potential reduction in emissions by directing growth away from rural areas, and a continued focus on accessible locations such as the City and market towns, and locating housing in close proximity to major economic growth opportunities. However, though trip lengths may be shortened, the private car would be likely to remain the dominant mode of travel, and so the benefits would be offset somewhat.

The Members’ Advisory Group (MAG) will decide in due course when the SGP needs to be reviewed.’

Mr Stott asked the following supplementary question:-

Given that the Council has declared a Climate Emergency could I be advised when a review of the Strategic Growth Plan (SGP) will be undertaken and will there be consultation?

The Chairman and officers replied to the effect that the County Council was one of ten constituent authorities on the Member Advisory Group (MAG) and as the answer stated the decision to review the SGP is a matter for the MAG. The SGP had only recently been approved some ten months ago and the focus is currently on delivery. It was also pointed out that climate change impacts and mitigations will feature in local development plans. The County Council is in the process of reviewing its Strategic Plan and Environment Strategy in the light of the climate change declaration and reports will be submitted to the Cabinet and Scrutiny bodies in the new year.

44. Questions asked by members under Standing Order 7(3) and 7(5).

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

45. Urgent Items.

There were no urgent items for consideration.

46. 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.

All members of the Commission who were also members of a district or parish council declared a personal interest in Item 13 on the agenda – A Vision for Local Government in Leicestershire (minute 55 refers).

Mrs R Page CC declared a personal interest in Item 7 on the agenda as the proposed Lutterworth SDA was in her electoral division (minute 49 refers).

Mr T Richardson CC declared a personal interest in Item 8 – Potential Strategic Development Area – M69 Junction 2 as he was on the Member Advisory Group (MAG) in his capacity as Leader of Blaby District Council (minute 50 refers).

Mr G A Boulter CC and Mr D Harrison CC declared a personal interest in Item 12 - Leicestershire Fire and Rescue Services Integrated Risk Management Plan 2020 -2024 as they were both members of the Combined Fire Authority (minute 54 refers).

47. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

48. Presentation of Petitions under Standing Order 36.

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

49. Delivering Growth in Leicestershire - East of Lutterworth Strategic Development Area and other Development Projects.

The Commission considered a joint report of the Director of Corporate Resources and Chief Executive concerning the outcome of work undertaken to identify the Council's objectives for the East of Lutterworth Strategic Development Area (SDA) and assess the potential options available for the delivery of the scheme which could also be applied to other development projects on County Council sites. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

The Chairman welcomed to the meeting Mr N J Rushton CC, Leader of the Council, Jon Bennett Head of Strategic Property, Simon Lawrence Head of the Growth Unit and Major Programmes along with Andy Pack and Saheeda Bowmer for 31ten Consulting and Matthew Watters for Bevan Brittan.

The Leader and Jon Bennett introduced the report and advised members that the County Council had now acquired all of the land. The aim was to ensure that the County Council could have a major influence on the type of development, the aim being to have an exemplar development which was aspirational in terms of housing type and design whilst still delivering a return on investment.

Andy Pack of 31ten Consulting updated members on the work his team had undertaken both in terms of defining the objectives of the development but also considering the best means of delivering. He and his team had assisted a number of other authorities with similar schemes and stated given that the County Council was the sole owner of all the land it put the Council in a strong position in terms of engaging with the market and retaining a significant influence of the design of the development.

With regard to the delivery options appraisal, members were advised that the preferred model was a 50/50 Joint Venture partnership with a strategic partner. This partnership would operate the development over the long term. A 50/50 partnership was suggested so that the Council could ensure, through its involvement, that the development had regard to the aims and objectives, which were in line with the Council's strategic objectives, over the life of the development.

In response to questions members were advised:

- (i) The 40% affordable housing would be of mixed tenure. Through the Joint Venture Partnership, the Council would be able to ensure that this objective was continued through the life of the Scheme. As part of the procurement and delivery approach, consideration would be given to a range of housing options and to the establishment of a housing company to manage the social housing to overcome issues with right to buy.
- (ii) The need for social care housing was being looked at in terms of sheltered housing and designing homes for life, as well as other initiatives.
- (iii) The Local Authority Accelerated (LAAC) Fund had provided £8million for the development and a part of the conditions for this fund was that the first 650 houses had to be built using new design and construction methods. As part of this there would be an exploration of modular builds and other design and construction techniques.

- (iv) Community engagement had been a key consideration and there had been extensive consultation with the parish council and local groups in the area. There was no requirement to build a new secondary school in the development. This would strengthen the interaction between the new Strategic Development Area and the existing town.
- (v) The location of warehousing close to the M1 had been determined at the Local Plan stage and was aimed at ensuring that logistics freight would not adversely impact on the development or the existing town centre.
- (vi) Green infrastructure would be owned and maintained by the Joint Venture and this could involve use of Community Land Trusts. With regard to low carbon living there would be no mains gas to the site and options such as solar energy and ground source heating were being explored.
- (vii) The Council was still waiting to hear the outcome of the HIF bid which, if successful, would contribute £31 million towards the cost of the spine road. The announcement on this was not expected until January/February 2020. Even without the HIF money the development would be viable but there would be a lower return and could necessitate some changes in the weighting of the objectives. The development would also take longer to complete.
- (viii) The Council would need to use the OJEU procurement process. As part of this process there would be a dialogue with potential partners when their track record to deliver would be explored.

RESOLVED:

That the report be noted and the Cabinet be advised that the Commission:

- a) Supports the proposed approach now outlined;
- b) Welcomes the proposals for 40% affordable housing and for the ambition of the development being carbon friendly;
- c) Supports the outcome of the Options Appraisal and Soft Market Testing which had concluded that a Joint Venture with a strategic partner to enable, develop and operate the site offered the best chance of delivering to the objectives of the Scheme;
- d) Notes that the proposed approach is a departure from previous practice and therefore carries additional financial risks but is of the view that these additional risks will be outweighed by the rewards particularly to the reputation of the Council from delivering a successful exemplar project.

50. Potential Strategic Development Area - M69 Junction 2.

The Commission considered a report of the Director of Corporate Resources concerning the potential development of a Strategic Development Area (SDA) adjoining junction 2 of the M69 to the west of Sapcote and Stoney Stanton and to consider the Council's involvement in the delivery of the SDA. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Members were advised that the proposed SDA involved some 900 acres and the County Council owned approximately 150 acres of land. The County Council had also applied for HIF funding of £19 million to help with infrastructure.

With regard to the role of the Council in the SDA, members were advised that the report to the Cabinet in January 2020 would seek a view on the approach to be adopted. The County Council was aware of significant developer interest in this area and as such would look at a range of options from working with other developers to develop the site through to seeking to buy out other landowners and developing the site through a Joint Venture, similar to the Lutterworth East development. No decision had yet been made.

Arising from questions and concerns raised members were advised as follows:

- (i) The County Council was not the promoter of the SDA, rather it was responding to the call by Blaby District Council for potential sites to be identified as part of their local plan process.
- (ii) The promoters of the Hinckley Strategic Rail Freight Interchange were undertaking consultation as they were in the process of applying for planning permission.
- (iii) Blaby District Council, as part of the process of developing its local plan, would undertake extensive consultation on this and other potential development sites. The Blaby Local Plan was not due for adoption until 2022 so such consultation was some way away. The County Council had engaged with the local member and local parish councils.
- (iv) Future reports would note the ambition in the Blaby Local Plan for Garden Villages/Towns. In this regard the County Council owned land could be useful in protecting and providing a green space between any new development and the villages of Sapcote and Stoney Stanton.
- (v) The concern about local employment opportunities and the fit with the type and cost of housing involved would need to be taken into account in the local plan process.
- (vi) The County Council actively managed all of its property assets. Given the different timescales for district local plans it was not possible to take a holistic view of how the Council's property assets could contribute to the strategic growth, a task which would be much easier if there was a Unitary Council with a Countywide Structure Plan.

RESOLVED:

- (a) That the potential development of a Strategic Development Area (SDA) adjoining junction 2 of the M69 to the west of Sapcote and Stoney Stanton be noted;
- (b) That the comments now made be submitted to the Cabinet for consideration at its meeting on 14 January 2020.

The Commission considered a report of the Director of Corporate Resources which provided an update on the key issues impacting on the revenue budget, the capital programme and on earmarked funds. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

The Director of Corporate Resources highlighted the following as the key pressures and the implications for the Council budget:

- (i) Placement costs were increasing due to increasing complexity of the cases involved. There were also inflationary and staffing pressures on the residential care sector. This had resulted in an overspend of £6million and the indications were that this would likely continue.
- (ii) There were on-going discussions with the Schools Forum seeking agreement for the potential transfer of £2 million from school budgets to the High Needs Block. If agreement was not forthcoming, given the pressures, the High Needs Block would continue to overspend.
- (iii) Whilst there had been a modest increase in the resources made available to Councils to support Asylum Seekers this fell well short of actual expenditure incurred.
- (iv) The commitments being made by various political parties about raising the minimum wage could add funding pressures of between £6 to £20 million over the next four years.
- (v) Special Educational Needs and Disabilities (SEND) transport demands were increasing. The County Council capital investment of £30 million to increase SEND capacity in schools would help ease the pressure but the budget was forecast to overspend. The County Council had a statutory responsibility to provide SEND transport for those aged 5 – 16 and could not insist on parents who had vehicles provided under the Motability scheme to use their vehicles to transport their children to school.
- (vi) The shortfall in capital receipts in the current year would mean some slippage in the capital programme.

RESOLVED:

That 2019/20 revenue budget and capital programme monitoring position be noted.

52. Leicestershire Community Safety Strategy 2019 - 2021.

The Commission considered a report from the Director of Children and Family Services concerning the duties placed on the County Council and other named statutory bodies in relation to crime and disorder and seeking views on a draft Leicestershire Community Safety Strategy. A copy of the report marked Agenda Item 10 is filed with these minutes.

Members welcomed the information provided in the report on the roles and responsibilities of the various bodies involved. Arising from the discussion and question raised the following points were made:

- (i) The Cabinet Lead Member for Children and Family Services was the County Council representative on the Police and Crime Panel and was able to take up issues at the Panel meeting with the Police and Crime Commissioner (PCC). The Panel could not scrutinise the work of the Chief Constable as that was the responsibility of the PCC.
- (ii) Since 2012 the funding for District Council Community Safety Partnership activity had been with the PCC who was responsible for allocating resources and establishing priorities.
- (iii) The district-based Community Safety Partnerships (CSPs) were independent of the Leicestershire Safer Communities Strategy Board (LSCSB) but there was good co-operation between organisations. The LSCSB had its own responsibilities and its priorities were set out on page 106 of the document pack. The LSCSB also had specific responsibilities relating to Child Sexual Exploitation and Serious Organised Crime.
- (iv) The knife crime project had only recently commenced and it was too early to draw conclusions. A report on the impact of the project would be made in twelve months' time.

With regard to the consultation on the Community Safety Strategy, members were advised that their comments were being sought and that the outcome of the consultation and revised Strategy would be reported to the Cabinet in December. Some members expressed concern that the Commission would not have the opportunity to consider the outcome of the consultation before it was considered by the Cabinet. The Chairman stated that it was not always possible to consider every matter going to the Cabinet and advised that a copy of the report to be submitted to the Cabinet would be circulated to all members of the Commission and they would then have the opportunity to submit their views to the Cabinet. In relation to the draft Strategy no comments were made. The Chairman requested members to access the website if they wished to comment on the draft strategy.

RESOLVED:

- (a) That the report be noted;
- (b) That members be asked to access the County Council's website and submit comments on the draft Community Safety Strategy;
- (c) That the report to the Cabinet on the outcome of the consultation and refreshed Community Safety Strategy be circulated to all members of the Commission to enable members to respond directly to the Cabinet.

53. Recommissioning of Domestic Abuse and Sexual Violence Services.

The Commission considered a report of the Director of Children and Family Services and Director of Public Health concerning the recommissioning work being undertaken for the future provision of Domestic Abuse and Sexual Violence Services. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The Director of Public Health explained that, given the paucity of performance information, there was a concurrent process being undertaken to obtain data to assess effectiveness whilst at the same time undertaking a needs assessment to inform the

recommissioning of the service. This was not an ideal position and the new contract would seek to ensure that appropriate key performance indicators were set and monitored by the County Council.

Student Services at the three universities were not directly involved in the recommissioning but there was on-going dialogue with them so that they were aware of the new services available.

RESOLVED:

That the report be noted and that a further report be submitted on the outcome of the consultation and the proposed model of service.

[The meeting adjourned at 1.25pm and reconvened at 2.15pm]

54. Leicestershire Fire and Rescue Service Integrated Risk Management Plan 2020 - 2024.

The Commission considered a report of the Chief Executive concerning the Leicestershire Fire and Rescue Service draft Integrated Risk Management Plan 2020-24 and a proposed response thereto. A copy of the report marked Agenda Item 12 is filed with these minutes.

The Chairman welcomed Callum Faint, Assistant Chief Fire Officer, to the meeting.

In response to questions and concerns raised the Commission was advised as follows:

- (i) The work undertaken by Firefighters as First Responders was done on a voluntary basis in support of the Ambulance Service and should not be seen as a replacement for the Ambulance Service.
- (ii) Where a firefighter assisted or supported a member of the public with an emergency which was not directly related to the work of the Service they would be covered for insurance purposes so long as they had notified 'Control'.
- (iii) Negotiations were underway with recognised Trade Unions on moving away from the current Day Crewing Plus duty system. The Fire Brigades Union was insisting that negotiations should be conducted at national and not at local level and the issue had now been referred to the Joint Secretaries. There were a significant number of firefighters who were working or willing to work to new arrangements and it was hoped agreement could be reached on a new duty system.
- (iv) Some firefighters and Unions remain concerned about the use of Tactical Fire Vehicles. These vehicles were introduced to supplement the existing fleet of Fire Engines and the current IRMP did not propose any reduction in the number of Fire Engines. Since the introduction of Tactical Fire Vehicles there had been an improvement in response times particularly in rural areas.
- (v) The recent estates review concluded that the current Fire Stations were in the right locations to serve the needs of the area. The estate was reviewed on a regular basis; these reviews took proposed developments into account. A number of Fire Stations required works to be undertaken and a new location was being sought for the training centre. It should be noted that the Estates review was separate to the IRMP.

- (vi) Whilst there was no legal requirement to attend flooding incidents the Service would continue to do so.
- (vii) When fire engines were involved in an incident the Control room would redeploy resources based on a risk assessment to ensure cover.
- (viii) The Home Office was conducting a review of the specialist vehicles currently located at Southern Fire Station. These vehicles were part of the National Resilience Asset.

RESOLVED:

- a) That the report and information now provided be noted;
- b) That the Cabinet be advised that the Commission supports the proposed response to the draft Integrated Risk Management Plan as set out in the report.

55. A Vision for Local Government in Leicestershire.

The Commission considered a draft minute from the meeting held on 30 October which summarised its discussion on this matter. A copy of the draft minute is filed with these minutes.

The members present at the meeting concurred that the draft minute was an accurate reflection of the discussion.

Mr Richardson commented that the statement made by the Leader concerning the views of the Secretary of State for the Ministry of Housing and Local Government should reflect in full what was said. This was noted and the following was agreed for inclusion in the note to the Cabinet:

‘Two tier local government does not feel like it has a long-term future and the mayoral model in conjunction with unitary councils is strongly preferred by government when considering devolution deals, the housing, communities and local government secretary has said’.

In reply to a question the Leader stated that the letter sent to him by MPs was marked private and confidential and as such he would not be releasing the letter. He pointed out that the draft minute recorded the fact that the MPs opposed the proposals.

RESOLVED

That the comments made by the Commission be forwarded to the Cabinet for consideration.

56. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Commission would be held on Monday 27 January 2020 at 10.30am.

10.00 am - 3.17 pm
06 November 2019

CHAIRMAN