

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Monday, 12 July 2021.

PRESENT

Mr. M. T. Mullaney CC (in the Chair)

Mr. T. Barkley CC
Mr. D. C. Bill MBE CC
Mrs. H. J. Fryer CC
Mr. T. Gillard CC
Mr. Max Hunt CC

Mr. J. Morgan CC
Mrs. R. Page CC
Mr. T. J. Pendleton CC
Mr J. Poland CC
Mr. T. J. Richardson CC

In attendance

Mrs D. Taylor CC
Mr L. Breckon CC
Mr P. Bedford CC

14. Minutes

The minutes of the meeting held on 9th June 2021 were taken as read, confirmed and signed subject to the amendment of recommendation (b) of Minute 12 (Annual Report on the Commercial Strategy) to read:

“That details of the income generated across all Leicestershire Traded Services for the 2020/21 financial year be circulated to Commission Members after the meeting (this to be broken down across geographical areas in respect of school food) and that such information be included in all future annual reports, subject to any commercial sensitivity;”

15. Question Time

The Chief Executive reported that no questions had been received under Standing Order 34.

16. 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).

17. Urgent Items

There were no urgent items for consideration.

18. 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 declarations were made:

Mr J. Poland CC declared a personal interest in agenda item 8 (Update on Police and Crime Panel Activity) as his wife was employed by Leicestershire Police.

Mr T. Richardson CC and Mr J. Morgan CC declared a personal interest in agenda item 11 (Leicester and Leicestershire Economic Growth Strategy) as they were both Directors on the Leicester and Leicestershire Enterprise Partnership Board.

All Members of the Commission who were also members of a district council declared an interest in agenda item 11 (Leicester and Leicestershire Economic Growth Strategy).

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

There were no declarations of the party whip.

20. Presentation of Petitions under Standing Order 35

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

21. Update on Police and Crime Panel Activity

The Commission considered a presentation from the Chair of the Police and Crime Panel, Mrs D. Taylor CC, which provided details of the activity undertaken by the Panel during 2020/21. A copy of the presentation marked 'Agenda Item 8' is filed with these minutes.

The Chairman welcomed Mrs Taylor to the meeting.

Arising from discussion the following points were raised:

- (i) The Scrutiny Commission as the County Council's statutory designated Crime and Disorder Committee had power to review and scrutinise the delivery and effectiveness of measures aimed at reducing crime and disorder. The PCP which represented the wider area of Leicester, Leicestershire and Rutland, had the same aim but with the specific remit of scrutinising and challenging the Police and Crime Commissioner (PCC). To avoid duplication of effort and resources in scrutinising the PCC, it was noted that the Commission received an annual update from the County Council's representative on the Panel to enable them to listen to the concerns of the Commission and feed these back into the work of the Panel. The Chief Executive advised that when the Panel had been formed, a protocol had been produced to define the different but similar roles of the two bodies and clarify how they might work and interact to ensure duplication was avoided. The Chief Executive undertook to review and circulate this outside the meeting for information;
- (ii) Members noted that a national review of PCPs was being undertaken to understand if they were serving the purpose intended and that the PCP for Leicester, Leicestershire and Rutland had fed into that review. The outcome was awaited but would be publicised;

- (iii) The PCC had established a cross party working group to look at proposals for the new Police and Crime Plan which would set out the new PCC's priorities for the coming year. It was understood this would go out to public consultation in the Autumn and would be put in place towards the end of the year. The Chair of the PCP confirmed that she was on the working group and would feedback any comments the Commission might have through that group or directly to the Panel as appropriate;
- (iv) There was a need for key performance indicators to be included in the PCC's new Plan to ensure these could be measured and monitored over time. Members asked the Chair of the PCP to feed back this suggestion;
- (v) A member raised concerns about the recent PCC budget and the previous year overspend and questioned to what extent the PCP had challenged this. Members noted that the Panel had held a lengthy debate on the budget and heard directly from the then PCC who had answered a number of questions. The key focus of the Panel had been on the need to increase policing numbers on the ground. It was agreed that the increased precept would add pressure on residents during an already difficult time and it would be important to closely monitor and scrutinise financial performance over the coming year to ensure commitments made were delivered;
- (vi) A member highlighted that rural areas often felt left-out and it would be important to communicate how the additional precept would be spent for their benefit as well as for those living in the City and wider County areas;
- (vii) A member raised concerns about recent media headlines that the new PCC had refused to communicate with Black Lives Matter groups which he suggested could affect trust between the Police and local black and other ethnic minority groups. It was highlighted that the Police and the officer of the PCC were two distinct and separate organisations and it was important not to confuse the two;
- (viii) It was disappointing that the PCC's term of office ran for only three years. The Chair of the Panel confirmed that many shared this concern and the impact it would have on being able to make significant progress before entering the next election period. Many had lobbied the Government to extend the term to the usual four years;
- (ix) A member commented that crimes were often either crimes against the person (which were often hard to detect) or crimes against property (which were more easily detectable) and requested that the PCP focus its attention more on the former. The Chair highlighted that this would be more a matter for the Chief Constable but would feedback the request.

RESOLVED:

- (a) That the Chair of the Police and Crime Panel be thanked for her presentation and the information provided;
- (b) That the Chair of the Police and Crime Panel be requested to feedback the comments now made to the Panel;

- (c) That the Chief Executive be requested to circulate the protocol produced to clarify the role and function of the Scrutiny Commission and the Police and Crime Panel and how they could effectively work together but avoid duplication of effort and resources.

22. 2020/21 Provisional Revenue and Capital Outturn

The Commission considered a report of the Director of Corporate Resources which set out the provisional revenue and capital outturn for 2020/21. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

The Chairman welcomed Mr L. Breckon CC, Lead Member for Resources, who attended for this item.

Arising from discussion the following points were raised:

- (i) All local authorities had had a very difficult financial year due to Covid. Despite this, Members agreed that the County Council had responded well and continued to manage its finances prudently. Members thanked officers and the previous Lead Member for Resources, Mr Byron Rhodes CC, for their hard work during this unprecedented year;
- (ii) The pressures that existed before the pandemic began, particularly around SEN, continued. In response to questions raised, the Director confirmed that the budget equalisation fund that had been established to temporarily deal with pressure on cashflow from the high needs block, was not sustainable for the longer term. Members agreed it was disappointing that the Government had not progressed the planned SEN review to address this issue. The Director and new Lead Member for Resources, Mr L. Breckon CC, confirmed they would continue to be pursue this with Government and local MPs;
- (iii) Members confirmed that the corporate asset investment fund had performed well and continued to be a great success providing a healthy income stream for the Council. In response to questions raised regarding the number of none-performing assets, the Director confirmed that all assets were performing. However, returns on the Council's agricultural estate were lower (though still provided long term benefit) than those received on its commercial investments. A mix of both was considered important and ensured the Council held a stable and diverse portfolio. Where assets were continually not performing, these could and had been sold or repurposed where possible;
- (iv) It was suggested that the Council had received substantial Government funding in light of Covid and that this had helped to deal with the immediate financial affects that will be borne directly over the coming year when support, such as the furlough scheme, came to an end. Members noted, in response to a question raised, that approximately 87 staff were still furloughed (this being reduced from over 800 at the height of the pandemic *[figure corrected after the meeting]*);
- (v) Members agreed that a key factor for the County Council was that it continued to be underfunded. It was questioned what progress was being made on the fair funding campaign. The Director and Lead Member confirmed that, whilst the pandemic had put this on hold, discussions with MPs to now drive this forward continued.

RESOLVED:

That the provisional revenue and capital outturn for 2020/21 be noted.

23. Corporate Complaints and Compliments Annual Report

The Commission received a report of the Director of Corporate Resources on Corporate Complaints and Compliments for the period 1 April 2020 to 31 March 2021. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) A Member questioned whether the Local Government Ombudsmen (LGO) might restrict workflow and if so, what effect this might have on residents seeking further redress of their complaints. The Director advised that it was currently understood the LGO would not restrict workflow but would instead undertake more lower level assessments at the triage stage of referral. This was to ensure their resources were targeted at those cases where more in depth assessment was warranted, where a finding of fault was more likely and where action could be taken to address this. Assurance was provided that internally the Councils processes had been changed to include a second review stage. This was not required but intended to make sure all avenues to resolve a matter internally had been exhausted before referral to the LGO;
- (ii) The increased number of complaints relating to home to school transport were noted, but it was acknowledged that this was exacerbated by the late issuing of guidance by the Government on how Councils were expected to deliver this service in a Covid safe way. Members agreed that the Council had done all it could in the short time available to respond to resident's needs, including the secondment of additional staff, but that this had not been possible for all those affected in time for the start of the academic year;
- (iii) It was acknowledged that complaints around the Council's waste transfer sites were targeted towards the arrangements and implementation of the new booking system which had been introduced because of Covid. It was highlighted that this process would not continue once restrictions had been removed;
- (iv) A question was asked whether an assessment had been undertaken on whether the temporary restrictions on the use of waste sites had resulted in an increase in fly-tipping. A fellow Member confirmed that a correlation exercise had been undertaken by the Environment and Transport Department last year and this had not identified any link between the reduced ability to use the Council's residual household waste facilities and fly tipping;
- (v) Members were pleased that the number of grass cutting complaints had fallen and suggested that this stemmed from the reprioritisation of green and environmental issues;
- (vi) Complaints relating to highway works were focused on smaller, non-urgent repairs and whilst resources had been increased to begin to address such issues, there was still a need to better manage residents' expectations;

- (vii) It was accepted that generally people were less likely to write in to report when they were pleased with a service and it was suggested that the 255 compliments received were likely only a small fraction of those who had been at least satisfied with services provided. Members welcomed the Council's continued approach to use complaints received as a constructive way of seeking to improve service delivery;
- (viii) A Member questioned the proportion of complaints raised by a single person. It was noted that inevitably there were some individuals with more than one complaint, but these were each captured separately unless they related to a particular theme and so grouped and managed together.

RESOLVED:

That the update provided be noted and that the now comments made be submitted to the Cabinet for consideration at its meeting on 20th July 2021.

24. Leicester and Leicestershire Economic Growth Strategy

The Scrutiny Commission considered a report of the Chief Executive to be presented to the Cabinet at its meeting in July 2021 regarding the consultation draft of the Economic Growth Strategy prepared by Cambridge Econometrics on behalf of the Leicester and Leicestershire Enterprise Partnership (LLEP). A copy of the report and the draft Strategy marked 'Agenda Item 11' is filed with these minutes.

The Chairman welcomed Mr P. Bedford CC, Cabinet Lead Member for Covid Recovery and Ways of Working and the County Council's representative on the LLEP Board, to the meeting.

Arising from discussion, the following points were made:

- (i) The Strategy would be an important document given the significant impact of the pandemic on businesses in the area. There was currently no single strategy for the subregion which set out clearly the sectors priorities or vision for the local economy and members agreed that the Strategy would help fill that void;
- (ii) The observations detailed in paragraph 32 of the report were strongly supported though some felt the Council's response should be more robust;
- (iii) A Member questioned the lack of reference to the planned Freeport and how this might affect jobs and skills requirements in the area. It was noted that the establishment of a Freeport was predominantly being led by the relevant local authorities and private landowners, not the LEPs, and the Chief Executive confirmed that reference to this could be added to the Council's response to the draft Strategy;
- (iv) A Member raised concern that the impacts of Brexit and how these might be managed to support local businesses had not been addressed in the draft Strategy. It was suggested that these could fundamentally affect trade nationally and locally for some time to come and so should be referenced;
- (v) There was currently a mismatch between the number of jobs available in Leicestershire and the number of people available locally who were appropriately skilled to fill those positions. A member raised concern that this would likely result

in an increase in demand for housing in areas already under pressure. It was agreed that this emphasised the importance of skills and training and the need to ensure that when vacancies arose, measures were in place to support local people not in work to access those positions. It was suggested that the Strategy should demonstrate a closer alignment to the Leicester/Leicestershire Strategic Growth Plan to 2050;

- (vi) A member suggested that whilst the Strategy referred to inclusivity this did not seem to capture businesses in rural areas which had been significantly affected by Covid. A request was made for this to be strengthened and, in particular, for reference to be added to the 'Sustainable' leg of the Strategy Framework set out in paragraph 28 of the report which currently only referenced 'sustainable places, city and town centres';
- (vii) A particular concern was raised about the negative affect the City Council's Transport Strategy and workplace parking levy proposals (currently the subject of public consultation) might have on those commuting to work in the City from rural areas of the County and how this could disproportionately affected young people in lower paid jobs. Members emphasised the need for the Economic Growth Strategy to take an overarching view of the wider implications of such local policies to ensure these dovetailed to support those seeking work across County, City and other regional boundaries. This was considered necessary to facilitate the growth planned across the region;
- (viii) Concern was raised that the Strategy was too repetitive and backward looking and not sufficiently clear about future plans and the allocation of resources. As the Strategy would run to 2030 it was suggested that this need to be much more forward looking;
- (ix) A member suggested that the Strategy was too high level with no clear tangible outcomes identified. It was emphasised, however, that the Strategy covered a wide geographical area which had a vast and diverse local economy with each area having its own strengths and priorities. It was also highlighted that much depended on other national and local plans which were yet to be determined (e.g. HS2, Devolution White Paper and Planning legislation). This therefore limited the degree of clarity that could be included and inevitably led to some generalisations;
- (x) Members acknowledged that the Council's observations set out in paragraph 32, provided a fair summary of many of the issues now raised and if addressed, would strengthen the Strategy and ensure this was more reflective. Members agreed that the development of an action plan, as proposed by the County Council in its response, would be vital in providing the necessary detail and clarity sought;
- (xi) A member stressed the importance of partnership working and the need to ensure there was shared ownership of the Strategy across the region by all private and public sector representatives on the LLEP Board to improve the economic viability for the area.

RESOLVED:

That the comments now made be presented to the Cabinet at its meeting on 20th July for consideration.

25. Public Engagement

The Commission considered a report of the Chief Executive regarding a review of the County Council's approach to public engagement and formal consultation. The report set out the proposed new Consultation and Engagement Principles which had been developed in response to changes in the Council's approach to public engagement in light of the pandemic and feedback received from officers, the public and Members during the last 12 months. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) Residents often viewed consultations as a formality rather than a genuine exercise to engage. It was suggested that publicising examples of where consultation feedback had contributed to the development of, or change in, proposals would help provide some reassurance on this issue. Members noted plans to develop the Council's website to more clearly set out for each piece of work undertaken what key messages had been received from the public and what the impact of this has been. The Chief Executive undertook to consider including examples which it was agreed would provide additional reassurance to constituents that their input had been heard and valued;
- (ii) The Charter was very process driven but its purpose was to guide officers on the best way to go about a consultation or engagement exercise. This in turn ensured high quality feedback was obtained that would then help officers develop better outcomes. A well run consultation helped ensure higher quality responses were provided;
- (iii) Whilst it was felt that the County Council ran very good, targeted, service driven consultations, it was suggested that these were less effective when carried out in respect of high level, strategic issues, such as the MTFS. Some Members felt that the number of responses were sometimes so small that these could not be regarded as being truly representative and therefore not statistically relevant. Whilst perhaps providing some rich and useful information, there was a risk they reflected the views of a vocal minority;
- (iv) It was recognised that large scale, high level consultations often failed to grab the attention of the public. It was suggested that framing a consultation to make it more personal and relatable in the first instance would help ensure residents understood the direct impact a particular issue might have on them. This in turn would help encourage them to engage in the process;
- (v) A member emphasised the need for clarity on the purpose of a consultation. Whilst questions should be sufficiently broad so as not to be framed towards a preferred outcome, they needed to be clear to ensure the public understood what was being consulted upon (i.e. what decision was to be made) and sometimes what, specifically, was not being consulted upon. Members noted that the Council's business intelligence team provided expertise and support to departments to help ensure questions were framed clearly and so as to avoid bias.

RESOLVED:

(a) That the proposed consultation principles and the joining of the Consultation Institute be supported;

(b) That the specific comments now made be reported to the Cabinet at its meeting in September.

26. Date of next meeting

RESOLVED:

It was noted that the next meeting of the Commission would be held on 8th September 2021 at 10.00am, possibly for a full day.

10.00 am - 1.40 pm
12 July 2021

CHAIRMAN