

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 10 April 2024.

PRESENT

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

Mr. T. Barkley CC  
Mr. M. Frisby CC  
Mrs. H. J. Fryer CC  
Mr. S. J. Galton CC  
Mr. T. Gillard CC

Mrs. A. J. Hack CC  
Mr. J. Morgan CC  
Mrs. R. Page CC  
Mr J. Poland CC  
Mr. T. J. Richardson CC

**In Attendance**

Mr. L. Breckon CC (Lead Member for Resources)  
Mr P. Bedford CC (Lead Member for Recovery and Transformation)

67. Minutes

The minutes of the meeting held on 13 March 2024 were taken as read, confirmed and signed.

68. Question Time.

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

69. 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).

70. Urgent Items

There were no urgent items for consideration.

71. 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 district councils declared an 'Other Registerable Interest' in agenda item 8 'Transition of Leicester and Leicestershire Enterprise Partnership (LLEP) Responsibilities to Upper Tier Local Authority control.

In response to questions raised, the Head of Law advised those members that had held roles on the previous LLEP Board (Mr Morgan CC and Mr Richardson CC) that they did

not need to declare an interest as the report sought members views from a County Council perspective only.

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

There were no declarations of the party whip.

73. Presentation of Petitions under Standing Order 35.

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

74. Transition of Leicester and Leicestershire Enterprise Partnership (LLEP) Responsibilities to Upper Tier Local Authority Control.

The Commission considered a report of the Chief Executive which advised of progress in transferring the responsibilities of the Leicester and Leicestershire Enterprise Partnership (LLEP), a strategic body which had existed since 2011 to drive forward the growth of the Leicester and Leicestershire economy, to the two upper tier local authorities (the County Council and Leicester City Council). A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) It was questioned how the new arrangements would support partnership working, particularly with district councils that were responsible for economic development. A Member commented that other authorities had established an economic growth board which continued to involve all partners but had noted that this was not the planned approach for Leicester and Leicestershire. The Chief Executive reported that district councils along with all other stakeholders would continue to be fully involved, both through the new Business Board, yet to be established, and through involvement in a number of subgroups. They would also be involved in discussions regarding the proposed new economic strategy for the area. However, as the Government had transferred LLEP responsibilities and decision making to upper tier authorities, it was considered appropriate for the district councils' role to be advisory along with other key stakeholders. The Government clearly wished to do things differently and it was not therefore considered appropriate for the current LLEP Board arrangements to be recreated.
- (ii) A Member raised concern that the City Mayor and the Leader of the County Council would not be members of the proposed new Business Board but would ultimately be the decision makers. It was suggested that their attendance was critical to ensure they heard the full discussions that took place, the different views shared by each stakeholder, and the advice provided before making a decision. To receive a summary of this from a third party would not provide the nuisance of the discussions that could be important. The Chief Executive explained that it was intended that both would meet regularly with the Chair of the Business Board and that their regular attendance at the Business Board was being considered.

- (iii) The timeline for the establishment of the new Business Board was yet to be agreed but its first meeting was expected to be held in late June. Recruitment and Membership of the Board would likely follow a similar process as had been adopted to appoint LLEP Directors previously. Opportunities would be advertised widely. Key business bodies, like the Chamber of Commerce, would also be invited to nominate a representative to join the Board. Some Members suggested that as businesses would no longer have any decision making powers, their interest in the Board might be reduced.
- (iv) The present LLEP reserve balance of £10m would continue to be held by the City Council as the administering authority for the partnership. How this would be spent was yet to be determined but would be informed by the new economic strategy which the Government required the City and County Council to submit within 6 months of receipt of funding. It was noted, however, that priority activities already agreed would still be funded from the reserve.
- (v) It was expected that Government funding would continue for specific activities previously carried out by the LLEP, such as the Careers Hub and Growth Hub that would transfer to the County and City Councils. However, it had not yet been confirmed how much would be received. The three key functions of the LLEP that would be transferring were business representation, strategic economic planning and the delivery of government programmes. Where the Government asked it to deliver a specific programme on its behalf it was expected that this would come with funding to support this.
- (vi) Performance against agreed outcomes within the new economic strategy would in future be captured as part of the Council's overall annual performance report. This would be presented to the Scrutiny Commission for consideration in the normal way. The Commission might also wish to consider seeking an annual report on the activities delivered under the new arrangements similar to how it considers the activities of the Place Marketing Team which is also a joint partnership with the City Council. This could be done once arrangements had been finalised.
- (vii) It was confirmed that key decisions, for example to approve a new economic growth strategy, would need to be formally approved through the County and City Council's normal decision making processes which would include reporting to the Cabinet following consultation with Scrutiny as appropriate.
- (viii) The new arrangements had currently absorbed the LLEP sub structure and groups, such as the Investment Panel, and the continuation of these groups was yet to be considered. A Member suggested that member involvement through a similar Investment Panel that oversaw investments, and the performance of loans should continue.
- (ix) The County and City Council had inherited the LLEP communications approach and external support for this would continue over the next two months. Discussions were being held with the City Council to agree the approach for the future. It was recognised that the Board would be

supporting a large, diverse business community and its communications approach would therefore be critical.

- (x) In the event of a devolution deal being agreed, it was noted that these responsibilities and new arrangements would transfer to the Combined Authority. Members commented therefore that the current arrangements might only be temporary.
- (xi) A Member commented that as no planning powers would be transferred to the City and County Council, it would still be dependent on all planning and licensing applications going through district councils. However, as they would no longer be part of the Business Board except in an advisory capacity, it was suggested that this might hinder progress.
- (xii) To ensure consistency for businesses and how they were supported, operational economic development activity previously delivered through the LLEP continued with the bulk of the former LLEP officer team still in place, hosted at the City Council.

The Lead Member, Mr Bedford CC, commented that whilst the delay by the Government in announcing its planned approach had caused some frustration, overall a pragmatic approach had been adopted by partners who still had an appetite to be involved and build on what had already been achieved by the LLEP across Leicester and Leicestershire. He thanked the LLEP Directors and officers for their perseverance and support throughout the transition process.

#### RESOLVED:

That the update on the transfer of the responsibilities of the LLEP to the County and City Council be noted.

#### 75. Refresh of Leicestershire County Council Planning Obligations Policy.

The Commission considered a report of the Chief Executive on the proposed changes to the Leicestershire County Council Planning Obligations Policy which was last refreshed in 2019. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) Some Members questioned the benefit of travel packs at a time of reducing public transport and suggested that if access to buses or trains were not available, these were of little benefit to residents moving into new developments. Members noted that more flexibility on how these vouchers could be used was being considered. However, it was questioned if there was no access to trains or buses, what could be regarded as 'sustainable' transport, for example, could the voucher be used towards purchasing a bicycle. The Chief Executive undertook to liaise with colleagues in the Environment and Transport Department and to provide more clarity to Members after the meeting.
- (ii) It was suggested that officers should be permitted to revise the fees within the Policy without the need for further review the Policy itself to ensure these were kept up to date and reflective of the costs incurred by the

Council. Members noted that this would be the desired approach, but that new legislation was expected and therefore a further review of the Policy would be required, at which point this proposal could be addressed.

- (iii) A Member queried the change in approach regarding the provision of bus services for new developments. It was noted that currently developers had a choice and often opted to pay a contribution up front to the Council who would then commission the service when needed. This meant, however, that the Council did not benefit from the indexation that accrued between the time the payment was received and the point at which the service needed to be commissioned. The approach in future would therefore be for developers to commission the service and details regarding what service was to be provided would be detailed with the section 106 developer agreement. Members were reassured that developers could not amend the agreed service without approval by the County Council during the first five years and that the new approach would transfer the risk and cost to developers.
- (iv) A Member commented that the National Planning Policy Framework suggested that consideration should be given by Councils to the planting of trees along the highway. This often improved the appeal of new developments but the Council had so far been reluctant to adopt such trees given the future maintenance costs it incurred. It was noted that some authorities had an approved list of species that could be planted along a highway and the Chief Executive undertook to discuss this further with the Environment and Transport Department and provide an update to Members after the meeting.
- (v) Members noted that the Council would seek to take account of public health matters but that this would vary from site to site and development to development. The Council's planning team would liaise with the Public Health Department to consider what influence it could have in line with planning policy.
- (vi) Section 106 developer contributions could only be sought to mitigate the impacts of a development, not to regularise an existing issue. However, a Member argued that a development could exacerbate and significantly worsen an existing issue and that the Council should therefore seek funding to address that element. Members noted that a new approach was being trialled with Charnwood Borough Council to consider the cumulative effect of developments in the area and to identify in advance where improvements would be needed to support future funding requests. If successful, this would be rolled out to other areas.
- (vii) A Member commented that the consultation appeared to be very technical and that members of the public might not therefore engage and respond. It was noted that an easy-to-read guide would be provided when the consultation was launched but that some of the more technical sections could not be changed. These were, however, targeted to developers that would be specifically affected by the Policy. The Chief Executive undertook to provide a copy of the consultation to Commission members in advance of this being launched, if time permitted.

- (viii) A Member questioned what checks were made to determine whether or not a library stock levels met the statutory minimum stock requirements and if not, how the ability to seek developer contributions to support the purchase of more stock was communicated to community managed libraries. The Chief Executive undertook to liaise with the Communities and Wellbeing Service and to provide further clarification after the meeting.
- (ix) It was noted that the new Policy would be reference the Highway and Transport Design Guide. This would be amended to provide more detail once the Design Guide had also been updated.
- (x) The Council's Planning Obligations Team had gone through a period of improvement and new robust processes had now been put in place to monitor income received and timelines as agreed in section 106 agreement to ensure funding was collected in a timely manner throughout the lifecycle of a development. Members were pleased to note that work was also taking place with the Council's Business Intelligence Team to improve the data available to members within their division.

RESOLVED:

- (a) That the proposed changes to the Council's Planning Obligations Policy be noted and that the comments now made by the Commission be taken into account as part of the consultation and reported to the Cabinet as appropriate.
- (b) That the Chief Executive be requested to:
  - (i) to liaise with colleagues in the Environment and Transport Department regarding the use of Travel Packs and the Council's current approach to adopting trees planted within the highway, and to provide an update to Members of the Commission on both issues after the meeting;
  - (ii) to share with Commission Members a copy of the consultation documents before this was launched and made public if time permitted;
  - (iii) to liaise with the Communities and Wellbeing Service regarding checks made on library stock levels and where this was below the statutory minimum, what information was shared with community managed library regarding the ability to seek section 106 developer funding to purchase more stock, the Chief Executive to update Commission Members after the meeting.

76. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Commission would be held on Monday, 20<sup>th</sup> May 2024 at 10.00 am.

77. Exclusion of the press and public.

## RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the remaining item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3 and 10 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

78. Corporate Ways of Working Programme Update

The Commission considered an exempt report of the Director of Corporate Resources, the purpose of which was to provide an update on the implementation and delivery of the Council's Ways of Working Programme, following a request made by the Commission at its meeting in November 2023. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

The report was not for publication as it contained information relating to the financial or business affairs of a particular person (include the authority holding that information).

The Director responded to questions regarding the number and frequency with which staff worked from County Hall, monitoring staff productivity and absence levels, training provided for managers. It was noted that the focus of the Council on customer service had not changes as a result of hybrid working and all such issues, like performance, attendance, complaints, were monitored in the usual way and in particular by the Council's Employment Committee.

Members also commented on the increased use and cost of technology and the need to continue to prioritise security. In this regard, it was suggested that the programme should take account of elected members as well as officers.

## RESOLVED:

- (a) That the update provided on progress in the delivery of the Ways of Working programme be noted;
- (b) That the Director be requested to:
  - (i) provide details of staff numbers affected by the Ways of Working Programme on a department by department basis, matched against the space now allocated at County Hall;
  - (ii) provide details of car parking charges accounted for within the lease agreements with tenants now occupying County Hall;
  - (iii) give consideration to how the programme, particularly access to technology, might also assist elected members for safety and security reasons.