



Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 7 September 2022.

PRESENT

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

Mr. T. Barkley 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. T. J. Pendleton CC
Mr J. Poland CC
Mr. T. J. Richardson CC

16. Minutes.

The minutes of the meeting held on 8th June 2022 were taken as read, confirmed and signed.

17. Question Time.

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

18. 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).

19. Urgent items.

There were no urgent items for consideration.

20. 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 and/or parish councils declared an Other Registerable Interest in all items on the agenda.

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

There were no declarations of the party whip.

22. Presentation of Petitions under Standing Order 35.

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

23. Strategic Planning and Growth related matters including the Statement of Common Ground relating to Housing and Employment Land Needs (June 2022)

The Committee considered a report of the Chief Executive which provided an update on the work being undertaken by the Growth Service and others with partners on a number of key strategic planning and growth related matters. The report also sought the Commission's views on the County Council becoming a signatory to the Leicester and Leicestershire Statement of Common Ground (SoCG) on Housing and Employment Land Needs 2022 which had been prepared by Leicester and Leicestershire local authorities to demonstrate that they are fulfilling the Duty to Cooperate in plan making. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Chairman welcomed Mr Grant Butterworth, Head of Planning at Leicester City Council, and Alex Roberts, Interim Joint Strategic Planning Manager, to the meeting for this item.

Arising from discussion, the following points were made:

- (i) The evidence commissioned by the Members Advisory Group (MAG) was extensive and clear. The allocations set by national government were non-negotiable and it would be vital for local authorities to work together to deliver these in a sensible and planned way.
- (ii) Work undertaken by the City had been robust and whilst it was under significant pressure to deliver more houses, it was inevitably restricted by what land was available and suitable for development. Consideration had been given to building higher which was possible in some areas but not others, such as the old town areas which were subject to planning restrictions necessary to respect the heritage of the area.
- (iii) The SoCG would provide a degree of certainty which was what both residents and the County Council needed. District council local plans were more likely to be approved if they could clearly demonstrate they had satisfied the duty to cooperate. The agreement of local plans would in turn give the County Council the clarity it needed to properly plan the infrastructure needed to serve these Plans.
- (iv) Whilst the uplift in housing numbers for the City, which resulted in the increased unmet need being passed to districts, might be considered undesirable by some, this could not be avoided. It had been demonstrated that the County had a housing shortage and locally this had to be addressed to support those seeking to buy and live in the area.
- (v) Joint working on planning and housing delivery through the MAG which involved the City, County and all district councils had been extremely successful. The boundary between the City and the County was in reality not seen by residents as many lived and worked across the two areas. Members recognised the need for cooperation both at a strategic level,

through the development of the SoCG, and at local plan level.

- (vi) Whilst the demand for retail space had been affected by the Covid pandemic, in Leicester City the latest figures suggested retail was holding up well compared to national trends. Mr Butterworth confirmed that this would be kept under review but reported that the City had not had many applications to convert office space to residential and so an increase in such applications could not be presumed. Members recognised the need to be realistic rather than over ambitious in their expectations given the challenge the Inspector would provide to the City Council's local plan.
- (vii) Some Members raised concerns regarding the potential that a district council might not support the SoCG and what impact this would have overall and for that particular area. A member commented that not being party to the SoCG would risk their Local Plan being found to be unsound which could result in speculative developments coming forward in that locality. This would not be of benefit to the County Council as it could not then ensure the required infrastructure could be provided in a timely way.
- (viii) Members agreed that it would be regrettable if one partner were not to sign the Statement but noted that this would not undermine the importance and benefit of the Statement for those party to it.
- (ix) A Member questioned the delay in the publication of the Housing and Economic Needs Assessment due to incorrect figures being included and sought assurance that officers had confidence in the evidence provided by the consultants. Mr Roberts confirmed that one of the assumptions in the report had been incorrect, but that a detailed review by the consultants had been undertaken to assure there were no other errors and that the Assessment provided the robust evidence needed to support the SoCG.
- (x) It was noted that the Strategic Transport Assessment and the Strategic Growth Options and Constraints Study which had also been commissioned by the MAG had not yet been completed. Members noted that for various reasons, these two pieces of work had been more complex and so were still being finalised. However, Mr Roberts reported that partners had agreed that it would not be prudent to await their outcome, as the delay would have a negative impact on district council local plan processes.
- (xi) A Member questioned the impact the City's increased unmet housing need had on housing numbers included within the Strategic Growth Plan (SGP). Mr Roberts confirmed that the SGP covered a much longer timeline (to 2050) and so the higher forecasted growth figures within that remained unchanged given it extended over a much longer period.
- (xii) Members challenged how the cost of infrastructure to support the increased growth being passed to districts would be met given the financial pressures facing the County Council. It was noted that this was a significant issue that required better coordination of local plan processes by the district councils and then the prioritisation of infrastructure required to support those plans.
- (xiii) Whilst building on green field sites in the County might be considered, this was not a matter for the County Council, but a matter for district councils to

address through their local plan processes. District councils would also address issues such as affordable housing.

RESOLVED:

That the comments now made be submitted to the Cabinet for consideration at its meeting on 16th September 2022.

24. Leicestershire County Council Community Safety Strategy 2022 - 2026

The Commission considered a report of the Director of Children and Family Services, the purpose of which was to set out the duties placed on the County Council and other statutory responsible agencies in relation to crime and disorder and to outline the current approach adopted in Leicestershire. The report also sought the Commissions views on the revised Leicestershire County Council Community Safety Strategy for 2022 – 2026 as part of the ongoing consultation. The Commission were asked to consider this report in its capacity as the County Council's designated crime and disorder committee. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) Partnership working had inevitably been affected by lock downs imposed during the Covid 19 pandemic. However, partners were now coming back together, and a Community Safety Partnership (CSP) Conference would be held later this year. This would help target discussions around how partners would deliver their reviewed priorities which had been reflected in the Council's refreshed Strategy.
- (ii) A Member questioned the affect delivery of some outcomes had in practice. For example, the installation of additional lighting to help address violence against women and girls. The Director confirmed that this work had been led by the Office of the Police and Crime Commissioner, supported by partners including the County Council, and undertook to provide more information on the impact of this work outside the meeting.
- (iii) Anti Social Behaviour (ASB) continued to be an issue but was heavily affected by the weather. Figures had increased over recent summer months but were expected to now plateau and drop slightly. The Strategic ASB Group and Officer Subgroup continued to review data and specific cases as appropriate and the Council had a dedicated officer appointed to drive this work forward.
- (iv) The Lead Member for Children and Family Services emphasised that it was very difficult for the Council and its partners to build up evidence of where ASB was happening and therefore how best to address this, as many people no longer reported it, instead choosing to post issues on-line. Members acknowledged that it was vitally important for incidents to be reported either to the Police or the Authority to help it build that intelligence. It was suggested that this could be a point raised with CSPs through the planned CSP Conference.
- (v) A member commented that many residents no longer reported cases of ASB due to the lack of response received. The Director confirmed that the publics expectations had to be managed and it had to be recognised that

reporting an incident would not necessarily result in immediate action. Cases were often complex and subject to other contributing factors that also needed to be addressed.

- (vi) Members noted that a tiered response to ASB had been adopted and only when all other avenues had been exhausted were the police involved. Up to that point, a range of partnership activities and responses were adopted to try and resolve issues.
- (vii) The Lead Member commented that cuts to funding had been a contributing factor in the work undertaken to address ASB. For example, cuts to youth work had had a knock-on effect. Members recognised that the County Council with its partners was seeking to deliver the best outcomes with the limited resources now available.
- (viii) A Member commented that the cost of obtaining an injunction through the courts had increased and had now become prohibitive. Access to youth services was key to prevent ASB, but access to the legal process when problems arose was also critical. The Director acknowledged that this was an issue and commented that this further emphasised the need for a partnership approach.

RESOLVED:

That the comments now made be reported to the Cabinet at its meeting on 16th September 2022.

25. Leicestershire Domestic Abuse Strategy 2022-2025 - Update

The Commission considered a report of the Director of Children and Family Services which provided an update on the approach taken to new duties placed on the County Council by the Domestic Abuse Act 2021 and the work being undertaken under the new Leicestershire Domestic Abuse Reduction Strategy 2022-25. The Commission were asked to consider the report as the County Council's designated crime and disorder committee. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) The provision of safe accommodation for Domestic Abuse (DA) victims continued to be an issue. A Member commented that the Strategy indicated 21 places of safe accommodation being available in the area whilst in practice around 70 was needed. Members noted that sourcing accommodation, which was appropriate with connections to schools etc, was very difficult. However, a commissioning plan was being considered, as well as seeking how best to support victims to stay home (instead moving the perpetrator) where appropriate and safe to do so.
- (ii) Members noted that the new responsibilities placed on the County Council under the Act were to raise awareness, ensuring the early signs of DA were spotted and reported and to support victims into safe accommodation. The funding could not be used to purchase purpose built accommodation.

- (iii) A member commented that the new approach should be supported but raised concerns that even if successful, there was no guarantee of future government funding to support the programme. The Lead Member emphasised the intention that work under the new duties would feed into the Department's current processes across all service areas as far as possible but acknowledged that continued funding to support this work would be vital to ensure its continued success over the longer term.
- (iv) Members noted that the Department had and continued to focus on those children and families where DA was a factor. Evidence was clear that this was an issue for many of those children that entered the social care system. Join up between service areas in this work was therefore essential to gain maximum benefit.
- (v) Training was being provided across the partnership to ensure all those officers that entered a person's home were better able to spot signs of domestic abuse. This would cover health workers and midwives, fire, and police officers as well as relevant Council staff.

RESOLVED:

That the update now provided be noted.

26. Adjournment and change to the order of business.

The meeting adjourned at 12 noon and reconvened at 12.20pm.

The Chairman sought and obtained the consent of the Commission to vary the order of business from that set out on the agenda.

27. Corporate Asset Management Plan 2022 - 2026

The Commission considered a report of the Director of Corporate Resources which sought its views on the draft Corporate Asset Management Plan (CAMP) for 2022 – 2026. The Plan set out the strategic direction for the use, management and development of Leicestershire County Council's corporate property resources over the next four years. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

In response to questions raised, Members were advised of the following:

- (i) The Council already had a contract in place with Weston Power for the Quorn Solar Farm site.
- (ii) Consideration would be given to non-operational property sale processes with a view to speeding these up wherever possible. Properties identified for sale were considered by the Corporate Property Strategy Group and all departments were consulted to ensure they were surplus to requirements before being sold.
- (iii) The income figures detailed in the report were net of costs.
- (iv) To transfer the risk as far as possible, the Council would seek to ensure that, in future, developers built the schools required to support new housing developments. Section 106 planning agreements were being adapted to ensure inflation was accounted for. A more prescriptive approach to what

developers could build was also being developed to ensure schools met the required standards.

- (v) In light of the latest financial challenges, initiatives that delivered a financial benefit would be prioritised.

RESOLVED:

That the Corporate Asset Management Plan for 2022 – 2026 be supported.

28. Corporate Asset Investment Fund Annual Performance Update 2021 - 22

The Commission received a report of the Director of Corporate Resources, which set out the performance of the Corporate Asset Investment Fund (CAIF) in 2021/22. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Members were pleased to note that the Fund had increased in value for the seventh year in a row. Whilst more modest returns had been seen in recent months, the Fund had substantially over performed during the Covid pandemic. Members agreed that the Fund had generated much needed income for the Council and whilst economic pressures continued, the Fund helped bridge the increasing revenue funding gap.

In response to questions raised, the following information was provided:

- (i) Lutterworth East Strategic Development Area – Progress had been delayed due to the judicial review application by the Health Service against Harborough District Council's planning decision. Once the outcome of this had been confirmed further consideration would be given to potential development options for the site.
- (ii) Firs Farm – The planned review of the Council's processes for monitoring its County farms estate had been delayed due to focus being given in the first instance to resolving the issue on site following considerable consultation with the Environment Agency. Whilst a concern, especially given the high clean-up costs expected to be incurred, it was emphasised that the County Council owned a number of farms and that this had been the first time in decades (Firs Farm itself had been owned for over 70 years) that an incident such as this had occurred.

RESOLVED:

That the performance of the Corporate Asset Investment Fund during 2021/22 be noted and welcomed.

29. MTFS Monitoring and Strategy Update

The Commission considered a report of the Director of Corporate Resources, which provided an update on the worsening short and medium term financial position in light of the current economic climate. The report also detailed the changes proposed to be made to the previously agreed 2022-26 capital programme following the latest review and covering the specific revenue budget monitoring position as at the end of period 4 (the end of July). A copy of the report marked 'Agenda Item 13' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) The budget gap for this year would be addressed through the use of contingencies. Corrective action would also be taken to push back a number of capital programme schemes. The position would remain difficult for the following financial year and most likely for the next four years.
- (ii) It was recognised that the Council like many other organisations was facing overlapping crises. The capital programme had been affected by the Covid pandemic and was now further being affected by the cost of living crisis and rising inflation.
- (iii) Inflation had risen rapidly in a short space of time which was affecting many areas of the Council's budget. This was a matter outside the Council's control but the steps being taken to consider measures to mitigate this were welcomed. It was further noted that the Cabinet would be considering a report at its meeting later this month on what those potential measures might be. Members were assured those proposed to be taken forward would follow the usual member decision making and consultation processes at the appropriate time.
- (iv) It was noted that direct energy costs had risen from £3m to £5m and would likely increase further to £7m in the next financial year. The impact of such additional costs was alarming.
- (v) A member expressed concern that the Council, after years of austerity, had few options and many discretionary services had already been cut over the last decade.
- (vi) It was questioned what the Cabinet were doing to lobby Government to address the fundamental problem for Leicestershire, in that it was one of the lowest funded authorities in the country. The Leader Member for Resources, Mr Breckon CC, confirmed that he and Cabinet colleagues were continuing to push its fair funding campaign. Though no government help was expected in the short term this work would continue.
- (vii) A member raised concerns if the Council froze vacancies at a time when recruitment and retention was already difficult and questioned what added pressure this would put on officers and service continuity. The Director confirmed that nationally recruitment was a difficult issue, and the Council was experiencing these pressures in services such as children's social care. Members were assured that any vacancy freeze would not be applied in such areas, but a considered and targeted approach would be taken.
- (viii) A member questioned what was being done to ensure the Council's suppliers were in good shape given how many small businesses were being particularly hard hit by the current economic pressures. The Director confirmed that the Council was in contact with its suppliers, but whilst targeted work to support them during Covid had been undertaken, the Council no longer had the resilience to continue this. Any further assistance provided would be dependent on further funding from Government.

- (ix) The Director clarified that the Council's exposure to lost business rates would be limited, due to the MTFs assumption that Business Rate growth would be "reset" next year. The growth for the Council was currently £6m and there was no on-going assumption of a benefit from the Business Rate Pool.
- (x) A member commented that the Council needed to speed up its decision making around the disposal of some assets which had become considerably costly. Members were assured that when considering whether or not to retain or sell an asset a rounded approach was taken with revenue costs being balanced against capital receipts.
- (xi) When property schemes for the Corporate Asset Investment Fund were appraised in line with the Strategy, a 6% minimum return was sought. This would be reviewed as interest rates increased and other types of investment also considered.

RESOLVED:

- (a) That the revenue budget monitoring position as at the end of period 4 (the end of July) be noted;
- (b) That the current economic pressures affecting the Council's budget be noted with concern and the steps being taken to mitigate this recognised.

30. Chairman's Announcement

The Chairman announced that this would be Mr Anthony Cross, Head of Law's last meeting as he was due to retire at the end of October. The Chairman, on behalf of the Commission and all Scrutiny Members thanked Mr Cross for his input and support and wished him well for the future.

31. Dates of future meetings.

RESOLVED:

It was noted that the next meeting of the Commission would be held on 9th November 2022 at 10.00 am and that dates of meetings in 2023 had been scheduled to take place on:

Wednesday, 9th November 2022 at 10.00 am
 Monday, 30th January 2023 at 10.00 am
 Wednesday, 15th March 2023 at 10.00 am
 Wednesday, 12th April 2023 at 10.00 am
 Monday, 12th June 2023 at 10.00 am
 Wednesday, 6th September 2023 at 10.00 am
 Wednesday, 8th November 2023 at 10.00 am

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