

**POLICY SCRUTINY GROUP  
24TH APRIL 2018**

PRESENT: Councillor Seaton (Chair)  
Councillor K. Harris (Vice-chair)  
Councillors Brookes, Hamilton, Murphy, Paling, Parton,  
Rollings, Shepherd and Smith

Councillor Smidowicz – Cabinet Lead Member for  
Regulatory Services, Enforcement and Licensing (for item 6  
on the agenda)

Head of Planning and Regeneration  
Head of Regulatory Services  
Improvement and Organisational Development Manager  
Communications Manager  
Principal Planning Officer (RB)  
Sustainability Officer  
Democratic Services Manager  
Democratic Services Officer (MH)

APOLOGIES: Councillor Gaskell

The Chair reminded members of the public and the Committee that the meeting was being recorded and that the recording would be made available on the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from the meeting, and the use of any such images or sound recordings was not under the Council's control.

39. MINUTES

The minutes of the meeting held on 6th February 2018 were confirmed as a correct record, subject to an addition to minute 36 (Corporate Anti-social Behaviour and Hate Incident Policy 2018-2021) to state that Councillor Parton had objected to the inclusion of categories for the definition of what constituted a hate incident that were additional to the definition set out by the Home Office, and signed.

40. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures of interests were made:

- (i) by Councillor Shepherd – a personal interest in item 7 (Climate Change Strategy and Action Plan) as a member of Leicestershire County Council.

41. DECLARATIONS OF THE PARTY WHIP

No declarations of the existence of the Party Whip were made.

42. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURE 11.17

No questions had been submitted.

43. CORPORATE ENFORCEMENT POLICY

A report of the Strategic Director of Housing, Planning and Regeneration and Regulatory Services, enabling the Group to review the proposed Corporate Enforcement Policy, was submitted (item 6 on the agenda filed with these minutes).

Councillor Rollings arrived at 6.25pm.

The Lead Member for Regulatory Services, Enforcement and Licensing, the Head of Planning and Regeneration and the Head of Regulatory Services assisted with consideration of the item and provided the following responses to issues raised:

- (i) The policy set out the principles in relation to enforcement that the Council would follow. Services undertaking enforcement activity would still produce their own policies, which would set out more detail specific to that area of activity.
- (ii) There could be circumstances where a breach or offence was serious, for example a death from food poisoning, but action could not be taken because there was insufficient evidence to pinpoint the source.
- (iii) Enforcement activity could result in a range of formal action being taken, including issuing fixed penalty notices, seeking civil penalties and other types of court proceedings.
- (iv) Each year a programme of internal audit activity was agreed in consultation with heads of service but based on risk. This could include regulatory activities and service areas were typically reviewed every three years.

Members of the Group made the following comments:

- (i) The policy was helpful in setting out as clearly as possible how the Council would approach making difficult judgements regarding whether to take enforcement action or not, and explaining in what circumstances enforcement might not be appropriate.
- (ii) A lack of resources should not be a limiting factor in deciding whether to take enforcement action or not.

## RESOLVED

1. that the report be noted;
2. that it be noted that the Group supported the policy and considered that it provided a useful format for other service-specific enforcement policies.

### Reasons

1. To acknowledge the information received.
2. To set out and record the conclusion of the Group's consideration of the matter.

#### 44. CLIMATE CHANGE STRATEGY AND ACTION PLAN

A report of the Head of Planning and Regeneration, enabling the Group to review the proposed Climate Change Strategy and Action Plan, was submitted (item 7 on the agenda filed with these minutes).

The Head of Planning and Regeneration and the Sustainability Officer assisted with consideration of the item and provided the following responses to issues raised:

- (i) Additional information could be added to the draft strategy to raise awareness of the impact of meat consumption on the production of greenhouse gases.
- (ii) An amendment to the draft strategy could be made to highlight the benefits of both recreational and non-recreational cycling as the latter was an alternative to commuting by car.
- (iii) The Council still operated an environmental detectives programme for children. This was aimed at primary school children and predominantly internet-based.
- (iv) It was difficult to measure the effectiveness of the provision of travel packs to newly constructed homes. However, the provision of packs continued to be requested as a developer contribution by Leicestershire County Council and could be provided at relatively low cost. They provided the opportunity for residents to consider their transport options.

Members of the Group made the following comments:

- (i) Native species were often suited to their local environment and supported other herbivore or carnivore species. Some alien species were very invasive, for example Himalayan balsam.
- (ii) Tree planting also had a benefit of reducing run off and therefore the risk of flooding.

Councillor Parton raised a number of issues, and asked specific questions regarding the travel to work distances of Council employees, whether recruitment policies could prioritise the recruitment of staff who lived closer to Loughborough, the number of trees planted and cut down by the Council and discussions with Loughborough University regarding students' cars which he requested to be recorded in the minutes. He was advised by the Chair that those issues and questions would be better asked directly of officers outside the meeting.

## **RESOLVED**

1. that the report be noted;
2. that it be noted that officers would amend the draft strategy to add further information regarding meat consumption and non-recreational cycling prior to its submission to the Cabinet;
3. that it be noted that the Group supported the strategy and considered that it was important that the Council recognised its impact on climate change and sought to reduce or offset that;
4. that the Group supported the continuation of annual reporting on climate change indicators to the Performance Scrutiny Panel.

## Reasons

1. To acknowledge the information received.
  2. To acknowledge the comments made by the Group and how they would be taken forward.
  3. To set out and record the conclusion of the Group's consideration of the matter.
  4. To enable the Council's performance in relation to climate change to be scrutinised appropriately.
45. REVIEW THE COUNCIL'S CURRENT POLICIES AND PROCEDURES IN RELATION TO ITS METHODS FOR CONDUCTING SURVEYS AND CONSULTATION

An update report from the Head of Strategic Support requested by the Group, enabling it to compare the methods and results of the 2017 residents' survey with those of the 2015 survey, was submitted (item 8 on the agenda filed with these minutes).

The Improvement and Organisational Development Manager and the Communications Manager assisted with consideration of the item and provided the following responses to issues raised:

- (i) The face-to-face surveys based on a structured sample were considered to be a success and provided a more balanced and representative description of the views of residents in the Borough as a whole than the open access survey. However, that did not mean that the Council would only use that method in the future. There were advantages for informing certain types of decisions in allowing anyone who wished to comment to do so. In addition it could be beneficial for the public to know that the Council was seeking the views of everyone in the Borough on a particular issue.
- (ii) It was important that survey methods were designed with the target audience in mind.
- (iii) Email addresses could be purchased for marketing purposes. The people whose email addresses they were would have agreed to their addresses being used in this way.
- (iv) For the face-to-face surveys the company which undertook the work used its own expertise and sources of information, for example census data, to produce a demographic profile of the Borough on which to base its sample. The Council had not had to provide assistance with that.
- (v) The surveys that were used contained a mixture of closed and open questions and included some questions that had been used in previous surveys so that trends in responses could be measured.
- (vi) There had been no negative feedback regarding the company that had undertaken the face-to face surveys. The Council would have to follow its procurement rules in selecting which company would undertake similar work in the future.

Members of the Group made the following comments:

- (i) Some of the groups that were considered to be seldom heard from had more barriers to participation than others.

## **RESOLVED**

1. that the report be noted;
2. that further details regarding the questionnaires that had been used and the results of the surveys be circulated to members of the Group.

## Reasons

1. To acknowledge the information received.
2. To provide the Group with additional information relating to the matter.

Note: the information about the questionnaires used and results of the residents' survey referred to in resolution 2 above can be found on the Council's website at <https://www.charnwood.gov.uk/pages/survey>.

#### 46. SINGLE LOCAL PLAN

A copy of the Local Development Scheme approved by the Cabinet on 15th March 2018, enabling the Group to programme its scrutiny of the development of the Single Local Plan, was submitted (item 9 on the agenda filed with these minutes).

The Head of Planning and Regeneration and a Principal Planning Officer assisted with consideration of the item and provided the following responses to issues raised:

- (i) An informal consultation targeted at stakeholders, but which the public could also respond to, was due to start in the following week. The focus of the consultation would be on the big questions for the new Single Local Plan such as what the distribution of development should be. The results of that consultation and details of how those results would be taken forward in the preparation of a draft Local Plan could be submitted to the meeting of the Group scheduled for 10th July 2018.
- (ii) The target date for the preparation of a draft of the new Local Plan was October 2018. It might be possible to include scrutiny of the emerging draft at the Group's meeting scheduled for 25th September 2018 or the Group could consider the matter after the draft was published at its meeting programmed for 13th November 2018.
- (iii) The timetable leading up to the planned adoption of the new Local Plan was based on guidance from the Planning Inspectorate. It was necessary to have a timetable so that work could be managed but it was recognised that it could be affected by external factors. For example, the Government was currently consulting on revisions to the National Planning Policy Framework. As a result the timetable was reviewed on an annual basis.
- (iv) It was expected that the final stages leading towards the adoption of the new Local Plan would more closely follow the model set out in the Planning Inspectorate's guidance than had been the case with the adoption of the current Core Strategy. That process had taken longer than expected because there had been a need to undertake additional consultation following changes to policy being proposed by the Government.

Members of the Group made the following comments:

- (i) It would be helpful if details of the form that the informal stakeholder consultation took could be provided when the results of it were considered by the Group.

## **RESOLVED**

1. that the report be noted;
2. that further scrutiny of the matter be programmed for the Group's meeting scheduled for 10th July 2018 to consider the results of the informal consultation with stakeholders and details of how those results would be taken forward in the preparation of a draft Single Local Plan;
3. that further information be provided to the Group regarding options for the timing of scrutiny of subsequent stages of the development of the new Local Plan, with an aim for that to take place at the Group's meeting scheduled for 25th September if possible.

## Reasons

1. To acknowledge the information received.
2. To enable the Group to scrutinise the next significant stage in the development of the new Local Plan in a timely manner.
3. To assist the Group in programming further scrutiny of the matter.

## 47. SCHEDULE OF COUNCIL POLICIES AND STRATEGIES

A report of the Head of Strategic Support, providing an opportunity to consider the Council's forward programme of policies and strategies and identify potential items for future scrutiny was submitted (item 11 on the agenda filed with these minutes).

The Democratic Services Manager assisted with consideration of the item.

The Chair identified a number of policies and strategies that it was proposed should be added to the Group's work programme for the period to May 2019. She stated that if members of the Group identified any further policies or strategies that should also be added they should contact the Chair.

## **RESOLVED**

1. that the report be noted;

2. **that it be recommended to the Scrutiny Management Board** that the following items be added to the Group's work programme:

- Adaptations Policy
- Business Plan (particularly in relation to ensuring it provides a robust framework for performance management)
- Children and Young People Strategy
- Gambling Act Statement of Principles (particularly in relation to tackling problem gambling)
- Housing Financial Inclusion and Income Management Strategy
- ICS Strategy
- Open Spaces Strategy
- Procurement Strategy
- Tenancy Support Policy.

#### Reasons

1. To acknowledge the information received.
2. To identify policies and strategies for the Group's work programme where its scrutiny could add value.

#### 48. PROGRESS WITH PANEL WORK

A report of the Head of Strategic Support, providing an update on the current position with scrutiny panels, was submitted (item 11 on the agenda filed with these minutes).

The Democratic Services Manager assisted with consideration of the item.

**RESOLVED** that the current position with scrutiny panels be noted.

#### Reason

To ensure that the Group was aware of the current position with scrutiny panels.

#### 49. WORK PROGRAMME

A report of the Head of Strategic Support, enabling the Group to consider its work programme and propose to the Scrutiny Management Board any additions, deletions and amendments as appropriate, was submitted (item 12 on the agenda filed with these minutes).

The Democratic Services Manager assisted with consideration of the item.

## **RESOLVED**

1. that the Democratic Service Manager be given delegated authority to identify potential dates for the scrutiny of those items identified for addition to the Group's work programme in resolution 47.2 above, in consultation with relevant Heads of Service.
2. that the changes made by the Scrutiny Management Board and the Chair and Vice-chair of the Group to the Group's work programme be noted;
3. that the current position with the Group's work programme and the Notice of Key Decisions and Decisions to be Taken in Private be noted;
4. that the actions taken and the decision made by the Scrutiny Management Board regarding the monitoring of performance in relation to policy aspects of the Housing Revenue Account Business Plan 2014-44 and the Housing Asset Management Strategy 2014-19 be noted.

## Reasons

1. To enable scrutiny of those items to take place at the most effective time.
2. To acknowledge the decisions made by the Board, and the Chair and Vice-chair.
3. To make the Group aware of the current position with its work programme.
4. To make the Group aware of how its decisions in relation to the matter had been concluded.

## NOTES:

1. No reference may be made to these minutes at the Council meeting on 25th June 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on 13th June 2018.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Group.