

**PERFORMANCE SCRUTINY PANEL  
14TH FEBRUARY 2018**

PRESENT: Councillors Fryer (Chair)  
Councillors Brookes, Campsall, Draycott, Huddleston, Lowe  
(Vice-chair), Rollings and Seaton

SLF Services Manager – Leicestershire County Council (item 6)

Head of Finance and Property Services  
Head of Landlord Services  
Head of Neighbourhood Services  
Head of Planning and Regeneration  
Head of Strategic Support  
Children Families and Partnerships Manager  
Principal Officer Tenancy and Income Management  
Democratic Services Officer (NC)

APOLOGIES: Councillor Paling

Ian Parry from the Centre for Public Scrutiny (CfPS) attended the meeting as an observer.

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via 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 this meeting, and the use of any such images or sound recordings was not under the Council's control.

41. MINUTES

The minutes of the meeting of the Panel held on 12th December 2017 were confirmed as a correct record and signed.

42. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- a) by Councillor Fryer – personal interest in respect of item 6 on the agenda as a County Councillor and as a member of the County Council's Adults and Communities Scrutiny Committee and the Health Overview Scrutiny Committee.
- b) by Councillor Fryer - personal interest in respect of Item 8 on the agenda, any matters therein relating to her former role as the Cabinet Lead Member for Open Spaces and Leisure Services.

- c) by Councillor Seaton – personal interest in respect of her role as a County Councillor and any matters relating to her being the Chair of the County Council’s Children and Families Committee.

In response to a question regarding the appropriateness of participating in financial decision making by councillors who had declared a personal interest, the Head of Strategic Support explained that the Members’ Code of Conduct stated that where councillors were members of more than one body a personal interest would create a conflict of interest only in exceptional circumstances. In this instance where financial decisions were not being made a personal declaration was acceptable.

43. DECLARATIONS – THE PARTY WHIP

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

44. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 11.17

No questions had been submitted.

45. SUPPORTING LEICESTERSHIRE FAMILIES PROGRAMME

A report of the Head of Neighbourhood Services providing an update on the progress of the Supporting Leicestershire Families (SLF) Programme in Charnwood was submitted (item 6 on the agenda filed with these minutes).

The Head of Neighbourhood Services, the Children Families and Partnerships Manager and the SLF Services Manager, Leicestershire County Council attended to assist the Panel with the consideration of the item.

In addition to the information provided within the report and in response to issues raised by the Panel, the Head of Neighbourhood Services and the SLF Services Manager, Leicestershire County Council stated that:

- of the original 3300 Leicestershire families identified prior to the start of the programme, approximately a third (1066) were located within Charnwood; this reflected the work being done by officers to identify troubled or at risk families and ensuring they could access all services available.
- a ‘Model of Maturity’ of the learning from the Troubled Families programme was a service transformation model provided by the Ministry of Housing Communities and Local Government, (MHCLG), (previously known as the Department of Communities and Local Government). It would focus on how the introduction of the programme had influenced services being accessed by families with multiple needs and consider the integration of the Troubled Families programme into mainstream services.
- the Early Help Review was undergoing public consultation from 22nd January 2018 to 22nd April 2018. Chief Executives from across Leicestershire had been consulted and planned stake holder events, public drop in sessions and assisted sessions including the provision of crèche facilities, would be held in

40 centres mentioned in the review. It was not known when the consultation outcomes would be available after the end of the consultation period.

- the MHCLG had not released its plans suggesting the continuance of the Troubled Families programme after 2020. Troubled Families Coordinators had met with MHCLG recently to determine whether the funding would be available, but it was understood that this was based on the outcome of a spending review of funding invested in this programme across the Country and a commitment was not being made either way. There had been no indication when decision would be made.
- families were classified as 'stuck/accepting help/trying' based on the cycle of change and could be oblivious to problematic issues in their lives. Officers followed the 10 prongs of the Family Star and focussed on making improvements in confidence to encourage families to change and move forward. There was a 3 week process to follow where everything possible was tried to engage with troubled families. School buildings were used for meetings with key families and schools generally engaged with the programme; however it could be a challenge if they became academies.

## **RESOLVED**

1. that the following information be circulated by email to all councillors:
  - (i) the report relating to Supporting Leicestershire Families Programme, as submitted to the Panel,
  - (ii) the link to the County Council website including information regarding the Early Help Review consultation and drop-in session dates,
  - (iii) an explanation of the potentially significant impact on Charnwood Borough families if funding for the Troubled Families programme were to cease in 2020,
  - (iv) details of how to access the Early Help Review consultation to encourage councillors to respond;
2. that information contained in the report of the Head of Neighbourhood Services be noted;
3. that a further update regarding Supporting Leicestershire Families be considered in 12 months at a meeting of the Panel to be held in February 2019.

## Reasons

1. Members of the Panel were concerned about raising the profile of this important matter to all councillors, to encourage participation in the consultation and to highlight the impact to the residents of the borough if funding were to cease, particularly in relation to one third of the total number of Troubled Families residing in the County, being located within Charnwood.

2. The Panel were happy to note the contents of the report, whilst agreeing that a further update was necessary.
3. The Panel wished to continue monitoring the implementation and success of the Supporting Leicestershire Families programme and considered that 12 months would be a sufficient time period to ensure further information regarding the renewal of funding was available. If this information was received before the report was due to be submitted to the Panel it was noted that officers could inform the Panel to enable its consideration of the item to be brought forward on its work programme.

#### 46. UTILISING SECTION 106 FUNDS

A report of the Strategic Director Neighbourhoods & Community Wellbeing and Head of Planning & Regeneration providing an update on the use of Section 106 funds in Charnwood was submitted (item 7 on the agenda filed with these minutes).

The Head of Planning and Regeneration attended to assist the Panel with the consideration of the item.

In addition to the information contained within the report, and in response to issues raised by the Panel, Head of Planning and Regeneration stated that:

- the Senior Management Team and the Cabinet Lead Member received quarterly reports from the working group regarding Section 106 matters and the procedure was internally audited on a three-yearly basis. It had been audited within the last six months and training was also provided to councillors on an annual basis.
- Officers were proactive in working with parishes and wards, including the smaller parishes, to develop schemes and advise if Section 106 monies could be pooled where possible.
- the working group monitored the expiration dates of Section 106 agreements and obligations were prioritised with regard to deadlines to reduce the possibility of monies being returned to the developers. It was noted that on some occasions schemes were not realised due to other circumstances.
- the process for obtaining funding by Section 106 agreements was provided on the Council website and funding could not be released until the planning application had been approved.
- when Councillors were notified of new planning applications case officers entered into a dialogue regarding its potential impact on community infrastructure and the letter sent asked the stakeholder to comment on Section 106 requirements. The process also encouraged applicants to reach out to the communities and relevant stakeholders before an application was submitted formally, but this was not statutory and was at the discretion of the applicant.
- if an impact on community infrastructure had been identified when a new planning application was lodged, contributions could be made to improve the infrastructure in order to overcome reasons for a refusal of permission. The

criteria for this was tightly controlled by regulations and contributions needed to be in scale with the proposed development. If there was an identified impact on a particular ward, the monies would be directed to projects within that ward to overcome that impact.

- there was one approach for the borough as a whole; it wasn't different for parishes and wards in Loughborough. A scrutiny panel regarding Section 106 matters had identified the need for councillors to be engaged earlier in the process; this had been implemented.
- While there was a threshold at which contributions towards affordable housing was triggered there was not generally a size threshold for other obligations when considering residential proposals – the tests to be met were those set out in the regulations.

Members advised that it was beneficial to collate a list of possible projects for when Section 106 monies became available within their wards. It was noted that further training on Section 106 procedures would be advantageous. Training had been provided on a yearly basis and the Democratic Services team were working with officers to arrange further training for 2018.

## **RESOLVED**

1. that the Head of Planning and Regeneration be asked to circulate to all Councillors the link on the Council website regarding the Section 106 process and clarify the wording held within the letters which are sent to relevant stakeholders when notifying councillors of a planning application;
2. that further training be arranged regarding Section 106 procedures for all councillors who may wish to attend;
3. that the information contained in the report of the Strategic Director Neighbourhoods & Community Wellbeing and Head of Planning and Regeneration be noted;
4. that a further update regarding utilising Section 106 Funds is not required and it be removed from the Panel's Work Programme.

## Reasons

1. Members of the Panel considered that all councillors may benefit from a reminder of the Section 106 process as Loughborough Ward Councillors present at the meeting were uncertain if they were appropriately informed when Section 106 monies became available in their wards or how to apply for this funding.
2. Members of the Panel considered further training to advance all councillors' understanding of the Section 106 process would be beneficial.
3. The Panel was satisfied with the information provided.

4. The Panel considered that as the Senior Management Team received quarterly reports regarding Section 106 matters, the procedure was audited on a three-yearly basis, and the information contained in the report indicated that the procedure was being tightly monitored there was no added value to monitoring the performance of the Section 106 process in 12 months. It was considered that receiving training in the process would be of more benefit.

#### 47. GENERAL FUND AND HRA REVENUE MONITORING REPORT

A report of the Head of Finance and Property Services was submitted (item 8 on the agenda filed with these minutes).

The Head of Finance and Property Services attended to assist the Panel with the consideration of the item and stated that the format of the report had been altered to provide additional detail and explanations.

In response to issues raised by the Panel, the Head of Finance and Property Services and the Head of Strategic Support stated that:

- although grants applications were requested at set times throughout the year, the underspend of £50K for Community Grants had been forecast in December and also at the end of the financial year. This was partly due to an insufficient number of applications and it was anticipated that there would be a carry forward request when the year ended.
- the overspend for the Capita Contract with regard to inflation related costs was linked to a volume threshold for the number of council tax bills processed by the company. As this threshold had been reached Capita had submitted a new volume based price. The number of houses built in the Borough since the agreement of the contract 8 years ago had increased and it was considered acceptable that the threshold had been reached at the 8 year point of a 10 year contract.
- the overspend for public conveniences stated on page 5 of the report related to sites across the borough and not just in Loughborough. The overspend for opening the Biggin Street toilet on Fridays was covered in Loughborough Special Expenses on page 8 of the report and related to paying overtime for opening the toilet on Fridays.
- the underspend noted in the report for the Thorpe Acre Scout Hut and Crime Reduction salaries were not linked.

#### **RESOLVED**

1. that the Head of Neighbourhood Services provide the Panel with further information regarding the underspend of £50K for community grants with respect to why applicants were not coming forward and how the grant availability was being promoted and publicised;
2. that the Head of Neighbourhood Services provide Councillor Campsall with an explanation why the Thorpe Acre Scout Hut and the Crime Reduction salaries

appeared to be linked in the report and provide an explanation why the Thorpe Acre Scout Hut was included;

3. that the Head of Cleansing and Open Spaces provide the Panel with further information regarding the reasons for period 9 and year end overspend for the Outwoods Site preparation, promotional costs and car park income shortfall;
4. that the Head of Leisure and Culture provide the Panel with further information regarding the reasons why there was an overspend for the Public Conveniences – shortfall of income and increased staffing costs, and whether the Biggin Street Public Convenience was being used often and could be opened more frequently.
5. that the information contained in the report of the Head of Finance and Property Services be noted.

### Reasons

1. Members of the Panel were concerned about an underspend in the community grants budget considering the recent decision to establish a local authority lottery for Charnwood to support the local and voluntary sector and wished to understand how the grants were publicised.
2. Councillor Campsall wished to understand why the two items were linked in the report and why the Scout Hut has been included as it was not part of the Council's property portfolio.
3. Members of the Panel wished to understand in more detail why there was an overspend shown in the budget for the Outwoods, as it had been perceived through other channels that income from the car parking charges was more than expected and that the budget was on target.
4. Members of the Panel wished to understand in more detail why there was an overspend in the budget for Public Conveniences and that all opportunities for opening the Biggin Street Public Convenience had been considered.
5. The Panel was satisfied with the information provided.

### 48. TENANCY SUPPORT

A report of the Head of Landlord Services providing an update regarding tenancy support was submitted (item 9 on the agenda filed with these minutes).

The Head of Landlord Services and Principal Officer Tenancy and Income Management attended to assist the Panel with the consideration of the item and set out the following correction to the report:

Paragraph 2 on page 4 of the report to read as follows:

“356 tenancies were started in the period 1st April 2016 to 31st December 2016”.

In addition to the information contained within the report, and in response to issues raised by the Panel, the Head of Landlord Services and Principal Officer, Tenancy and Income Management stated that:

- Where cases were closed due to a failure to engage, the Tenancy Support team had tried all possible avenues to get the tenant to engage with the Service, particularly if they were facing eviction. Evicting tenants was usually the last resort and every attempt was made to keep the dialogue open. In some cases tenants engaged more readily with Tenancy Support Officers and other services within the Council were available to support tenants, for example, help to maximise benefits and improve finances before resorting to eviction.
- An incremental approach was applied for incidents of anti-social behaviour unless there was a situation where someone was at risk of harm and required protection.
- There had been an increase in houses sold through the right to buy scheme and the Council’s housing stock was reducing. Compared to last year there had been an increase in rent arrears but the collection rate was also higher. The rent arrears could be reduced by more evictions but it was more beneficial to have a higher collection rate. An overall increase in rent arrears was predicted due to the introduction of Universal Credit but there was an action plan in place and officers had done as much as reasonably possible to prepare Council tenants for the introduction of this benefit.

## **RESOLVED**

1. that the Head of Landlord Services provide the Panel with a detailed breakdown of the reasons why 22 cases had been closed due to a failure to engage and whether any of these cases were then accessing other Council services;
2. that an update report be provided to the Panel in 12 months at its meeting scheduled in February 2019, and to include previous year’s figures to enable trend analysis;
3. that the information contained in the report of the Head of Landlord Services be noted.

### Reasons

1. Members of the Panel wished to understand if cases where tenants failed to engage were then accessing other Council services because of vulnerabilities and required further support as a result of not engaging with the Tenancy Support team.
2. Members of the Panel noted that despite the Council’s efforts it was likely that the introduction of Universal Credit would impact the percentage of rent

arrears and it would be beneficial to include comparative information with the previous year's figures to enable the Panel to assess the impact of its introduction.

3. The Panel was satisfied with the information provided.

#### 49. WORK PROGRAMME

A report of the Head of Strategic Support was submitted to enable the Panel to consider its work programme and to propose to the Scrutiny Management Board any additions, deletions and amendments as appropriate (item 10 on the agenda filed with these minutes).

The Head of Strategic Support assisted the Panel with the consideration of this item and, in response to a question, noted that the quarterly Key Performance Indicator report to be considered at the next meeting showed year on year figures for comparison.

#### **RESOLVED**

1. that it **be recommended to the Scrutiny Management Board** that monitoring of the performance of the Charnwood Lottery six clear months after commencement of the scheme be added to the Panel's work programme;
2. that all Heads of Service be requested to include, where applicable, year on year data in future reports submitted to the Panel for its consideration;
3. that the deferment of the 'monitoring of the Empty Homes Strategy action plan' item from the Panel's meeting held on 14th February 2018, and that its consideration by the Panel be scheduled to its meeting to be held in July 2018 be noted;
4. that the 'Progress against actions in the Housing Strategy' item originally to be considered by the Panel at its meeting on 16th April 2018, be rescheduled to the Panel's meeting in July 2018;
5. that the consideration of the Policy list be scheduled to the Panel's meeting to be held on 16th April 2018;
6. that Capital Plan Amendment reports removed from the Work Programme be noted;
7. to note the current position with the Panel's Work Programme.

## Reasons

1. The Panel considered it was important to scrutinise the Charnwood Lottery a period of time after it had been implemented to monitor its performance and its ability to provide money for good causes.
2. The Panel were concerned to ensure its consideration of the Council's performance was full and detailed and that the inclusion of comparative information and yearly trends, where applicable, would be beneficial to its scrutiny.
3. To enable the Panel to consider the Empty Homes Strategy in line with the Service's annual review of the strategy.
4. To enable the Panel to receive information of a full financial year, up to the end of March 2018, regarding the progress against actions of the Housing Strategy.
5. To enable the Panel to schedule its review of particular policies and strategies using the most recent information available.
6. To note that the Scrutiny Management Board had agreed with the Panel's view that its scrutiny of Capital Plan Amendment reports did not add value and that the Capital Plan Amendment reports be removed from its Work Programme.
7. To make the Panel aware of the current position with its Work Programme.

## NOTES:

1. No reference may be made to these minutes at the Council meeting on 30th April 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Panel.