

**SCRUTINY MANAGEMENT BOARD  
14TH JUNE 2017**

PRESENT: The Chair (Councillor Miah)  
The Vice-chair (Councillor Shepherd)  
Councillors Bebbington, Bokor, Jukes, Seaton,  
and Smidowicz

Chief Executive  
Strategic Director of Housing, Planning and Regeneration,  
and Regulatory Services  
Head of Landlord Services  
Deputy Monitoring Officer/Legal Services Manager  
Repairs and Investment Manager  
Democratic Services Officer (LS)

Also in attendance were Councillor Hayes, Cabinet Lead Member for Regulatory Services and Town Centre (in respect of item 6 on the agenda) and Councillor Harper-Davies, Cabinet Lead Member for Housing Landlord Services (in respect of item 10 on the agenda).

1. MINUTES

The minutes of the meeting held on 29th March 2017 were confirmed as a correct record and signed.

2. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST

Disclosures of personal interest were made as follows:

- (i) by Councillors Miah, Seaton and Shepherd, in respect of item 6 on the agenda, as Leicestershire County Councillors;
- (ii) by Councillors Miah, Seaton and Shepherd, in respect of item 8 on the agenda, as Leicestershire County Council (reference was made to Lightbulb Service Model in report);
- (iii) by Councillors Bebbington, Bokor, Jukes and Smidowicz, in respect of item 10 on the agenda, as signatories to the Call-in, but all stating that they felt able to consider the matter fairly and with an open mind (having received advice on this from the Monitoring Officer prior to the meeting, reiterated by the Deputy Monitoring Officer/Legal Services Manager at this meeting).

3. DECLARATIONS – THE PARTY WHIP

No declarations were made.

4. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions had been submitted.

*Councillor Seaton arrived at the meeting at 6.05pm.*

5. AGENDA VARIANCE

**RESOLVED** that item 7 on the agenda be considered prior to item 6.

Reason

Councillor Hayes was due to attend the meeting to report to the Board in respect of item 6, but had been delayed. Therefore, it was appropriate to consider the item later in the meeting, once Councillor Hayes had arrived.

6. REFERRAL OF MINUTES TO COUNCIL TO PROMOTE WORK OF SCRUTINY

Considered a report of the Head of Strategic Support providing guidance as to the occasions on which it might be useful and appropriate to make reference to the minutes of scrutiny bodies at full Council meetings via the provision to do so in the Council's Constitution – Full Council Procedure 9.11 (b), with a view to further promoting the working of scrutiny (item 7 on the agenda filed with these minutes).

The Deputy Monitoring Officer/Legal Services Manager assisted with consideration of the report.

**RESOLVED**

1. that the report be noted;
2. **that it be recommended to Council** (on 4th September 2017) that the Council's Constitution be amended such that the provision to make reference to the minutes of scrutiny bodies at full Council (Full Council Procedure 9.11(b)) is extended to include the minutes of the Performance Scrutiny Panel and the Policy Scrutiny Group.

Reasons

1. To acknowledge the Board's consideration of the matter.
2. The report considered by the Board highlighted that, by convention, the minute referral procedure currently only applied to two scrutiny bodies, this Board and the Overview Scrutiny Group, as these were the only two bodies that were required to be politically balanced. The Board considered that extending that convention to the bodies outlined would assist in promoting the work of scrutiny, but noting that the procedure would need to be used judiciously. In particular, the scenarios stated in paragraph 7 of Part B the report considered by the Board provided

good examples of where use of the procedure would be useful and appropriate.

## 7. PARKING MATTERS IN THE BOROUGH

Considered a report of the Head of Strategic Support, attaching the Cabinet Lead Member for Regulatory Services and Town Centre's report on his work with officers on parking matters in the Borough, following the Board's consideration of this matter at its meeting on 26th October 2016 (item 6 on the agenda filed with these minutes).

The Cabinet Lead Member for Regulatory Services and Town Centre assisted with the consideration of the report. He wished to apologise that his arrival at the meeting had been delayed. Further to the report, the Cabinet Lead Member clarified the parking related matters within his remit.

The Board requested that a summary of the comments it made at this meeting, on the report and on parking matters in the Borough in general, be included in the minutes, so that they might be noted. Summary as follows:

- (i) The view was expressed that statements made in planning policies were not worded with sufficient strength and that parking provision from developers should be required rather than requested.
- (ii) It was often unclear where responsibilities lay for parking provision. Many of the issues raised by scrutiny were County Council matters. (It was stated later in the meeting that there was no statutory requirement on any authority to provide car parks, they could however choose and had powers to do so).
- (iii) The Council could not require other authorities to take action, it could only request that they did so. There was brief discussion regarding the routes available to make representations to other authorities, these included the Highways Forum. The view was expressed that the Council needed to focus on its own responsibilities.
- (iv) The view was expressed that reports submitted to scrutiny bodies had not provided sufficient detail on the work being done to address parking issues in the Borough, for example reference had been made to work with partners to encourage investment, but no detail of that had been provided. Scrutiny needed to continue to ask for information on the action being taken to address parking issues in the Borough. It would be appropriate to consider that later in the meeting, when the Scrutiny Work Programme was reviewed.
- (v) It was disappointing that the proposals by the Car Parking Scrutiny Panel held in 2011\* had not been supported and implemented.
- (vi) The view was expressed that parking had been an issue in the Borough for many years and it was unclear what progress had been made to address that.

**RESOLVED** that the report of the Cabinet Lead Member, together with the Board's comments on the report and on parking matters in the Borough in general, be noted.

Reason

To acknowledge the Board's consideration of the matters.

8. SCRUTINY WORK PROGRAMME AND ISSUES ARISING FROM SCRUTINY GROUPS AND PANELS

Considered a report of the Head of Strategic Support to enable the Board to agree the Scrutiny Work Programme, including considering requests from other scrutiny bodies and updates on the delivery of the Work Programme, and identify Key Decisions on which scrutiny could be undertaken, also to consider whether scrutiny of any procurement activity should be programmed (item 8 on the agenda filed with these minutes).

The Chief Executive assisted with consideration of the report.

Councillor Smidowicz referred to page 3 of the report and the recommendation of the Overview Scrutiny Group at its meeting on 8th May in relation to the Lightbulb Service Model. She stated that the Group had decided that it had also wished to recommend that the project be reviewed after a period of 12 months and an amendment had been made to its minutes accordingly.

**RESOLVED**

1. that Councillor Miah be appointed as Chair of the Budget Scrutiny Panel for 2017/18;
2. that, in addition to the Chair appointed in resolution 1. above, membership of the Budget Scrutiny Panel for 2017/18 be as follows:

Councillors Bebbington, Gerrard, Jukes, Parsons, Seaton and Smidowicz;

3. that the following item be added to the Overview Scrutiny Group's Work Programme, as requested by the Group at its meeting on 10th April 2017:

Scrutiny of DASH (Decent and Safe Homes), which worked with the Council to accredit landlords operating in the private sector, in line with the Group's remit to scrutinise external partners;

4. that, further to resolution 3. above, scrutiny of DASH be scheduled for the Overview Scrutiny Group's meeting on 3rd July 2017, as requested by the Chair and Vice-chair of the Group;

5. that the following item be added to the Performance Scrutiny Panel's Work Programme, as recommended by the Policy Scrutiny Group at its meeting on 25th April 2017:

Monitoring the action plan associated with the Empty Homes Strategy, after the final version of the Strategy has been agreed by the Cabinet;

6. that the following items be added to the Policy Scrutiny Group's Work Programme, as recommended by the Policy Scrutiny Group at its meeting on 25th April 2017:

- (i) Loughborough Town Centre Masterplan (11th July 2017);
- (ii) Regeneration Strategy (11th July 2017);
- (iii) Landlord Services Anti-social Behaviour Policy (to be scheduled for 26th September or 21st November 2017 to be determined by the Chair and Vice-chair of the Group);
- (iv) the policy aspects of the Housing Revenue Account Business Plan (in particular the use of garage sites, the provision of bungalows, options for sheltered housing schemes and new build housing) (to be scheduled for 26th September or 21st November 2017 to be determined by the Chair and Vice-chair of the Group);
- (v) scrutiny of the mid-cycle review of the Housing Strategy (26th September 2017);

7. that forthcoming Executive Key Decisions or decisions to be taken in private by the Executive, set out in Appendix 1 to the report, and scheduled scrutiny of those matters, be noted;

8. that the Annual Procurement Plan, set out in Appendix 2 to the report, be noted;

9. that the Head of Planning and Regeneration be asked to submit a report to the next meeting of the Board on 16th August 2017 setting out, in detail, the work that has been undertaken and the progress made in respect of the following and specific to Loughborough:

- Discussions held with partners, car park operators and private sector partners to encourage investment in car parking in the Borough;
- Identifying suitable sites for car parking and particularly a multi storey car park, via finalising the Car Parking Site Availability and Deliverability Assessment Report 2017\*\* and the Loughborough Town Centre Masterplan (to include information on sites considered and the outcomes);
- Mitigating against housing development placing greater pressure on car parking provision than envisaged, via effective implementation of Core Strategy Policy CS17 and achieving a

modal shift to sustainable transport through transport assessments, travel plans and working with partners;

and that the Cabinet Lead Member for Planning and Inward Investment also be invited the Board's meeting on 16th August 2017 to assist with consideration of the matters;

10. that the Democratic Services Manager be asked to submit a report to the Board's meeting on 25th October 2017 setting out the approach taken to writing minutes of the Council and its committees, in terms of format and content, and the reasons for that;
11. that the Scrutiny Work Programme, set out in Appendix 3 to the report, be noted and updated in accordance with decisions taken above and at this meeting.
12. that the Democratic Services Officer be asked to send, by email to all members of the Board as soon as possible following the meeting, a copy of reports and minutes relating to the work of the Car Parking Scrutiny Panel held in 2011\*.

#### Reasons

- 1&2. To enable scrutiny of the Council's 2018/19 budget in accordance with the process agreed by the Board.
- 3&4. To ensure timely and effective scrutiny of the effectiveness of the Council's partnership working with DASH, noting that the organisation received funding of £3,000 a year from the Council and that it had been suggested that a representative(s) of the organisation be asked to attend Overview Scrutiny Group to give a presentation on its work.
5. To enable monitoring of the action plan to take place.
6. (i)–(iv) To enable the Group to scrutinise the strategies and policies in a timely manner.  
  
(v) To enable the Group to provide scrutiny input into the review.
7. To ensure timely and effective scrutiny.
8. The Board has decided to consider the Annual Procurement Plan and Quarterly Updates (submitted to Cabinet) to ensure that timely and effective scrutiny of any procurement activity is programmed or to ensure that the Cabinet is informed of any views of the Board on procurement matters.
9. The Board was of the view that parking issues in the Borough continued to be of concern and that scrutiny needed to continue to work

to improve the position in that respect. A report setting out the requested information and assistance with considering the matter from the relevant officer(s) and Cabinet Lead Member would enable the Board to better understand the current position and decide whether it supported further work by scrutiny on the matter.

10. A member of the Board expressed concern at this meeting that the format and content of minutes differed between committees and, in particular, that minutes (i) did not include all comments made at meetings; (ii) did not include those comments verbatim; and (iii) did not state who had made those comments. He considered that minutes were less effective as a result. The Board considered that it would be appropriate to receive the requested report, so that it could better understand the position and take a view on the matter.
11. To ensure that the information contained within the Work Programme is up to date.
12. The information would be useful to members of the Board.

#### 9. EXEMPT INFORMATION

**RESOLVED** that members of the public be excluded from the meeting during the consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972.

#### 10. CALL-IN OF EXEMPT OFFICER KEY DECISION – WATES LIVING SPACE INFLATION INCREASE 2017/18

Considered an exempt report of the Head of Strategic Support to consider an exempt Officer Key Decision in respect of the Wates Living Space Inflation Increase 2017/18, which had been Called-in under Scrutiny Committee Procedure 11.7 (item 10 on the agenda filed with these minutes).

The report set out details of the exempt Officer Key Decision, the reasons for the Call-in and the desired outcome, background information on the decisions taken by the Cabinet in relation to the recommendations of the Decent Homes Contract Scrutiny Panel, the process for reviewing the decision as set out in Scrutiny Committee Procedure 11.7 and the response of the Head of Landlord Services to the Call-in.

In accordance with Scrutiny Committee Procedure 11.7, Councillor Bokor, as the lead signatory to the Call-in, addressed the Board, outlining the reasons for the Call-in and the desired outcome.

The Strategic Director of Housing, Planning and Regeneration, and Regulatory Services, the Head of Landlord Services and the Repairs and

Investment Manager attended the meeting to respond to the Call-in and to answer any questions from the Board.

With the consent of the Board, Councillor Harper-Davies, Cabinet Lead Member for Housing Landlord Services also addressed the Board on this matter.

A summary of the Board's discussion on this matter is provided in the exempt minute (Scrutiny Management Board Minute 10E 2017/18).

**RESOLVED** that the decision of the Head of Landlord Services be supported.

#### Reason

Having considered the decision and the reasons for it, the Board was content that the decision was appropriate, in particular noting the estimated cost of the inflation increase in year 4 as detailed in the exempt minute (Scrutiny Management Board Minute 10E 2017/18).

*Councillor Jukes asked that his abstention from the vote on the above matter be recorded in the minutes.*

#### NOTES

1. No reference may be made to these minutes at Council on 4th September 2017 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 ordinary meeting of Scrutiny Management Board.
- 3.\* Since the meeting of the Board, the Democratic Services Officer has been unable to find records of a Car Parking Scrutiny Panel held in 2011.
- 4.\*\* Since the meeting of the Board, the Head of Regulatory Services has advised that the Car Parking Site Availability and Deliverability Assessment Report 2017 is assessing locations outside of Loughborough, so will not be relevant to the specific to Loughborough report requested by the Board.