

MINUTES of a meeting of the CORPORATE SCRUTINY COMMITTEE held in the Remote meeting using Microsoft Teams on WEDNESDAY, 2 SEPTEMBER 2020

Present: Councillor R Boam (Chairman)

Councillors J Hoult, E G C Allman, A J Bridgen, G Hoult, R Johnson, S Sheahan, N Smith, D E J Tebbutt and M B Wyatt

In Attendance: Councillor R Bayliss

Officers: Mr A Barton, E Tomlinson, Miss A Wright, Mrs T Bingham, Mr C Brown, Mr M D'Oyly-Watkins, Mr T Delaney, Mrs A Harper, Mrs M Long, Mr M Murphy, Mr P Sanders, Mr D Scruton and Mr B Walford

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATION OF INTERESTS

Councillor Sheahan declared non-pecuniary interests in item 8 and 9 – Council Delivery Plan 2020-21 and 2019/20 Q4 & 2020/21 Q1 Performance Reports in relation to his role as a member of Leicestershire County Council and references to HS2. Should the latter be discussed, he would declare a pecuniary interest and leave the meeting. In any other event, he would remain in the meeting and take part in the discussions.

3. PUBLIC QUESTION AND ANSWER SESSION

There were no public questions.

4. MINUTES

Consideration was given to the minutes of the meeting held on 10 June 2020.

It was moved by Councillor Sheahan, seconded by Councillor Tebbutt and by affirmation of the meeting

RESOLVED THAT:

The minutes of the meeting held on 10 June 2020 be approved.

5. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME

The Chairman referred Members to the Committee's Work Programme and the Cabinet's Executive Decision Notice. He referred to the additional column which had been included on the Executive Decision Notice following a recommendation from the Scrutiny Working Group. This column shows where each Cabinet item has or will be scrutinised by another committee.

Members were invited to make requests for additional items to be included. No comments were made.

It was moved, seconded and by affirmation of the meeting

RESOLVED THAT:

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The Future Work Programme be received and noted.

6. MEDIUM TERM FINANCIAL PLAN

Tracy Bingham, Head of Finance, gave a detailed presentation on the changes to assumptions that drive the Medium Term Financial Plans (MTFP) which have resulted in changes to the forecast position to 2024/25. She focussed on the impact on the General Fund before handing over to Matthew D'Oyly-Watkins, who presented the assumptions in relation to the Housing Revenue Account.

The Chairman thanked the officers for their comprehensive presentation and invited questions and comments from Members.

With references to paragraphs 1.9 and 3.3 of the report, Councillor Sheahan asked for justification for the decision to reallocate £.09m of earmarked reserves to the self sufficiency fund and for confirmation if these were committed. He was advised that they were previously allocated for specific purposes but expenditure was not committed and that the earmarked reserves had been reviewed under delegated powers through a 'COVID lense' to identify those which could be reallocated by considering how long the reserves had been in existence and how long they had been set aside and for what reason. It was further noted that those earmarked reserves identified had not seen any expenditure in the last financial year. This additional funding would help bridge the gap, not only with the issues arising from COVID, but for any future financial challenges in the forthcoming years.

Councillor Sheahan challenged this as he understood that earmarked reserves were attached to expenditure which had been identified for a purpose so it seemed strange to him to say that it had not been allocated.

He was advised that earmarked reserves could be allocated for a specific purpose, however, if there has been no movement on these funds for a period or there was no clear intent on spending it in the near future, then the reserve can be reallocated.

Councillor Sheahan felt that if the money was uncommitted then it should be in the General Fund and this idea of moving money around which had been originally allocated for a set purpose, did not sit comfortably with him so he may want to address this again at a future meeting.

Councillor Sheahan moved on to the issue of thematic savings targets as referenced in paragraph 2.3 of the report and sought some clarity as to what these were. He was advised that these were the work streams as set out in the February budget reports and MTFP with themes around applying a more commercial approach to income and around contracts with a range of thematic savings. These were identified in the earlier part of the year as part of the Journey to Self Sufficiency Programme.

Councillor Sheahan conveyed his thanks for the report and presentation on business rates which has helped him gain a better understanding, accepting that it is extremely complicated, and he asked the Head of Finance to confirm his understanding of how it works. She was able to do this by confirming that Councillor Sheahan's summary was correct adding that the reason the Council

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benefits so greatly from growth is that the amount it has accumulated is way above the base line the Government believes our retained business rates should be at; and above that level the Council is able to retain more of the rates collected which is also why it represents a risk.

Councillor Sheahan then turned his attention to the Housing Revenue Account (HRA) and in particular paragraph 4.2 of the report which spoke about the balances and how this can be used to respond to opportunities such as acquiring new homes. He asked that this money does get spent, particularly on improving existing homes as we are only targeting about 15 new homes a year and yet still losing around 44 homes per year through 'right to buy'. He therefore believes that the money should be spent on increasing the standards of existing homes. However, he felt that the Council should have a strategy as to how it will tackle the issues of around achieving carbon neutrality, with particular focus on the level of carbon being produced by our homes. Councillor Sheahan also felt that the Council should be looking at other sources of funding as the Council could not be expected to fund it all as it would be a massive hit on the HRA.

Councillor Johnson referenced the contractual issue with regard to Newmarket and asked if the Council could recover any costs. He was reminded that this decision had already been made. Councillor Johnson expressed his disappointment at this decision.

Councillor Wyatt asked whether the Council would be able to tap into the grants being made available by Government to help landlords tackle the issues around achieving carbon neutrality within our housing stock. He also reiterated the comments made by Councillor Johnson in relation to the Newmarket contract and felt that Members should be able to have a say on the matter and, as such, it should be taken to full Council.

He was advised that the issue about the Government funding was currently being explored by the Housing Department and he was reminded that, with regard to the Newmarket contract, this issue had been considered by the Community Scrutiny Committee in July and later by Cabinet where the decision was not called in by Members who may have not been happy with that decision when they had an opportunity to do so.

The recommendation as set out on page 22 of the agenda was moved by Councillor Sheahan, seconded by Councillor Allman and by affirmation of the meeting:-

RESOLVED THAT:

The report be duly noted and the comments made at this meeting be reported to Cabinet.

7. PROCUREMENT OF HOUSING NEW BUILD CONTRACTOR

Andy Barton, Strategic Director, presented the report to the Committee.

He advised the Committee that the housing department has been working up details for the next stage of the new build programme, the details of which were set out in the report.

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The Housing Department plans to seek permission from Cabinet to procure development partner(s) for the next three years of the new build programme. It has identified a number of compliant Procurement Frameworks and Dynamic Purchasing Systems (DPSs) and delegation will be sought from Cabinet for the Strategic Director to award a contract to the most economically advantageous supplier, in consultation with the Section 151 officer and relevant Portfolio Holder.

David Scruton, Housing Strategy and Systems Team Manager, added that during the first phase of the new build programme, it was established that there were some benefits to having an ongoing relationship with a developer to draw on their skills so the procurement proposals provide this opportunity.

The Chairman invited Councillor Bayliss as Portfolio Holder to make any additional comments. He advised that he would listen carefully to the comments made in order that he could convey these to Cabinet.

The Chairman thanked the officers for their report and invited questions and comments from Members.

Councillor Sheahan felt that DPS was not suitable for this type of contracting as he felt it would create a lot of administration with having to put each part of the work out to tender, which could result in having to work with a raft of different people which could be complicated. He also felt that contractors may cherry pick which pieces of work they wanted to do. Councillor Sheahan felt that the framework agreement was the way forward with a clear and transparent selection process.

Councillor Johnson considered that new build homes which were replacing those which had been bought under 'right to buy' should be like for like in terms of numbers and size.

He was advised the new build was only one element of the supply strategy with others being affordable homes provided through Section 106 agreements and also purchases including, for example, buy backs of previously sold properties.

Councillor Wyatt referred to paragraphs 1.4 and 1.5 of the report which referenced the Coked Hat site and stated that when new tenants moved in recently a registered gas engineer was called, who allegedly claimed that the works were not up to standard with lives being at risk through appropriate regulations not having been followed. He therefore urged that the inspections were up to date to address this situation. Officers provided reassurance the issue would be looked into.

The recommendation as set out on page 37 of the agenda was moved by Councillor Tebbutt, seconded by Councillor Sheahan and by affirmation of the meeting:-

RESOLVED THAT:

The report be duly noted and the comments made at this meeting be reported to Cabinet.

8. COUNCIL DELIVERY PLAN 2020-21

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Andy Barton, Strategic Director, presented the report to the Committee.

He advised the Committee that the Council Delivery Plan (CDP) outlined the key tasks that would be undertaken to deliver in the priority areas during 2020/21 and also the aspirations for the priorities over a three year period.

There are a number of themes coming through this year's CDP, the details of which were set out in the report. Due to the delays and rescheduling of meetings due to COVID19, Cabinet endorsed at its July meeting the draft CDP 'in principle', subject to comment from Corporate Scrutiny at this meeting. This was so that development and work plans could be commenced as the council starts to return to normal operation post the impacts created by COVID19. The CDP will then follow the normal decision making route, returning to Cabinet post scrutiny in September and on to Council in November. In future years, the CDP and MTFP processes will be aligned to avoid a potential repeat of this issue in the future.

The Chairman thanked the Director for his report and invited questions and comments from Members.

Councillor Sheahan asked for expected completion dates for Marlborough Square and Newmarket, to which he was advised that these would be made available once the dates have been firmed up. Councillor Sheahan asked if he could be emailed the 'best guess' dates.

Councillor Sheahan asked what the targets were in terms of the objective to reduce the levels of obesity, and he was advised that more detail can be provided and the wording made clearer.

Turning attention to the new Leisure centre, Councillor Sheahan asked for construction timescales so members could see how it was panning out and whether the targets were being met. He was advised that the CDP does not contain this level of detail but the performance monitoring reports would have this. He then asked what was meant by dwell time and how might this be measured and he was advised that details would be provided outside the meeting.

Councillor Sheahan asked a question on behalf of Councillor Bigby in relation to the highest priority routes from the Ashby cycling strategy and asked when the objective might be available and was advised that if Councillor Bigby wanted to contact officers directly this would be provided.

Councillor Sheahan asked whether all the objectives and actions would be completed within the timescale and he was advised that the level of detail being sought would be picked up as part of the performance monitoring reports. He was also reminded that there was an Economic Recovery Plan coming off the back of the COVID crisis which will also be updated.

Councillor Sheahan finished off his questions by stating that there should be a complete section on 'Clean and Green' and specifically reducing carbon emissions; and at the very least there should be an objective, as reference to the Carbon reduction plan is a bit vague. He gave an example of switching over to electric vehicles and increasing the number of electric charging points.

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It was explained the CDP linked into other longer-term strategies, as the CDP itself could not include each individual strategy and objective; and that action on these would be monitored through the performance monitoring framework.

Councillor Wyatt referred to the free tree scheme and stated that he felt this should be included as part of the carbon reduction scheme and the number of trees given out should be highlighted, together with how much carbon this was helping to reduce. He advised that the County Council was currently acting as a stumbling block, as it was not permitting the planting of the trees on highways, so we need to work with them to overcome this in order to move forward. Councillor Wyatt stated that some housing stock still had the old lighting systems in place and these need to be sorted as soon as possible to enable energy efficient lighting.

Councillor Allman asked of there was a list of all the private empty properties and a strategy on reducing the number on the lists.

He was advised that there is a strategy on bring back into use empty properties and the number and the list will be supplied outside the meeting as this was not immediately to hand.

Councillor Johnson echoed the earlier comments of Councillor Sheahan in respect of electric vehicles and asked why this Council was falling behind in this regard.

It was reported that this had been looked at, taking into account the distance the service vehicles need to travel and the current lack of charging points but this will be looked at again as we move forward.

Councillor Wyatt did not support the CDP as he considered it not be to detailed or complete enough.

The recommendation as set out on page 41 of the agenda was moved by Councillor Allman, seconded by Councillor Smith and by affirmation of the meeting, with the exception of Councillor Wyatt as referred to above:-

RESOLVED THAT:

The report be duly noted and the comments made at this meeting be reported to Cabinet.

9. 2019/20 Q4 & 2020/21 Q1 PERFORMANCE REPORTS

Mike Murphy, Head of Human Resources and Organisational Development presented the report to the Committee.

He advised the Committee that the report provided Members with information on the performance and progress made against the Council Delivery Plan actions and performance indicators for Quarter 4 (Q3) (January - March 2020) and a summary of key performance for Quarter 1 (Q1) (April – June 2020).

It was acknowledged that many areas of work were paused or ceased during recent months due to the COVID pandemic and these were highlighted in the report.

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The Chairman thanked the Head of Service for his report and invited questions and comments from Members.

Councillor Sheahan raised issues on behalf of Councillor Bigby in relation to off street parking in Ridgway Road, Ashby as planning permission was received in March but work had not yet started. He asked for the start and completion dates and whether a contractor had been appointed. He also asked for updates on a number of car parking issues referred to in the report and when the report on car parking improvement would be available. He also asked for an update on Moira Furnace and welcomed the campaign on fly tipping although he considered more detail should be provided on the number of incidents and prosecutions.

Councillor Johnson asked a question regarding the Marlborough Square project and reference to the construction having commenced and stated that nothing was happening on site so asked for clarification on when it would commence. He also asked why the spend on agency workers had increased.

In terms of the latter point, it was explained that there were a number of areas within the Council's workforce which had experienced difficulties in recruitment and therefore additional agency spend was necessary. In terms of the other points raised by Members it was agreed to provide this information outside the meeting as it was not readily available.

The recommendation as set out on page 51 of the agenda was moved by Councillor Sheahan, seconded by Councillor J Houtt and by affirmation of the meeting:-

RESOLVED THAT:

That the report be duly noted and the comments made at this meeting be reported to Cabinet.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.01 pm

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