

MINUTES of a meeting of the COMMUNITY SCRUTINY COMMITTEE held in the Board Room, Council Offices, Coalville on WEDNESDAY, 5 APRIL 2023

Present: Councillor J Hout (Chairman)

Councillors R L Morris, C Benfield, T Eynon, J Geary, M D Hay, G Hout and J G Simmons

Portfolio Holders: Councillors

Officers: Mr J Arnold, Miss E Warhurst, Mr J Bright, Mr L Mansfield, Mrs A Morgan, Ms C Proudfoot, Mr P Sanders, Mrs M Scott, Ms L Walker and Ms R Haynes

68. APOLOGIES FOR ABSENCE

Apologies were received from Councillor M Wyatt.

69. DECLARATION OF INTERESTS

There were no interests declared.

70. PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

71. MINUTES

Consideration was given to the minutes of the meeting held on 23 November 2022.

It was moved by Councillor J Geary, seconded by Councillor J Simmons and

RESOLVED THAT:

The minutes of the meeting held on 23 November 2022 be approved as a correct record.

72. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME

Consideration was given to the inclusion of any items on the work programme. The plan of forthcoming Cabinet decisions were set out in the agenda for information.

A member noted that they would like to see scrutiny of projects which were underway included on future work programmes, for example the demolition of the Hermitage Leisure Centre and the Marlborough Square project.

It was also noted that members would like to see topics of local importance featured on the work programme, for example the state of the highways, potholes, footpaths etc and stated that they felt it would be beneficial to invite a representative from Leicestershire County Council to meetings in order to scrutinise them. Officers confirmed that they would liaise with Leicestershire County Council and the work planning group with a view to facilitating this.

RESOLVED THAT:

The Committee's future work programme be noted.

Chairman's initials

73. DRAFT RESOURCE AND WASTE STRATEGY FOR LEICESTERSHIRE 2022-2050

The Head of Community Services presented the report and outlined the Joint Municipal Waste Management Strategy which will be delivered through the Leicestershire Waste Partnership. It was highlighted that North West Leicestershire District Council had been highly successful in terms of both recycling rates and the use of alternative fuels to reduce emissions from vehicles.

A member asked how the authority plans to tackle the problem of trade waste which had been fly tipped. Officers advised that it was not usually local residents who had been fly tipping but people travelling through the district, however the Council had been targeting businesses to try and reduce waste. It was noted that littering is a countryside problem, however it was felt that this could be improved with the introduction of a deposit return scheme.

A member enquired whether it would be possible to target recycling centres to salvage items which had been disposed of with a view to selling these to raise money for charities. It was noted that a similar scheme exists in Derby and a member suggested that a visit be organised to see how this is successfully carried out. Officers agreed that this would be something the Council could consider.

Members felt that it was disappointing that Government delays in reaching decisions had been having a knock on effect in terms of Local Authorities making decisions. It was suggested that the authority would not be able to make a decision on the frequency of black bin collections until the issue of food waste had been tackled and also the link between carers disposing of child and adult nappies would need to be investigated further as less black bin collections would impact such carers unfairly.

A member expressed concern that in a time of food insecurity when many people are reliant on foodbanks that food waste was a problem. He suggested that people may need more education on how to utilise the food they have. Officers responded that this would be part of the plan going forward and confirmed that the Council has a designated Food Poverty Officer who would be able to deliver this.

A member enquired whether North West Leicestershire would be able to have a paint recycling facility whereby partially used cans of paint could be resold as opposed to being dumped.

It was disputed that the waste incinerator would be an environmentally friendly way to dispose of waste, however officers responded that there would be no option to dispose of waste in landfill now and that data had been requested regarding incineration as this would be part of the Council's carbon footprint. A member asked if the incineration plant had the potential for an energy recovery scheme and officers agreed to acquire technical details in order to answer this.

By affirmation of the meeting it was

RESOLVED THAT:

Community Scrutiny Committee comment on the Draft Resources and Waste Strategy for Leicestershire 2022-2050 and the associated action plan and timeline, before consideration by Cabinet on 25 April 2023.

Chairman's initials

74. SAFEGUARDING CHILDREN YOUNG PEOPLE AND ADULTS

The Head of Community Services presented the report and outlined the robust procedures and training which are in place for this statutory duty.

A member commented that they found the use of targets concerning as this is not a target driven field, and wanted to know how effective the action taken is. Officers responded that the Council deals with referrals promptly and if a referral is made, then it will be thoroughly explored. It was highlighted that regardless of opinions, if someone seemed vulnerable or a referral is made then this would be investigated. It was noted that the Council received approximately 130 referrals a year which were dealt with by employees who were trained volunteers.

A member asked how a serious case review would be dealt with and was advised that the Council work with other agencies, for example, the police. If the council had found to be at fault in dealing with a safeguarding case, members would be informed and a confidential group meeting would be held with members, for which a process already exists.

A member questioned whether being on a rota as a volunteer for safeguarding referrals was suitable as a voluntary role and officers confirmed that they felt this had been highly successful and noted that it was a valued role for which officers received robust training and for which they received recognition, for example "Away Days". It was also noted that as most referrals come from Housing, 10 new volunteers from this department were being recruited.

RESOLVED THAT:

Community Scrutiny Committee provide comments on the content of the report.

75. PRIVATE SECTOR HOUSING POLICIES

The Head of Community Services presented the report and highlighted that the outlined policies would make the district's private sector homes safer and more energy efficient, with greater powers to carry out enforcement.

Members wanted to know the number of sites and the number of officers the Council had to carry out checks and enforcements. Officers advised that the Council had been looking for additional resources to carry out more pro-active work. It was confirmed that at present, only complaints are investigated, so it had been a reactive service as opposed to a pro-active one. It was noted that the Council interacts with tenants who have expressed that they are not happy in order to approach landlords. A member felt that a complaint driven system could leave tenants in a vulnerable position and they could be afraid that landlords would retaliate if they became aware that they had been complained about. It was asked whether the Council would act if it was found that tenants had suffered reprisals from landlords after making a complaint. Officers advised that they could facilitate a conversation between tenant and landlord, but it would be hard to know if there had been reprisals.

A member asked how many private tenants were aware of their rights and officers responded that there may be many who were not aware, although there had been advertising around tenants' rights. It was asked whether landlords are informed by the Council that they are being investigated due to a complaint from the tenant and this was the case, although officers confirmed that tenants are made aware of their rights and that Government is currently looking into legislation around retaliatory evictions.

Officers advised the Committee that if a tenant was served with a Section 21, then the Council would be able to offer help and support via the Housing Choices service. A member suggested that statistics for instances like this be measured so that data would be available for members' consideration.

It was suggested that the Council don't disclose they are investigating a complaint to landlords and claim to be carrying out an investigation. Officers agreed that this was something which could be looked into.

A member raised concerns that funding used to increase staffing numbers to carry out inspections had come from the Disabled Facilities Grant.

One member said that they had been involved in a case whereby a retaliatory eviction had taken place and noted that this was not illegal. It was felt that landlords are given more protection than tenants therefore pro-active enforcement would be preferable to the current complaint driven system. The member also stated that they weren't convinced EPC ratings were given correctly and asked whether officers had any means to check EPC ratings. It was also mentioned that there seemed to be a lack of community consultation and the views of private tenants should have been sought.

A member asked if there had been any improvement on energy ratings in privately rented accommodation since the Task and Finish group had focused on this subject and suggested that statutory checks should be carried out along with blanket inspections, in order to remove culpability from the tenants. Officers responded that pro-active inspection was dependent on capacity.

Members suggested that the penalties for first and subsequent offences were not clear and asked for clarification as to whether this applied to the landlord or the property. It was also noted that the fine would be limited to £5,000 and it was asked whether this would be over a period of time. Officers replied that as this was new legislation, they would review this to try and give more clarity.

RESOLVED THAT:

Community Scrutiny Committee comment on the following draft housing policies ahead of consideration by Cabinet:

- Housing Enforcement Policy
- Refresh of the General Enforcement Policy
- Civil Penalty Policy
- Minimum Energy Efficiency Standards
- Carbon Monoxide and Smoke Alarms
- Electrical Safety

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.46 pm

Chairman's initials