

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

8 NOVEMBER 2018 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman  
Mr KWP Lynch – Vice-Chairman

Mr DC Bill MBE, Mr DS Cope (for Mr SL Bray), Mr WJ Crooks, Mr BE Sutton and Mr R Ward

Also in attendance: Councillor M Hall and Councillor MJ Surtees

Officers in attendance: Valerie Bunting, Bill Cullen, Malcolm Evans, Rob Foers, Simon D Jones, Julie Kenny, Jacqui Kissai, Rebecca Owen, Rob Parkinson, Kirstie Rea, Caroline Roffey, Nicola Smith, Sharon Stacey and Ashley Wilson

237 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bray, Camamile, MacDonald, Roberts and Williams with the substitution of Councillor D Cope for Councillor Bray authorised in accordance with council procedure rule 10.

238 MINUTES

On the motion of Councillor Lynch, seconded by Councillor Sutton it was

RESOLVED – the minutes of the meeting held on 13 September be confirmed and signed by the chairman.

239 DECLARATIONS OF INTEREST

No interests were declared at this stage.

240 PRESENTATION FROM TOGETHER FOR TENANTS

Three representatives of Together for Tenants were in attendance to provide an update on their work and challenges over the last year. During the presentation and debate, the following comments were made by the representatives:

- Attracting a geographical spread of volunteers was a challenge – the majority were from Hinckley
- Comments had been submitted to the government on the social housing green paper. The chairman asked that a copy of the comments be circulated to raise awareness of the views of tenants
- The group was happy with the support they received from the council
- The service provided for tenants had improved over the past two years and there were fewer complaints about housing repairs
- Housing was better managed locally and Together for Tenants had invited a representative from Leicestershire County Council to a future meeting to discuss its unitary plans, particularly as housing had not been mentioned in any information released
- The group would like to be engaged earlier in the process so they may have a greater input into housing matters.

## 241 FLY TIPPING

Following a request at a previous meeting, members were updated on fly tipping incidents and the recent Leicestershire-wide fly tipping campaign. It was noted that some authorities in Leicestershire were better at reporting incidents, which may explain some variations in figures in the table on page 5. It was also noted that the analysis of the data across the county and city did not provide a reason for the increase in fly tipping.

In relation to the countywide campaign, it was acknowledged that this hadn't led to a decrease in fly tipping but had led to an increase in reporting, it had, however, led to an increase in use of the bulky collection service, which had been a key objective of the project.

It was reported that DEFRA had been consulting on a change to fixed penalty notices as, under the current regulations, a fly tipper who had been paid to dispose of a resident's waste could receive a fixed penalty notice, but the resident would be prosecuted, but under the new regulations both would receive a fixed penalty notice.

Concern was expressed about activity at the household recycling sites as there had been reports of staff being threatened.

Members highlighted the speed with which fly tipping was removed once reported and thanked officers for their efforts. In response to a question from a member, it was explained that occasionally there may be a note left on fly tipping before collection because there may be a large amount of evidence to collect so a return was required.

The Chief Executive highlighted that the Head of Streetscene Services had spearheaded this countywide campaign and a regional event for the District Councils Network. Officers were commended for the report and their hard work on a day to day basis and in leading the countywide project.

RESOLVED – the report be noted.

## 242 REVIEW OF THE DEVELOPING COMMUNITIES FUND

In reviewing the operation of the developing communities fund, it was noted that during the first programme some issues had come to light such as the capacity of parishes to run projects, the level of grant, time taken for the process and VAT issues. Minor changes to the criteria were proposed for the second phase of funding.

It was acknowledged that more assistance was required for assessing the applications and it had also come to light that many parishes did not have the skills or resources to manage such large projects so support to parishes in managing the projects would be beneficial.

In relation to the suggestion that the minimum level of funding should be lowered, a member suggested that increasing the upper limit for the Parish & Community Initiative Fund may be more appropriate.

A member expressed concern about linking eligibility for the fund to neighbourhood development plans, and it was also suggested that a community's neighbourhood plan may be preventing access to higher levels of funding.

RESOLVED – Council be RECOMMENDED to consider the following:

- (i) Officer support for project management is required, but the fine line between enabling and project managing be addressed;

- (ii) Expansion of the Parish & Community Initiative Fund rather than reducing the lower limit of the Developing Communities Fund;
- (iii) Changes to the challenging timescales;
- (iv) Creation of a toolkit to support parishes through the application and project management processes.

#### 243 CULTURAL STRATEGY

In reviewing the Cultural Strategy, attention was drawn to the key achievements, vision and key delivery themes. In response to a question, it was noted that external funding helped to develop the leisure and culture offer in the borough.

##### RESOLVED –

- (i) the report be welcomed and endorsed;
- (ii) the work of the Cultural Services team be commended.

#### 244 HOUSING STRATEGY 2018 - 2021

The Scrutiny Commission's comments were sought on the Housing Strategy. During discussion, the following points were raised:

- Rules for houses in multiple occupation (HMOs) had been expanded and more would require licences
- There were now more powers available in relation to the private rented sector
- The standard of private rented housing had an effect on the housing options and homelessness services
- Data around enforcement action taken and the types of issues was requested
- The council would enable people to access options appropriate to them, including signposting shared ownership and help to buy schemes
- It had become more difficult to find landlords to take on affordable housing in new developments
- Housing which had been transferred to Orbit during the 1990s had been offered back to the authority as per the original agreement. A decision would need to be made about whether these were purchased as this would not increase the overall housing available to the authority and it may be prudent to use that money to bring forward new properties instead.

RESOLVED – the report be noted and RECOMMENDED to Council.

#### 245 HRA INVESTMENT PLAN

The Scrutiny Commission gave consideration to the HRA investment plan including purchase of properties on the Middlefield development. It was acknowledged that the lifting of the HRA cap was significant but it was emphasised that the key was to ensure the rental income could meet the costs to avoid over-borrowing. It was noted that some local authorities had already carried out more work on their ACW build proposals and were reporting that it was affordable, but detail such as the type of properties they were proposing wasn't available so further research was required.

Concern was expressed that it would not be feasible to offer the properties at council rent levels and in response it was explained that there was an option to offer at an

affordable level below market rent as had been the case with the Southfield Road properties.

In response to a question it was noted that right to buy would still apply to the new properties, but that the receipt could be retained to replace the property and during the first ten years a lower discount could be offered to cover the build costs.

RESOLVED –

- (i) The report be RECOMMENDED to Council;
- (ii) An update be brought to a future meeting of the Scrutiny Commission in relation to the lifting of the HRA cap.

246 NEW DIRECTIONS FOR GROWTH - FURTHER OPTIONS CONSULTATION LOCAL PLAN REVIEW

Members received a report in relation to the New Directions for Growth – Local Plan Review consultation document. Concern was expressed that developers were holding a lot of land but were not willing to develop nor sell it, and that the system favoured large developers rather than local people wanting to stay in their local area.

Discussion ensued on the government's introduction of a housing delivery test to judge local authorities on housing built. The mechanisms to achieve this were still being investigated.

RESOLVED –

- (i) The New Directions for Growth – Local Plan Review consultation document be endorsed;
- (ii) Council be RECOMMENDED to:
  - a. Approve the undertaking of a six-week period of consultation on the document during January and February 2019;
  - b. Delegate authority to the Head of Planning in liaison with the relevant Executive member to make minor drafting /presentational changes to the documents in order to assist with clarification and/or explanation prior to it being published for consultation.

247 LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN

The Scrutiny Commission gave consideration to the revised Leicester & Leicestershire Strategic Growth Plan (SGP). It was acknowledged that this was a standardised report which was being presented to all authorities in Leicester and Leicestershire.

A member queried the proposed 38,000 houses on the A46 eastern bypass. In response it was noted that the defined route had not been determined but that the SGP had a strategy to deal with growth along that corridor in a reasonable way.

The benefits of endorsing the plan were set out, notably commitments to major infrastructure/transport improvements and projects including the A5. The risks to the authority of not continuing to be involved in discussions by failing to endorse the SGP were also highlighted and it was noted that this would mean the council could not

progress its own local plan. The importance of retaining involvement in the debate was acknowledged and supported by the Commission.

Concern was expressed about the proposed rail freight depot, the link to the A46 and a recent document from Midlands Connect in relation to the A46 itself. In response, it was noted that the rail freight depot was not part of this plan but was a national scheme which would need to be addressed separately and that the SGP didn't contain a link from the M69 or M1 to the A46 in the location stated and officers had not had sight of the document mentioned.

It was suggested by Councillor Lay that the SGP be acknowledged and a statement be included in the resolution to say "While we understand the benefits of the A46 eastern bypass, the connection is of great concern due to the potentially devastating impact of the location of this". The Commission supported this recommendation.

It was requested that a representative of Midland Connect be invited to a meeting in spring 2019.

**RESOLVED –**

- (i) The Strategic Growth Plan be acknowledged;
- (ii) It be noted that the connection to the A46 is of great concern due to the potentially devastating local impact;
- (iii) A representative of Midland Connect be invited to a future meeting of the Scrutiny Commission.

**248 CONSTITUTION UPDATE**

The Scrutiny Commission was asked to support a recommended change to the constitution to streamline the processes for approval of Neighbourhood Development Plans.

**RESOLVED** – the report be welcomed and RECOMMENDED to Council.

**249 SCRUTINY COMMISSION WORK PROGRAMME 2016-18**

The work programme was noted.

**250 MINUTES OF FINANCE & PERFORMANCE SCRUTINY**

The minutes of Finance & Performance Scrutiny were received for information.

**251 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED**

On the motion of Councillor Lay seconded by Councillor Lynch, it was

**RESOLVED** – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

252 BLOCK C REVIEW

Members received a report on Block C of the Crescent.

RESOLVED – option 3 be endorsed and RECOMMENDED to Council.

Councillor Bill wished it to be recorded that he did not support option 3.

(The Meeting closed at 9.29 pm)

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CHAIRMAN