

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

SCRUTINY COMMISSION

16 JUNE 2016 AT 6.30 PM

PRESENT: Mr MR Lay - Chairman
Mrs R Camamile and Mr KWP Lynch – Vice-Chairman

Mr DC Bill MBE, Mr WJ Crooks, Mr BE Sutton, Mr P Wallace, Mr R Ward and Mr HG Williams

Officers in attendance: Steve Atkinson, Bill Cullen, Julie Kenny, Andrew Killip, Lisa Kirby, Rebecca Owen and Rob Parkinson

31 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bray and Richards. It was noted that Cllr Williams would arrive a few minutes late due to work commitments.

32 MINUTES

It was moved by Councillor Bill, seconded by Councillor Camamile and

RESOLVED – the minutes of the meeting held on 14 April be confirmed and signed by the Chairman.

33 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

It was noted that there would be a verbal update on the Leicester & Leicestershire Combined Authority which would be taken at the end of the public agenda. This was deemed urgent due to information emerging since publication of the agenda.

34 DECLARATIONS OF INTEREST

No interests were declared at this stage.

35 PUBLIC SPACE PROTECTION ORDER

The Scrutiny Commission gave consideration to a report which recommended the establishment of a Public Space Protection Order to prevent antisocial activities in public places. The Order would cover use of intoxicating substances on public land, use of fires and barbecues on public land, keeping of dogs on leads in certain areas or if requested, restrictions on dogs in certain places (ie play areas) and fouling of land by dogs.

Councillor Williams entered the meeting at 6.42pm.

It was acknowledged that some aspects of the Order would be borough-wide and others would cover HBBC land only. With regard to parish councils, members were informed that once this Order had been approved, officers would visit each parish council to discuss implementation of Orders on parish land, on which they would then need to consult.

In response to members' questions, the following points were noted:

- Consultation had taken place face-to-face in parks and cemeteries, via the citizens panel, parish clerks, the Parishes Forum, with Hinckley BID, police and the Kennel Club
- Signage would be used in areas to which the Order applied
- The Order would be in place for three years, with an option to review for a further three, which would give the opportunity to review the need for continuation
- Suitable persons could be assessed and authorised to issue fixed penalty notices for breaches of the Order
- Safety of staff would be paramount and staff would not be expected to put themselves into dangerous situations and would be able to seek support from the Police
- A guidance note for parishes could be produced.

RESOLVED –

- (i) The creation of a borough-wide Public Space Protection Order be endorsed;
- (ii) The delegation of authority to the Chief Officer (Environmental Health), the Chief Officer (Housing, Community Safety & Partnerships), the Executive Member for Neighbourhood Services and the Executive Member for Housing & Community Safety to implement the Order and to authorise suitably qualified officers for enforcement be supported;
- (iii) A guide be produced for parishes on implementation of the Order.

36 FIXED PENALTY NOTICES FOR FLY TIPPING

Members were advised of the introduction of The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 which came into force on 9 May 2016 and introduced new powers for local authorities to issue fixed penalty notices for small scale fly tipping as an alternative to prosecution. It was noted that, whilst authorities were permitted to set a maximum penalty of £400, officers were recommending a charge of £200, reduced to £125 for early payment.

The problem of commercial fly tipping was discussed and members were assured that prosecutions would continue to be carried out for large scale fly tipping. It was also noted that repeat offenders would be prosecuted – there would only be one opportunity to receive a fixed penalty notice before prosecution was invoked.

During further discussion, the following points were noted:

- There was a national reporting system for fly tipping
- There had been an increase in fly tipping nationally
- A press release had been issued, highlighting that increase
- Criteria would be produced to assist with the decision of when to issue a fixed penalty notice and when to prosecute.

It was requested that a report on fly tipping be brought to the same meeting as the previously requested update on the green waste service (scheduled for October), to include figures (including type of item tipped), trends and comparisons with districts which have been charging for green waste collections for a number of years.

RESOLVED –

- (i) The introduction of a fixed penalty notice to deal with small scale fly tips be endorsed;
- (ii) The setting of the fixed penalty notice at £200, reduced to £125 if paid early within ten days, be endorsed;
- (iii) The request to delegate authority to the Lead Member for Neighbourhood Services and the Chief Officer (Environmental Health) to set the criteria for small scale fly tipping as an amendment to the Clean Neighbourhood Policy be supported;
- (iv) The delegation of authority to the Chief Officer (Environmental Health) to authorise suitable officers to issue fixed penalty notices for fly tipping be supported;
- (v) A report on fly tipping statistics be brought to the October meeting along with the update on the garden waste scheme.

37 SITE ALLOCATIONS

The Site Allocations and Development Management Policies Document was presented to the Commission following Examination in Public in autumn 2015 and resulting modifications which had been made and subsequently agreed by the Inspector in May 2016. It was noted that, once adopted, this document would have weight in decision making as a development plan, whilst still having to consider the National Planning Policy Framework and the five year housing land supply.

There was significant discussion on the relationship between this document and Neighbourhood Plans, and in response the following points were raised:

- The importance of Neighbourhood Plans in strengthening and protecting communities
- The document provided a framework within which Neighbourhood Plans could be written
- Neighbourhood Plans would take precedence in non-strategic matters

Concern was expressed that some communities or parishes may be procuring expensive support for creating a Neighbourhood Plan. A member asked if support could be provided in development of Neighbourhood Plans, and in response it was stated that, whilst they must be community-led, a report could be brought to the next meeting on the support that could be offered.

A member asked a question about the reference to the extension of the Hinckley West site in the document and how this would affect determination of the planning application at the following week's committee. Officer's agreed to look into the matter ahead of that meeting and respond back to the member in question.

RESOLVED –

- (i) The Inspector's report on the examination into the Site Allocations and Development Management Policies Development Plan Document be noted;
- (ii) The adoption of the Site Allocations and Development Management Policies Document be endorsed;

- (iii) A report be brought to the next meeting on the potential for Council support for creating Neighbourhood Plans.

38 STRATEGIC GROWTH STATEMENT AND GROWTH PLAN

The Scrutiny Commission was consulted on the Strategic Growth Statement for Leicester and Leicestershire. It was noted that this would engender a more strategic approach to meeting future development needs across the county and ensure that the countywide infrastructure could support growth.

A member expressed concern that the public was not aware of the need for development and it was agreed that this should be communicated on a continuous basis to raise awareness of why additional houses, employment and infrastructure were necessary.

The poor rail infrastructure in Leicestershire was highlighted, and it was noted that the County Council had commissioned a draft rail strategy and that cross border communications between transport authorities were improving. Officers agreed to obtain a copy of a report going to the County Council's Cabinet in relation to this and to invite a representative to the Scrutiny Commission to present it.

RESOLVED –

- (i) The Strategic Growth Statement for Leicester and Leicestershire for consultation starting in July 2016 be endorsed;
- (ii) The costs related to the production of the Leicester and Leicestershire Strategic Growth Plan be noted;
- (iii) Continuous communication take place to raise awareness of the need for development;
- (iv) The County Council be invited to present the draft rail strategy to the Scrutiny Commission.

39 CORPORATE PLAN ANNUAL SUMMARY OF ACHIEVEMENTS

Members received a summary of achievements for 2015-16 against the Corporate Plan. Concern was expressed regarding the use of acronyms and jargon in the report and it was agreed that it be put into plain English prior to presentation to Council.

It was noted that the Corporate Plan was currently being reviewed and agreed that a working group of the Scrutiny Commission meet to inform the new Corporate Plan.

A member reported that residents were concerned about call waiting times when ringing the council, and it was agreed that Finance & Performance Scrutiny be asked to look at this.

RESOLVED –

- (i) The report be noted;
- (ii) The language in the report be reviewed prior to presentation to Council;
- (iii) Finance & Performance Scrutiny be requested to look into call waiting times.

40 SCRUTINY COMMISSION WORK PROGRAMME 2016-17

In considering the work programme for the year, a member asked about the Town Centre Vision document as they had not seen a copy. It was agreed that this would be circulated to members and that the new Asset & Regeneration Strategy group would receive progress reports. The Chairman suggested that this be included in capital project progress reports to the Commission.

41 LEICESTER & LEICESTERSHIRE COMBINED AUTHORITY

The Chief Executive provided a verbal update on the Leicester & Leicestershire Combined Authority, informing members that making of the Order was imminent and that all members would be notified when it had been approved.

42 EFFICIENCY PLAN

It was noted that this item was deferred pending further information in relation to the New Homes Bonus.

43 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Lay seconded by Councillor Camamile, 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 1, 3 and 10 of Part I of Schedule 12A of that Act.

44 CORPORATE STRUCTURE

The Scrutiny Commission discussed proposals for revisions to the corporate structure arising from the voluntary redundancy of the Deputy Chief Executive (Corporate Direction).

RESOLVED – the comments made be given consideration by the Leader and the Chief Executive.

(The Meeting closed at 8.56 pm)

CHAIRMAN