



Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 2 September 2020.

PRESENT

Mr. S. J. Galton CC (in the Chair)

Mr. T. Barkley CC
Mr. P. Bedford CC
Mr. D. C. Bill MBE CC
Mr. G. A. Boulter CC
Dr. T. Eynon CC
Dr. R. K. A. Feltham CC

Mrs. H. J. Fryer CC
Mr. D. Harrison CC
Mrs. R. Page CC
Mr. A. E. Pearson CC
Mr. T. J. Richardson CC
Mr. M. B. Wyatt CC

1. Appointment of Chairman

RESOLVED:

That it be noted that Mr. S. J. Galton CC has been appointed Chairman of the Scrutiny Commission for the period ending with the Annual Meeting of the County Council in 2021 in accordance with Article 6.05 of the Constitution.

2. Election of Vice Chairman

RESOLVED:

That Mrs R. Page CC be elected Vice-Chairman of the Scrutiny Commission for the period ending with the date of the Annual Meeting of the County Council in 2021.

3. Minutes

The minutes of the meeting held on 22nd June 2020 were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

5. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. Urgent Items

There were no urgent items for consideration.

7. Declarations of interest

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

All members of the Commission who were also members of a district council declared a personal interest in the report on Place Marketing for Leicester and Leicestershire (agenda item 10), the Growth Unit Update (agenda item 11) and Air Quality and Joint Health Action Plan (agenda item 13).

Mr T. J. Richardson CC declared a personal interest in the report on the Growth Unit Update (agenda item 11) as a LLEP Director.

Dr T. Eynon CC declared a personal interest in the report on Place Marketing for Leicester and Leicestershire (agenda item 10) as a member of the Coalville Heritage Society.

8. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

9. Presentation of Petitions under Standing Order 35.

The Chief Executive reported that no petitions had been received under Standing Order 35.

10. Place Marketing - Leicester and Leicestershire

The Commission considered a report of the Chief Executive which provided an update on the work of the Place Marketing team for Leicester and Leicestershire. A copy of the report marked 'Agenda Item 10', is filed with these minutes.

The Commission also received a presentation from the Director of Inward Investment and Place Marketing, Mr Mark Oakley. A copy of the slides forming the presentation is filed with these minutes.

Arising from discussion and questions raised, the following points were made:

- (i) The Tourism Advisory Board was a public/private sector partnership that comprised of representatives from a number of different organisations such as the City and County Councils, district councils, the LLEP, accommodation, sport, and transport businesses, the national forest, Twycross Zoo and the National Space Centre. The Board had been in place for 3 years and gave a good steer on tourism opportunities across all areas of the City and County.
- (ii) As a result of Covid 19, alongside the LLEP, the Inward Investment Team had considered those businesses that could best be supported during this difficult time. The Investment Team had worked with space and live science sectors which were considered key to the area, providing a source of great strength and opportunity to attract new investment. Such businesses also generated employment opportunities, particularly for younger people leaving higher

education or university who had been particularly hard hit by the pandemic.

- (iii) Raising awareness and promoting opportunities both in the City and County was considered critical to both secure visitors in the first instance, but also to ensure they made the most of the area as a whole. Members noted that this was largely done through website promotions and social media, but expressed concern that this relied on people choosing to research the area and did not actively reach out to new potential visitors. Members noted that a new Place Marketing Manager was being appointed and their role would be to raise awareness of what Leicester and Leicestershire had to offer.
- (iv) Leicestershire was seen as an attractive area for businesses to invest in due to its central and well connected location. It also provided great value for money as high quality venues were often priced slightly lower than those in surrounding areas. Business tourism was a very competitive area and it was suggested that this was worth promoting further.
- (v) The PMO (Place Marketing Organisation) worked closely with district councils building on and utilising their local knowledge to promote each area at a strategic level. It did not dictate activity but worked to support what was being done locally.
- (vi) Concern was raised about the lack of detail as to how funding had been split across each district area and how this translated into increased visitors to those areas. A member further expressed disappointment that the report did not provide quantifiable evidence of what promotion activities had worked well and what hadn't and suggested that without this information local areas would not know where or how best to improve their local offer.
- (vii) Members noted that performance was measured using STEAM data, a tourism economic impact modelling process, but that this varied across areas and could often be out of date which made it difficult to make comparisons. However, Members were advised that some data was collected and provided to Visit Britain by the PMO every 2 weeks and assurance was provided that this along with the information collected through STREAM could be used to provide a clearer picture in the next annual report to the Commission.
- (viii) Covid 19 had had a significant impact on Leicester and Leicestershire particularly as a result of the local lockdown and it was acknowledged that building confidence to bring people back to the area would be critical.
- (ix) The PMO provided support to tourism businesses and helped them develop their businesses plans in light of Covid 19 following advice from Visit Britain. Also, the County Council had introduced a recovery grant fund of £750,000 to help businesses survive and protect employment during the pandemic which had been very well received and already had provided much needed help to all types of business including those in the tourism sector.

RESOLVED:

- (a) That the update now provided be noted;

- (b) That a further report be submitted to the Commission in a year's time, detailing how funding was split across each district area and how this translated into increased visitors to those areas, together with quantifiable evidence of what promotion activities had or hadn't worked in the preceding 12 months to guide future activity.

11. Growth Unit Update

The Commission considered a report of the Chief Executive which provided an update on the establishment of the County Council's Growth Unit, its current activity and areas of focus and which set out examples of specific work now being led by the Unit. A copy of the report marked 'Agenda Item 11', is filed with these minutes.

Arising from discussion the following points arose:

- (i) The Unit was now fully established and taking on a growing number of projects. Its focus was not only on large development schemes like Lutterworth East SDA, but also to oversee and manage risk, particularly financial risks to the County Council as the major infrastructure provider, arising from growth in the County.
- (ii) The Unit played a critical role in supporting the Council's economic recovery plans to address the impact of Covid 19 and worked with partners such as the LLEP in the development of its wider response to support local businesses.
- (iii) The work of the Unit would be affected if the proposals set out in the Planning White Paper came into force, as this would create new challenges and areas of responsibility, but this would not affect its core purpose. Members noted that in fact the role of the Unit could become even more critical.
- (iv) It was noted that environmental considerations and issues such as air quality were considered as part of each individual workstream. It was suggested that these should also be included on the Unit's identified areas of focus to ensure they were given sufficient prevalence and weight in light of the Council's zero carbon commitments.
- (v) The work being undertaken by the Unit with partners, particularly health partners, was welcomed. It was acknowledged that it was a difficult and complex area where often tensions existed, but it was one that needed to be addressed to ensure wider health impacts resulting from developments were considered and managed, particularly when securing section 106 and other developer contributions.

RESOLVED:

That the update now provided be noted.

12. Corporate Asset Investment Fund Annual Report 2019-20

The Commission considered a report of the Director of Corporate Resources which set out the performance of the Corporate Asset Investment Fund (the Fund) during the

2019/20 financial year. A copy of the report marked Agenda Item 12', is filed with these minutes.

Arising from discussion, the following points were raised:

- (i) The Adults and Communities Department had established a scheme (the Social Care Investment Programme) to consider proposals to invest in Adult Social Care properties. This scheme was independent of the Fund as the performance metrics of the two did not align. The Fund was predominantly focused on generating an income for the Council. The Social Care Investment Programme and any proposals to invest would be considered by the Adults and Communities Overview and Scrutiny Committee as appropriate.
- (ii) It was confirmed by the Assistant Director of Corporate Resources (Strategic Finance and Property) that external borrowing was not needed to support those projects currently being delivered through the Fund, nor was this being considered at this time. The Fund had sufficient capital allocated to it in the current Medium Term Financial Strategy and it was not proposed that this would change in the 2020/21 refresh.
- (iii) The Head of Strategic Property Services confirmed that the J2 M69 development proposals were being led by Blaby District Council and private developers, not the County Council which was only a minority landowner in the area. However, the County Council was working to use its position, and its minority land ownership, to ensure that any proposals that came forward (after an allocation in the forthcoming Blaby District Council Local Plan review) would be appropriate for the area and supported by necessary infrastructure.
- (iv) In response to a question raised about the proposals to the west of the M69 (Hinckley National Rail Freight Interchange), the Head of Strategic Property Services confirmed that the Fund did not have any direct involvement in these proposals. Mr D. C. Bill CC asked that his opposition to any development in this area including the Hinckley National Rail Freight Interchange be placed on record.
- (v) Members noted that Covid 19 had so far not affected the performance of Fund, but suggested that the situation needed to be closely monitored and requested that should the economic impact of Covid 19 start to have a substantial and deleterious effect on the performance of the Fund, an in year report be brought back to the Commission for consideration.

RESOLVED:

- (a) That the performance of the Corporate Asset Investment Fund during 2019/20 financial year be noted;
- (b) That the Head of Strategic Property Services be requested to bring back a further in-year report should the economic impact of Covid 19 start to have a substantial and deleterious effect on the performance of the Fund.

13. Air Quality and Health Joint Action Plan

The Commission considered a report of the Director of Public Health which provided an update on work being undertaken with partners to develop a Leicestershire Air Quality and Health Action Plan, a draft of which was appended to the report. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

The Commission also received a presentation which set out the effects of air pollution on health and plans to address poor health outcomes linked to air pollution in the future. A copy of the slides forming the presentation is filed with these minutes.

Arising from discussion, the following points were raised:

- (i) The priorities identified in the Joint Strategic Needs Assessment agreed by the Health and Wellbeing Board in May 2019 formed the basis of the actions now set out in the Action Plan. Members welcomed the Plan and recognised that both nationally and locally air pollution was the biggest environmental hazard in terms of mortality impacts.
- (ii) Members noted that the County Council had responsibility to deliver the Action Plan and sought to work with and influence partners including district councils as the local planning authority, to secure the outcomes identified within this. However, it was district councils that had responsibility to monitor and manage air quality and they had to balance this against the need to deliver increased housing numbers set by central government. Members raised concerns that no single body had oversight or control of the issue and that this hindered the ability for real action to be taken. A member suggested that an explanation of these conflicting issues and how disjointed the current set up was would be helpful to enable the public to understand the difficulties local authorities faced in addressing this issue.
- (iii) Members considered that air quality needed to be prioritised as part of the local plan process so that mitigation measures could be identified early. Growth was necessary to boost the local economy and provide housing. However, this often came at the cost of air quality and other environmental considerations. Partnership working would be critical. However, concern was raised that action by consent might no longer suffice and would not deliver the outcomes required quickly enough. Members suggested that the Plan could be strengthened in this area. It was also suggested that the County Council might need to be more direct and clear about actions required to address air quality and should challenge district council local plans on this basis.
- (iv) It was noted that unlike on highway matters, the County Council was not a statutory consultee when it came to air quality. Whilst it had the ability to undertake modelling and the expertise to provide advice and support on this issue it was up to individual district councils to take up that offer. When provided it was also up to district councils what weight to apply to that data.
- (v) Members agreed that air quality needed to be brought to the top of the agenda and district councils and developers brought on board. However, it was recognised that without support from central government, it would be difficult for local planning authorities to give this the weight needed when deciding planning applications. Refusal of an application based on the adverse air

quality impacts a development may have would likely be overturned on appeal based on current planning legislation.

- (vi) Members felt more monitoring needed to be undertaken to give a true picture of the extent to which air quality was a problem across the County and to identify those key areas requiring action. Improved data would also support future decisions around where developments could and could not take place as part of the local plan process, or if planning applications were to be refused on the grounds of air quality impacts. Members commented, however, that district councils did not have sufficient resources to do this and would require further support to take this forward.
- (vii) Members welcomed work by the Strategic Planning Group to produce a health planning guide and hoped that this would help developers understand what was expected in respect of air quality measures as part of a development. However, it was not clear how this would address existing problems arising from existing or current developments.
- (viii) It was suggested that the data now presented for each district should be shared and publicised to drive the need for change.
- (ix) Concern was expressed that there was currently no member involvement in the development of the Plan or its delivery. The Director agreed and undertook to revisit the governance structure to ensure political oversight was properly reflected in the Plan.
- (x) A member suggested that it would be helpful to understand what work was being done in surrounding areas including the City Council, which would likely impact the air quality position in some boundary areas, particularly those like Oadby and Wigston which had much higher levels of pollution than other parts of the County.

RESOLVED:

That the comments now made be submitted to the Cabinet for consideration.

14. Corporate Complaints and Compliments Annual Report 2019-20

The Commission considered a report and presentation from the Director of Corporate Resources which presented the Corporate Complaints and Compliments Annual Report covering the period 1 April 2019 to 31 March 2020. A copy the report marked 'Agenda Item 14', and the presentation slides are filed with these minutes.

Arising from discussion and questions raised, the following points were made:

- (i) The substantial increase in financial payments made had predominantly been due to several larger settlements relating to SEN provision. This increase mirrored the position being seen nationally, the Ombudsmen considering this to be its key area of concern and upholding 9 out of 10 complaints in this area for all Councils.
- (ii) Whilst it was a national issue, it had been recognised that improvements could be made locally to address some of the issues arising. SEN Services had

been the focus of a recent Ofsted inspection and a written statement of improvements had been prepared in response. A comprehensive plan was being developed by the Department alongside the Transformation Unit to review and improve current operating systems and processes across the service and this would be something that would be considered by the Children and Family Services Overview and Scrutiny Committee in due course.

- (iii) The Council looked at complaints in detail and offers were made in line with the Ombudsmen settlement formula where it was considered right to do so. This avoided both unnecessary delay for the complainant in getting the matter resolved and costs to the Authority in time spent dealing with the complaint.
- (iv) The Complaints Service was in regular contact with Departments regarding complaints received to discuss how these were managed and trends and increases being seen to ensure wider issues arising could be addressed.

RESOLVED:

That the Corporate Complaints and Compliments Annual Report for 2019/20 be noted.

15. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Commission would be held on Mnday, 14th September 2020 at 10.30am.

1110.00 am - 1.45 pm
022nd September 2020

CHAIRMAN