

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COMMUNITIES SCRUTINY PANEL

held remotely on

24th September 2020

Commencing at 6.30 p.m.

Present:

Councillor Mrs Ackerley, Vice Chairman.

Councillors (panellists): Champion, Fosker, Hollick (from 6.55pm), Mrs Page (ex officio),
Mrs Robinson and Mrs Simpson

Councillors (guests): Mrs Burrell, Knowles

Officers: D. Atkinson, N. Proudfoot, J. Smith, V. Wenham, C. Zacharia and G. Keeping

ELECTION OF CHAIRMAN FOR THE YEAR 2020/21

Councillor Mrs Page opened the meeting and invited nominations for Chairman of the Panel for the 2020/21 year.

It was proposed by Councillor Mrs Robinson and seconded by Councillor Mrs Ackerley that Councillor Nunn be appointed Chairman of the Panel for the 2020/21 year.

There being no further nominations, it was

RESOLVED that: Councillor Nunn be elected Chairman of the Panel for the 2020/21 year.

APPOINTMENT OF VICE-CHAIRMAN FOR THE YEAR 2020/21

Councillor Mrs Page then invited nominations for Vice-Chairman of the Panel for the 2020/21 year.

It was proposed by Councillor Mrs Robinson and seconded by Councillor Champion that Councillor Mrs Ackerley be appointed Vice-Chairman of the Panel for the 2020/21 year.

There being no further nominations, it was

RESOLVED that: Councillor Mrs Ackerley be appointed Vice-Chairman of the Panel for the 2020/21 year.

In the absence of the Chairman, Cllr Ackerley took the chair for the remainder of the meeting.

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTION(S)

An apology was received from Councillor Nunn.

MINUTES

RESOLVED that: the Minutes of the Meeting of the Communities Scrutiny Panel held on 15th January 2020 be signed by the Chairman as a true record.

DECLARATIONS OF MEMBERS' INTERESTS

There were none.

PERFORMANCE QUARTER FOUR - 2019-20

At its meeting on 13th July, the Scrutiny Commission resolved that the Performance Quarter 4 2019/20 report be referred to both of the Council's Scrutiny Panels for further consideration.

Communities Scrutiny Panel members therefore received the report on the Council's performance against the 2019/20 Corporate Delivery Plan and Performance Indicators at the end of year. In its first appendix the report contained information under the following categories: Key Activities, Status, Progress and Next Steps and identified Lead Officers and Portfolio Holders. Members' attention was also drawn to the Strategic Performance Dashboard that was attached as Appendix B to the report.

The Chairman invited questions and comments from those present and the following was recorded:

Question/ Comment	Response
<u>KA.01.05 To promote the vibrancy of the District's two market towns:</u> what is the Ledon meeting referred to in Appendix A to the report?	It was AGREED that this would be checked and information fed back.
<u>HS11 Percentage of statutory homeless presentations housed:</u> i. Can the Council achieve 100% soon, or will it always miss this target? ii. How many people is the Council falling short by? iii. What determines whether the Council has a duty to house individuals? iv. What is the situation regarding appeals? v. How are the Council's staffing capabilities coping, given the increase in homeless presentations?	<p>i. The performance indicator is being reviewed this year to bring it in line with recent legislation. Three new flats have been brought into use, but homelessness cases have been rising for the fifth month in a row and this may continue. The Council has had success in a joint bid with other authorities in Leicestershire in accessing £350k of Next Steps funding from Government, but this is not as much as was asked for and not all the initiatives included in the bid will be able to proceed.</p> <p>ii. Currently there are seventeen households in temporary accommodation, and, in total, 84 people are included on the Homeless Register. Twenty-two people are at the 'prevention stage', twenty-eight are in the 'relief stage' and twenty-seven are under investigation.</p> <p>iii. There are several different classifications that impact on this. It was AGREED that a briefing note would be circulated by email after the meeting.</p> <p>iv. Yes, the Council's decision can be challenged. It was AGREED that details would be included in the above email.</p> <p>v. Staffing capabilities are satisfactory at present, especially given the additional funding referred to above.</p>

The Panel RESOLVED to note the report.

PLANNING ENFORCEMENT

The Panel was presented with a report providing details of how to access information regarding planning enforcement cases, how Members are notified of new planning enforcement cases, and how Members are able to liaise with the Planning Compliance Officer to seek information and be kept updated of major developments and contentious sites within their Ward.

Questions and comments were invited from the Panel and the following were noted:

Question/ Comment	Response
<p><u>Confidentiality:</u></p> <p>i. it was noted that the names of people making complaints are not made public. Is there any way that this arrangement could be made more widely known, so that members of the public are not deterred from making complaints?</p> <p>ii. Is this information subject to freedom of information requests?</p>	<p>i. Yes, it is made clear on the enforcement page on the Council's website, and also in the local enforcement plan, that complainants' details are kept private. Enforcement cases are exempt from requirements to publicise people's details.</p> <p>ii. No, personal details cannot be accessed.</p>
<p><u>Appendix A - new enforcement cases:</u></p> <p>i. with reference to case 20/00232/COMS, Land on Moorbarns Lane, for example, what is meant by the entry 'case closed. No evidence found'?</p> <p>ii. Could another column be added to the report to explain why no breach was found, or is there another approach?</p>	<p>i. There are a number of possible reasons. A retrospective planning application may have been submitted and the decision issued, an enforcement notice may have been quashed on appeal, it may not be expedient to pursue the matter further or no breach might have been found. In addition, on investigation, the issue may not relate to planning enforcement.</p> <p>ii. If approached, the Planning Enforcement team can provide additional information on individual cases. This could be reiterated in the briefing document for Parish Councils discussed below.</p>
<p><u>Local Enforcement Plan:</u> the report states that this can be found on the Council's website. It was suggested that the Parish Liaison Officer could produce a brief report, with links, so that Parish Clerks could place this on their websites.</p>	<p>It was AGREED that a briefing document would be produced for Parish Councils.</p>
<p><u>Generic enforcement email address:</u> does this send out an automatic acknowledgement email? How many days do officers have to respond?</p>	<p>The generic email address does give an automatic acknowledgement. A substantive response will be provided within five working days.</p>
<p><u>Planning Compliance Officer:</u> at a later stage, could Members receive a briefing on the role of this post and how it is monitored?</p>	<p>It was AGREED that a briefing document on the role of the Planning Compliance Officer would be circulated to Members.</p>
<p><u>Meaning of 'expedient':</u> what does expedient mean in relation to planning enforcement? Could its use be explained to Parish Councils?</p>	<p>'Expedient' means what is reasonable. This could be explained further in the briefing document for Parish Councils discussed above.</p>

<p><u>Suitability of tools to enforce compliance:</u> are there any less severe approaches available, other than the issuing of stop notices?</p>	<p>Stop notices and temporary stop notices are key tools and most developers respond to these, but provisions relating to anti-social behaviour could also be considered. Prosecutions and injunctions are other tools that can be used.</p>
<p><u>Working with Leicestershire County Council:</u> how does the enforcement team liaise with the County Council on issues which are its responsibility?</p>	<p>The Council has good connections with both the highways and public rights of way teams at the County Council and works closely with them.</p>

The Panel RESOLVED to note the report.

TO CONSIDER MATTERS OF URGENCY

There were none.

The Meeting ended at 7.40 p.m.