

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COMMUNITIES SCRUTINY PANEL

held remotely on

25th March 2021

Commencing at 6.30 p.m.

Present:

Councillor Nunn, Chairman.

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

Guest Councillor: Cllr James (Item 5 – Open Spaces Strategy)

Officers: D. Atkinson, M. Bills, E. Bird, T. Day, L. Elliott, S. Green, S. Hamilton, N. Hankin, J. Smith. A. Tyrer and D. Wright

Guests:

T. Bhaur
R. Martin

Blaby District Council
The Environment Partnership (TEP)

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTION(S)

There were none.

MINUTES

RESOLVED that: the Minutes of the Meeting of the Communities Scrutiny Panel held on 17th December 2020 be signed by the Chairman as a true record.

The Chairman requested an update be provided to the Committee of the actions detailed in the Minutes.

DECLARATIONS OF MEMBERS' INTERESTS

Cllr Mrs Ackerley Cllr Mrs Ackerley declared a personal, non-pecuniary interest under Item 7, Lutterworth Town Centre Master Plan. The nature of the interest was stated to be that she was a member of Lutterworth Town Council.

Cllr Mrs Robinson Cllr Mrs Robinson declared a personal, non-pecuniary interest under Item 7, Lutterworth Town Centre Master Plan. The nature of the interest was stated to be that she was a member of Lutterworth Town Council.

PRESENTATION ON THE LIGHTBULB SERVICE DELIVERY

Panel received a presentation on the Lightbulb Service Delivery from T. Bhaur of Blaby District Council.

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

Question/ Comment	Response
<u>Accessibility</u> : how can an individual access a disability grant ?	Due to technical issues, it was AGREED that T. Bhaur would provide written answers to Cllr Mrs Page.
<u>Roofing and windows</u> : previously a disability grant covered disability adaptation for an individual having a disability. When and why was the criteria changed ?	Due to technical issues, it was AGREED that T. Bhaur would provide written answers to Cllr Mrs Page.
<u>Partners in the Lightbulb service</u> : how many partners are there in the Lightbulb service ?	Due to technical issues, it was AGREED that T. Bhaur would provide written answers to Cllr Mrs Page.
<u>Financial set up of the service</u> : what is the financial set up of the Lightbulb service ?	Due to technical issues, it was AGREED that T. Bhaur would provide written answers to Cllr Mrs Page.
<u>Disabled Facilities Grants</u> : there is a difference between the various Districts in how quickly the Disabled Facilities Grants (DFG's) are arranged – could any pointers be provided to HDC ?	There are different types of DFG's within the various districts, with some being more complex than others, which means it is hard to benchmark across the districts. Harborough often has larger DFG's plus a lot more DFG's from children's services, which affect statistical information. However the Lightbulb model enables resource to be moved across districts. Funding is now received via the Better Care Fund, and advantage can be taken of the Regulatory Reform Order, Private Sector Housing Policy which enables extra grants to be offered e.g. the adaptation grant, discharge grant and the home support grant.

OPEN SPACES STRATEGY 2021

The Panel was joined by R. Martin from The Environment Partnership (TEP). The Panel received a report and following an introduction by M. Bills, Neighbourhood and Green Spaces Officer, R. Martin of TEP delivered a presentation on the draft Open Spaces Strategy 2021.

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

Question/ Comment	Response
<u>Results of the developer consultation</u> : the results indicate that 2 respondents do not use the existing Open Space Strategy 2016 – what do these respondents use ?	The developers did not clarify why they did not use the existing strategy. Feedback was received from the developers that there is a lack of clarity within the existing strategy and this has tried to be addressed within the draft Open Spaces Strategy 2021 (OSS 2021).
<u>Impact on Planning Applications</u> : what weight will the strategy carry towards material considerations ?	The strategy will be used to inform comments from Officers for Planning Applications. The evidence gathered is the robust evidence and the locally derived provision that is needed to fulfil

	<p>the requirements of the national Planning Policy Framework and is therefore completely up-to-date for feeding officer comments into Planning Applications.</p> <p>Once the Strategy is adopted it will be a material consideration for both Neighbourhood and Green Spaces Officer's comments on planning applications and also more widely for Development Management Officers on determining Planning Applications.</p>
<p><u>Number of sections in the draft Strategy where items are listed as 'poor':</u> will HDC be active in raising these levels and if so how will this be financed as S106 monies can't normally be used to address an existing problem ?</p>	<p>HDC is currently operating in an extremely challenging financial environment and the Council needs to work in partnership with the community to raise standards.</p> <p>However some of the areas identified as 'poor' could be redundant for use. HDC also needs to consider whether these areas could be repurposed or disposed of.</p>
<p><u>Residential Management Committees:</u> would HDC be able to take over Residential Management Committees as residents pay these Committees on a yearly basis ?</p>	<p>Open Spaces can be adopted via the District Council, Parish Council or Management Companies which incorporate Resident Managed Open Space, however as per the recommendations in the draft Strategy, HDC is not minded to adopt Open Space.</p> <p>HDC can offer services to third parties and this would need to be considered by the Council's Contracted Services and Environmental Services teams as part of the Budget Challenge 25 process.</p>
<p><u>Quantity of Natural, Semi-natural greenspace:</u> much of this space is in private ownership, and once this has been listed on 'List', what prevents a landowner from taking this space out of circulation and using this for other purposes ? Would this have an impact on the amount of green space detailed within the results ?</p>	<p>The natural and semi-natural greenspaces equate to Open Space, sport and recreation sites, which all receive protection through the National Planning Policy Framework.</p> <p>Any re-purposing for development, for example, would raise objections from the Neighbourhood and Green Spaces Officer and a robust case would be made to prevent that from occurring.</p> <p>HDC has been successful in defending the development of areas identified as Open Spaces, sport and recreation sites.</p>
<p><u>Production of the strategy and report:</u> acknowledgement was made as to the considerable amount of work undertaken by Officers and the consultants in producing the strategy</p>	
<p><u>Omission of areas within the strategy:</u> what is the process for incorporating an area which hasn't been included in the strategy ?</p>	<p>Areas which have been omitted will be added to a future draft. The list of Open Spaces is 'live' and continues to evolve over time as both development sites and new Open Space come on board continuously.</p> <p>In addition the Local Plan policies exist to protect local spaces which are of value to the community.</p>
<p><u>Re-designation of a space:</u> what is the process</p>	<p>Sports pitches which were on the list of Open</p>

<p>for redesignation of an area previously designated an Open Space and now registered as a sports facility ?</p>	<p>Spaces and are now designated solely as sports pitches retain protection through the national Planning Policy Framework. In addition Sport England is a statutory consultee for any development that is proposed on sports pitches.</p>
<p><u>Deficiency of allotments:</u> how can the Council resolve the overall deficiency of allotments within the district and would this be undertaken via the planning process and large developments ?</p>	<p>The Council is aware that there is a deficiency in the number of allotments within the district and is seeking allotment provision through the larger development sites which will assist in the shortfall. However an existing shortfall is not able to be addressed through a Section 106 provision.</p> <p>Parish Councils have been successful in obtaining a small number of new allotments in Kibworth and Fleckney. There are also Section 106 offsite contributions to help with enhancements of existing allotments.</p>
<p><u>Area of amenity greenspace:</u> could clarification be given as to the large area of amenity greenspace detailed within Appendix B on the map of Market Harborough to the north of Market Harborough, east of the A6.</p>	<p>It was AGREED that clarification would be provided by the Neighbourhood and Green Spaces Officer.</p>
<p><u>Children's and Young People's requirements:</u> as the Council has not been able to deliver the target provision since 2016 in the current strategy, is a more aggressive strategy required and what would this strategy be given that S. 106 contributions can't be used ?</p>	<p>Bridging existing shortfalls is very difficult and the targets within the strategy are aspirational. Minimum provision thresholds are used to determine how much of that type of Open Space goes into new development.</p>
<p><u>Development of provision by other Councils:</u> can HDC use more creative ideas, such as those used by Northampton County Council to develop Country Parks and other facilities ?</p>	<p>Northampton has been a growth town since the 1970's and has some very large strategic growth areas, which has enabled the Council to have large framework plans which have incorporated major strategic corridors of open spaces and parkland.</p> <p>Harborough District hasn't yet benefited from major growth areas but sites are coming forward such as Lutterworth East and Scraftoft North. These major growth areas will enable a strategic approach to Open Space to be incorporated via development briefs and masterplans.</p>
<p><u>Private management companies:</u> is there a way that the HDC can discourage private management companies and encourage Resident Management groups ?</p>	<p>Some Resident Management groups have recently come forward and liaison with Community Groups does regularly take place between the Neighbourhood and Green Spaces Officer and the Community Partnerships team, where advice and encouragement from Officers is given. A Resident Management group would need to constitute itself and obtain their own legal advice.</p>
<p><u>Rationale to not adopt Open Spaces:</u> is it correct that the decision to not adopt Open Space is purely financial ?</p>	<p>It would be extremely challenging in the current financial climate for the Council to afford to adopt the many existing Open Spaces sites referred to in the Strategy. It would also be difficult for the Council to pick out particular sites above others</p>

	and a reasonable consistent approach would be required.
<u>Open Spaces on new developments:</u> from the consultation it seems that the developers don't want to pay a commuted sum or don't know how they can pay, or that the Open Space is given to a private management company.	Based on both the current strategy and a number of preceding years, the Council doesn't have an adoption approach to Open Space coming forward from new developments. There is no financial budget to undertake this at the moment or identified in the next financial year and Medium Term Financial Strategy. There would be a significant financial commitment to the Council to start routinely taking on varying sizes of Open Spaces.
<u>Long term and strategic recommendations:</u> within the strategy there are a number of points to be worked on. How will the recommendations and findings be taken forward on a proactive basis, and developing applicable policies ?	It was AGREED that an action plan be developed to address the recommendations which will also inform policies going forward. The next piece of work to be undertaken by Officers will inform the Open Space contributions going forwards, and will form part of the relevant policy. Other issues will need to be addressed in the strategy identified by TEP.
<u>Flag ship Country Park within the District:</u> the strategy identified the need for a flag ship country park. Could the Country Park in Lutterworth be enhanced to fulfil this requirement and how could this be enabled ?	This can be undertaken via Local Plan Policies. If there were areas of space within the District in need of improvement or enhancement, the particular areas could be incorporated into the future Local Plan Open Space policy, which would enable focus to be put on particular areas.
<u>Addressing future need within the strategy:</u> does the strategy accommodate a future potential strategic development area, or the future requirement for Lutterworth East ?	TEP used the Office for National Statistics (ONS) population from 2019. The forecast up to 2036 is based on the percentage forecast of 16.06% as per the ONS. If larger sites come forward, the report would need to be updated as only the population data that is available at the time of producing the report can be used. The Strategy is a living document and will be updated incrementally, on a timeframe dependent on the amount of development received. The Local Plan provides information on the amount of development for the next 5 years. Whilst the development for both Lutterworth East and Scraftoft North will start in the next 5 years, the significant development would take place in the following 5 years (based on the housing trajectory).
<u>Commuted sums with developers:</u> has the Council explored options of reaching an agreement of a commuted sum mid way between 15 and 30 years as part of the strategy review ?	The Neighbourhood and Green Spaces Officer is currently undertaking work on this matter which involves looking at different options, e.g. 15 years, 20 years or 30 years commuted sums and the associated financial implications.
<u>Private management companies:</u> as part of the review, how many private management companies were consulted and what was their	Private management companies weren't explicitly consulted as part of the strategy. The developer consultation was used to partially address this.

view ?	Consultation with developers isn't ordinarily included in Open Spaces strategies but has been a bespoke addition for HDC to try and address the issue with private management companies via developers.
<u>Resident management companies</u> : what is the legal process for resident management companies to take control ?	Resident management companies can take over the management of Open Space if they wish.
<u>Collapse of a management company</u> : what is the default position for the Council if either a private or a resident management company collapses ?	At the moment, the Council does not have a policy to address this situation. The Council does offer services to third parties and could potentially offer services to a group of residents such as helping to find a new management company etc.
<u>Ownership of Open Spaces</u> : who will own the Open Spaces if the strategy is adopted ?	The ownership would pass to the recipients via the Section 106 legal agreements.
<u>Charge to maintain Open Spaces</u> : In instances where residents have to pay to have their Open Space managed what would be a reasonable charge ?	The Neighbourhood and Green Spaces Officer undertook research on this matter two years ago to look at Open Space that was managed by third parties / management companies around the UK and charges for residents for management fees ranged from between £100 to £600 a year.
<u>Assistance to Residents Management Companies</u> : is the Council able to assist Resident Management Companies with advice, grants etc. ?	Yes, Officers are able to provide encouragement and advice to Community groups and residents and have done this on previous occasions. It must be noted that the Council is not able to provide specific legal advice to Resident Management Companies within the District. The Council would also be able to help Resident Management companies with business development opportunities via the Economic Development Department of the Council.

SECTION 106 POLICY

The Panel considered a report on the Section 106 Policy to consider the further work of Officers in respect of the proposed reforms to the S106 process operation by the Council, including reforms to the S106 'end to end' process and the grant application award.

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

Question/ Comment	Response
<u>Work undertaken on the reforms</u> : acknowledgement was made as to the considerable amount of work undertaken by Members and Officers in the Task Group in producing the reforms, and delivering a very positive outcome, including a more much simpler application form. It was noted that an improvement could have been to include the comprehensive guidance notes with the application form.	

<p><u>Application form</u>: feedback had been received from a resident that the proposed application form was too simplistic and didn't provide the opportunity to amply justify elements of their application.</p>	<p>It was AGREED that Cllr Champion would provide the detailed feedback to the Community Partnerships Manager.</p>
<p><u>Community Infrastructure Levy (CIL) tests</u>: if a CIL test is required within a grant application, can this be discussed with the applicant, rather than being based on one person's interpretation ?</p>	<p>The way that the application form has been designed in meeting the CIL tests is detailed in Section 2.4 of the form and asks whether the funding either increases quantity or capacity; increases diversification or enhances the accessibility. Applicants are always encouraged to speak to the Grants team for advice on completing an application.</p>
<p><u>Parish Council involvement</u>: it was noted that in the proposed reforms it was a great improvement that S106 funding will be passported directly to a Parish Council to spend the particular developer contribution. At the early stages, can assurance be given that Parishes will be involved in the early stages in relation to S106 monies when a development is being proposed, and that the Parishes can put forward their views on what would be required ?</p>	<p>The process does include a provision for development management to consult at an early stage with stakeholders including Parishes.</p>
<p><u>Planning Obligations Flow Diagram – Appendix A to the report</u>: within the pre-application stage, the Planning Officer will consult with Members and other stakeholders, which gives all the Members a responsibility to feed into the process as well. Also there will be a training session for Parish Councils who will be helped to identify their needs.</p>	

LUTTERWORTH TOWN CENTRE MASTER PLAN

The Panel considered a report detailing the changes to the Lutterworth Town Centre Masterplan.

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

<u>Question/ Comment</u>	<u>Response</u>
<p><u>Section 4.1 of the report - discussion point 3 – are the proposals realistic and feasible in the current economic climate circumstances ?</u>: where will finance come from in order to guarantee that work will be undertaken ?</p>	<p>£400k has been allocated to the project from the Leicester and Leicestershire Enterprise Partnership (LLEP), £130k from the Council's capital programme, plus future funds from S106 developments. The Plan is a framework for future development and resources are already available to commence the Plan. There are also likely to be additional opportunities to bid for funding which may be announced by the government for infrastructure to help development following Covid-19 and for town</p>

	<p>centre regeneration.</p> <p>In addition elements of the Plan can happen incrementally as and when opportunities arise, using small amounts of funds.</p>
<p><u>Leicestershire County Council Highways Authority engagement</u>: are the local Highways Authority 'on board' with the Plan ?</p>	<p>The Highways Authority was consulted in March 2020 and the majority of their issues were addressed. Contact will be made again prior to the finalisation of the Masterplan, given that a new element has been introduced to the Plan of the entrance and new access to the Market Place area.</p>
<p><u>Revisions to the Masterplan</u>: it is very encouraging to see the revised plans for the Lutterworth Town Centre and in the current economic climate some of the previous plans such as the 'Lutterworth Lanes' are now not feasible. Whilst the proposed Market Place development is very positive and a great improvement, there are grave concerns in moving a road immediately next to the Town Hall which will be very expensive, and will not be value for money. This money could achieve other improvements within the town.</p>	<p>Costings for the proposals are being currently worked on by Mott McDonalds, (highways engineers), commissioned by the consultants who will consider a number of options.</p> <p>One option would be to convert the existing Market Place into a plaza and to secure this piece of land from Leicestershire County Council, whilst at the same time enabling access for the market.</p> <p>All of the options within the Masterplan would be subject to further decisions in relation to the Planning process and also subject to reports with detailed business plans to Committees in due course.</p>
<p><u>Carpark within the Market Place</u>: will the County Council sell the car park to HDC, particularly as this only consists of 13 car parking spaces ?</p>	<p>This matter is in progress with the County Council and various options are being considered regarding a potential transfer. It is hoped that the valuation will not be too high, given that the area will be retained as public space and a Market Place.</p>
<p><u>Section 4.1 of the report – discussion points</u>: <u>Point 1</u>: yes there has been sufficient engagement with the Masterplan. <u>Point 2</u>: yes the proposals are appropriate for Lutterworth Town Centre. <u>Point 3</u>: there needs to be tangible outcomes which can be delivered. <u>Point 4</u>: the Lutterworth market place / plaza should be the top priority. The Masterplan also needs to include timelines, and also reference to the Market Charter, <u>Point 5</u> a lot of lessons have been learnt, one of which is to know what is needed and required before consultants are engaged.</p>	<p>The document has not been updated since the consultation so officers and the consultants are working on updating the Plan and will include the updated action plan and reference to the Market Charter etc.</p>
<p><u>Public Realm Design Elements – (pages 212 and 213 of the report)</u>: it is felt that the detail relating to street furniture is too prescriptive.</p>	<p>This point is noted.</p>
<p><u>Action Plan – (page 222 of the report)</u>: more work needs to be undertaken on the action plan, including being more succinct, and in the priority order as agreed at the Town Council meeting.</p>	<p>The funding from the LLEP and from the Council's capital programme is time limited and as soon as the Plan is approved contact will be made with the LLEP in order to activate the funding, and to commence progress.</p>

<u>Gateways – (page 216 and 217 of the report):</u> this section of the Masterplan failed to address that the main route through Lutterworth, A426 is a designated lorry route, which will be at odds with a 20mph zone. There will also be implications on air pollution.	This point is noted.
<u>Masterplan 2005:</u> A Masterplan was produced in 2005, which wasn't progressed and didn't include a focussed action plan.	Assurance was given that the current Masterplan will not 'sit on the shelf' but will be actioned.
<u>Study Area - page 177 of the report:</u> a suggestion was made to reduce the area slightly to be improved within the Masterplan and to look at the area which the Town Council is looking to improve i.e. Church Street, Rugby Street and the plaza.	This point is noted.
<u>Documentation provision to Lutterworth Town Council:</u> has a copy of the updated Masterplan being sent to Lutterworth Town Council ?	Due to the Masterplan currently being a 'work in progress' it was AGREED to send Lutterworth Town Council a copy of Appendix B to the report : Lutterworth Town Centre Masterplan – Proposed changes and updates March 2021 and update further in due course.

SUSPENSION OF STANDING ORDER

The Meeting continued until 9.19p.m. In accordance with Part 4, Section 1, Paragraph 4.2 of the Council's Constitution (Duration of Meetings), the Committee

RESOLVED:

That the Meeting should continue for the duration of the remaining items.

After a short comfort break the meeting re-commenced at 9.24pm.

VOLUNTARY SECTOR STRATEGY

The Panel considered a report covering the review of the Voluntary Sector Strategy, including an updated copy of the Action Plan 2015-2020 as detailed in Appendix B to the report.

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

<u>Question/ Comment</u>	<u>Response</u>
<u>Further review of the draft strategy:</u> will the draft strategy be reviewed further by the Panel before it is considered by the Cabinet ?	ACTION: It was agreed that the draft strategy would be reviewed again by the Panel before consideration by the Cabinet.
<u>Core funding:</u> the Council must clearly identify in the strategy that core funding will not be paid for, for example a set up etc,	The point was noted.
<u>Targeted approach:</u> a targeted approach is	The point was noted.

required, focussing on clear outcomes that will be delivered in the Harborough district , and which are geographically fair.	
<u>Dual funding</u> : if for example a charity is funded by government and by Leicestershire County Council then HDC shouldn't also fund the charity.	The point was noted.
<u>BC25</u> : given that the Council has to make significant savings, the BC25 principles should be applied to grant funding.	The point was noted.
<u>Value for money</u> : the Council needs to ensure that it doesn't cut funding to a voluntary group or service which provides more value for money than the funds which are cut to them.	The Service Manager – Community Partnerships confirmed that there wouldn't be any easy decisions and he would provide the Panel with sufficient information to make an informed decision, with the recognition that there will be negative impacts.
<u>Up-to-date information from organisations to inform level of funding</u> : up-to-date information from organisations needs to be obtained which needs to include what the organisation does and the benefits to Harborough district residents. The organisation also needs to focus its activities entirely within the Harborough district. The Council needs to ensure that it is getting value for money for any funding that it gives to an organisation.	The points were noted.

EMPTY PROPERTY STRATEGY

The Panel considered a report covering the progress of the Empty Property Strategy.

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

<u>Question/ Comment</u>	<u>Response</u>
<u>Appendix A Section 3.2 - Government's Empty Homes Strategy</u> : a query was raised regarding the discretion that the Council has in levying an 'empty home premium' of up to 50% in addition to the normal Council Tax payable.	It was AGREED that Cllr Champion would provide details of the specific issue on this matter to the Regulatory Services Manager to progress with the Council Tax team.
<u>Importance of the Empty Property Strategy</u> : the Strategy is important from a financial point of view for the Council as well as in relation to communities. It is important to obtain movement on empty properties as these can become targets for vandalism which has a negative impact on the community.	The points were noted.
<u>Town Centre enhancement scheme</u> : could grants be obtained via the Economic Development team	The Council has secured money from the government as part of the Covid additional

to assist in with shop front enhancements and empty properties in town centres ?	restriction grants and the Economic Development team is putting together a programme of activities and initiatives to support town centres and businesses. As part of this there will be a shop enhancement scheme.
<u>Further review of the strategy by the Panel</u>	It was AGREED that the strategy be reviewed again by the Panel.

TO CONSIDER MATTERS OF URGENCY

None were raised.

The Meeting ended at 9.55 p.m.