

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COMMUNITIES SCRUTINY PANEL

held remotely on

17<sup>th</sup> December 2020

Commencing at 6.30 p.m.

Present:

Councillor Nunn, Chairman.

Councillors (panellists): Mrs Ackerley, Bilbie, Champion, Fosker, Knowles, Mrs Page (ex officio) and Mrs Robinson.

Officers: D. Atkinson, A. Eastwood, S. Green, G. Keeping, R. Patel, N. Proudfoot, J. Smith and V. Wenham

Guests:

P. Wilkinson	East Midlands HA
N. Chawda	East Midlands HA
A. Wright	Longhurst HA
N. Greaves	Longhurst HA
J. Wise	Platform Housing Group
N. Mason	Stonewater HA
S. Folwell	Spire Group

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTION(S)

Apologies were received from Councillors Hollick and Mrs Simpson. Councillor Bilbie substituted for Councillor Hollick and Councillor Knowles for Councillor Mrs Simpson.

MINUTES

RESOLVED that: the Minutes of the Meeting of the Communities Scrutiny Panel held on 24<sup>th</sup> September 2020 and of the Extraordinary Meeting held on 29<sup>th</sup> October 2020 be signed by the Chairman as a true record.

DECLARATIONS OF MEMBERS' INTERESTS

There were none.

REGISTERED PROVIDERS OF AFFORDABLE HOUSING IN HARBOROUGH DISTRICT

Mrs V. Wenham declared an interest in this item in that her husband is a non-executive director of the Longhurst Group.

The Panel was joined by the following guests from Registered Providers of Affordable Housing in the District:

P. Wilkinson	East Midlands HA
N. Chawda	East Midlands HA
A. Wright	Longhurst HA
N. Greaves	Longhurst HA

J. Wise	Platform Housing Group
N. Mason	Stonewater HA
S. Folwell	Spire Group

The Panel received a report and the Registered Housing Providers (RHPs) then gave details of their role in meeting housing need in the District in partnership with Harborough District Council.

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

Question/ Comment	Response
<u>Policies for tenant transfer:</u> what policies do Platform Housing have in relation to the transfer of tenants? What lessons have been learnt following the issues at Naseby Square?	Throughout the process at Naseby Square, Platform Housing took steps to liaise with those people affected, with letters and meetings. There are lessons to be learnt as there was misinformation and the way that the information was presented to residents could have been improved upon. The overall aim has been to find the best solution for those residents.
<u>List of Housing Associations:</u> could a list be provided of contacts for housing associations operating in the District, indicating the location of their properties?	It was AGREED that a list would be circulated.
<u>Timeframes for the submission of information:</u> there have been reports of short response timeframes for requests for information made by Platform Housing.	The requests are issued by the customer services section of Platform Housing and a response will be sought from them.
<u>Access to internet:</u> it is understood that some clients have problems with being expected to submit forms electronically. Is there an assumption that all clients can access the internet; what help is offered to those who cannot?	It is accepted that some people have limited access to the internet. Longhurst Housing still offer a paper-based service for those signing up for a new tenancy.
<u>Sale to providers at cost:</u> in the report it mentions that some developers might be expected to sell houses to registered providers potentially at cost. Is there any evidence of this happening?	Some developers have been in touch on some schemes where there are a few residual properties, but not recently.
<u>S106 - choice of housing providers:</u> how does the Council decide which registered housing providers to approach regarding S106?	This is an economic decision. The Council's approved list of partners is circulated to all developers, but it is up to developers to choose a partner from this list.
<u>Shared Ownership/access to housing:</u> what are the criteria for access to housing or shared ownership and do these vary between providers?	Most local authorities have a housing allocation policy and in addition housing providers have their own letting policies. A sustainability check is carried out. In relation to shared ownership, there is a home buy agent, although the approach is decided by each Housing Association and there is also national guidance. Longhurst Housing association indicated that, like most providers, information was available on their website.  It was AGREED that criteria would be circulated after the meeting.

<u>Hardship Fund</u> : what would Providers do if some tenants are unable to pay?	Although there were people in financial difficulties prior to Covid, the approach has been altered due to the current circumstances. It is managed sensitively, but robustly, on a case-by-case basis. If there are issues in respect of vulnerability, then these will be taken into account, if disclosed. Support for individuals [19:26]
<u>Waiting list</u> : how many families are waiting for housing at the moment and what is the usual waiting time?	It was AGREED that a response to this would be circulated by the Housing Services Manager.  Longhurst Housing association indicated that information was available on their website.

The Panel thanked the guests for their presentations and for answering members' questions.

The Panel NOTED the report.

#### DEVELOPMENT MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT

The Panel considered a report on the Development Management Supplementary Planning Document (SPD) to provide assurance on the content and consultation progress with the SPD; the SPD was attached as an appendix to the report. The Council has a range of twenty-one Supplementary Planning Guidance documents dating from 2003. As these were prepared many years prior to the adoption in April 2019 of the new Harborough Local Plan they were out of date, which greatly reduced their relevance and the help they give to customers proposals and planning decisions. The suggested SPD aimed to rationalise and simplify the 2003 Supplementary Planning Guidance into one document.

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

<b>Question/ Comment</b>	<b>Response</b>
<u>Accessible housing</u> : given recent reports in the press, can the Council be sure that the SPD is covering the needs of accessible housing in the District?	It was AGREED that this would be checked and responded to outside the meeting, but it was noted that paragraphs 2.25 - 2.29 covered this subject.
<u>Need for more detailed information</u> : the guide seemed to be lacking some of the detail that might be useful. Could more dimensions be included, for example relating to permitted development? Also, the inclusion of links to relevant legislation and national policy would be useful, perhaps at the end of the document.	The possibility of adding a simple table, giving further advice on permitted development and other subjects, would be investigated.
<u>Minor amendments</u> : it would be useful to include advice on what constitutes minor amendments, as this is always a source of confusion.	Some information is available on the Council's website, but further consideration would be given on whether it could be included in the SPD.
<u>Liaison with Leicestershire County Council</u> : how does the Council work with the County Council on issues relating to S106 funds for transport and schools? Is there an engagement policy / protocol to cover this and establish evidence of need? In addition, could a statement of prioritisation of need within the District be	Consultation is currently taking place on a parallel Planning Obligations and Developer Contributions SPD, which might be a more appropriate document to cover prioritisation. However, these are supplementary planning documents and cannot set new policy regimes or new prioritisation schemes, as these are

incorporated within the SPD?	included as part of the Local Plan.
<u>Carbon Neutral:</u> developers are asked to provide information with their submission that their proposals are carbon neutral. Are they being asked to do this already?	
<p><u>Suggested additions:</u> it was suggested that additions could be made in respect of:</p> <ul style="list-style-type: none"> <li>• <u>modern methods of construction (p52)</u> – could something be added regarding embedded carbon materials?</li> <li>• <u>highway layouts (p52)</u> – should traffic-free routes be included, to encourage walking and running?</li> <li>• <u>emissions during construction (p53)</u> - could the fuel efficiency / choice of construction vehicles be included?</li> <li>• <u>tree retention (p68)</u> - could consideration be given to including a reference to tree replacement?</li> <li>• <u>parking guidance (p27)</u> – could this detailed guidance be fed into future town centre master plans?</li> <li>• <u>waste collection / storage (p19)</u> – could more clarity be given on what is acceptable provision for bin storage?</li> </ul>	These items would be considered, but it was noted that the SPD is a guidance document to support the local plan and new policies cannot be set. Consideration of some points can be included when the Local Plan is reviewed.
<u>Mix of properties:</u> could guidance be provided for developers on the mix of properties?	The document is not a strategy, but provides technical development management standards. Housing strategy documents are being developed by the Council's housing section.

The Panel RESOLVED to note the report.

#### PERFORMANCE: QUARTER TWO – 2020-21 YEAR

At its meeting on 3<sup>rd</sup> December, the Scrutiny Commission resolved that the Performance Quarter 2 2020/21 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 Corporate Delivery Plan and Performance Indicators at the end of Quarter 2 of the 2020/21 year. In its first appendix the report contained information under the following categories: Key Activities, Status, Progress and Next Steps and identified CMT Lead Officers and Portfolio. 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:

<b>Question/ Comment</b>	<b>Response</b>
<u>Average number of weeks taken to complete Disabled Facilities Adaptations:</u> given the importance of adaptations in allowing people to remain in their own homes, it is important that the lost ground is regained and this indicator is brought out of the red status as soon as possible.	A representative of the Lightbulb team will be attending a Scrutiny meeting in March 2021 to report back. Further information will be provided to Members after the next management meeting.

<p><u>Percentage of Homeless Applications:</u></p> <ul style="list-style-type: none"> <li>i. in future, could absolute numbers regarding presentations be included in the report?</li> <li>ii. Could clarification be provided on who has been dropped from the list?</li> </ul>	<ul style="list-style-type: none"> <li>i. More people have been housed this year due to additional duties arising from Covid-19. It was AGREED that actual numbers would be included in future reports.</li> <li>ii. This will be raised with the Housing Services Manager.</li> </ul>
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The Panel RESOLVED to note the report.

#### HARBOROUGH DISTRICT COMMERCIAL SERVICES LIMITED

The Panel received a report providing an update on Harborough District Commercial Services Limited (HDCSL), specifically in respect of what the company was and what it does, and the role of scrutiny with respect the role of the Cabinet, in exercising the function of shareholder.

At its meeting on 26 November 2018, the then Executive agreed to set up a wholly owned local authority company, limited by shares, with the Council as sole shareholder. This was to enable the Council to progress with a strategic land acquisition with the company owning and managing the land in the short to medium term. On 2 January 2019, Harborough District Commercial Services Limited (“the Company”) was incorporated having adopted the model Articles of Association (“the Articles”) with Norman Proudfoot, then Joint Chief Executive, as a Director of the Company (“the Director”). Copies of the HDCSL Governance Agreement and Audited Accounts for 2018/19 were included as appendices to the report.

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

<b>Question/ Comment</b>	<b>Response</b>
<p><u>Appendix B – Report and Financial Statement:</u></p> <ul style="list-style-type: none"> <li>i. A loss of nearly £72K is recorded. What is the reason for this?</li> <li>ii. It is noted that the Company may be required to pay a further £500K as part of the acquisition of the assets. How likely is this charge to be incurred? Could further information be circulated to Members, even if it was not payable?</li> </ul>	<ul style="list-style-type: none"> <li>i. There were only about sixteen days of operation in the last financial year until 31<sup>st</sup> March 2019, which included a number of set up costs. A loss was therefore expected in that year.</li> <li>ii. It was confirmed that this had lapsed and was no longer payable. It was AGREED that the latest business plan for the HDCSL would be circulated to all Scrutiny Members.</li> </ul>
<p><u>Borrowing on Capital:</u> given the recent announcement by the Government that Councils may not borrow on capital, what is the effect on the Company?</p>	<p>This could affect how the Company operates, but it is too early to comment, as the guidance is still being assessed. The Council has lent set up money to the Company at market rates, but the Company is free to seek funding elsewhere, at the market rate.</p>
<p><u>Asset Management Company:</u> Could details be provided on the identity of the asset management company?</p>	<p>The Business Plan will be circulated and this will contain details of contracts made by the Company.</p>
<p><u>Difficulties:</u> if the Company gets into difficulties, what assurances can be offered that this will not affect the Council?</p>	<p>The Company stands or falls on its own and the Council invests with safeguards. This question will be asked of the Cabinet, as Shareholder.</p>

<p><u>Questions to Cabinet:</u></p> <ul style="list-style-type: none"> <li>i. <u>Commercial Expertise:</u> given the current difficult times, is the Cabinet satisfied that the Company has access to appropriate expertise and knowledge in this marketplace?</li> <li>ii. <u>External Management:</u> could information be provided on the level of costs and charges?</li> <li>iii. <u>Checks &amp; balances:</u> there was some discussion regarding information on taxes that was omitted from an earlier report to Cabinet. How will this be monitored going forward?</li> <li>iv. <u>HDC staff input:</u> how much time do HDC staff spend working for HDCSL as a commercial; company?</li> <li>v. <u>Due Diligence:</u> what due diligence did the shareholder complete when entering into the agreement with the Company?</li> <li>vi. <u>Assets:</u> in a worst-case scenario, what happens to the Company's assets?</li> </ul>	<p>It was AGREED that these questions would be put forward to the Cabinet, as shareholder, for its consideration, although it was noted that some items might need to be considered in exempt session.</p>
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The Panel RESOLVED:

- i. to note the report
- ii. that the questions identified above be forwarded to Cabinet for its consideration and response.

TO CONSIDER MATTERS OF URGENCY

None were raised.

The Meeting ended at 9.09 p.m.