



Leicester
City Council

Minutes of the Meeting of the
OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Held: THURSDAY, 7 APRIL 2011 at 5.30pm

Councillor Grant - Chair

Councillor Aqbany
Councillor Newcombe

Councillor Clair
Councillor Scuplak

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188. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bajaj, Bhavsar and Joshi.

189. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applied to them.

Councillor Aqbany declared a personal interest in Items 13 and 14; 'New Affordable Housing in Leicester' as he had a family member who was a Council lessee.

Councillor Newcombe declared a personal interest in Items 13 and 14; 'New Affordable Housing in Leicester' as he had a family member who worked in Adults and Housing.

190. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 17 March 2011 were agreed as a correct record.

191. PETITIONS

There were no petitions.

192. QUESTIONS/ REPRESENTATIONS/ STATEMENTS OF CASE

There were no questions, representations or statements of case.

193. TRACKING OF PETITIONS - MONITORING REPORT

The Director, Corporate Governance, submitted a report that further updated Members on the monitoring of outstanding petitions.

The Democratic Support Officer introduced the report and stated that further to the updates provided within it, an amended version had been circulated to members which reflected a number of recent developments had taken place in responding to several of the current outstanding petitions.

Councillor Scuplak requested that she be provided with a further update in relation to the petition objecting to the closure of the Thurnby Lodge Housing Office.

Councillor Aqbany requested that he be provided with an update in relation to the petition around problems experienced by Foundation Housing and ASRA Housing Association residents.

The Board agreed that future versions of the report give detail of those petitions which have experienced delay in the response process.

RESOLVED:

- (1) That the current outstanding petitions be noted, and that the above action to inform members of progress in relation to particular petitions be taken forward; and
- (2) That future versions of the report give detail of those petitions which have experienced delay in the response process.

194. DEVELOPMENT OF A NEW CULTURAL STRATEGY - PRESENTATION

The Interim Director of Cultural Services was present to provide a presentation on the 'Development of a New Cultural Strategy'.

Members were informed that the overall purpose of the project was to develop a new Cultural Strategy aligned to 'One Leicester', maximising the contribution Culture made to strategic priorities. It was explained that the key priorities for the Cultural Partnership Board included arts, creative industries, museums, galleries and archives, libraries, tourism, play, festivals and events, identity and sense of place and digital and new technology.

The Interim Director of Cultural Services explained to Members that the new Cultural Strategy aimed to set the direction of travel for the city council and partners for the next 6 years. It was expected that the strategy would be implemented by December 2011. Intended outcomes included the development of a shared vision and approach to culture and a more efficient use of resources for both the Council and its partners. A further outcome was to ensure that the cultural offer met local needs, was high quality and inclusive.

To date, progress with the strategy had included a review of the impact of the existing Cultural Strategy and action plan, the production and circulation of a final report, a review of the partnership arrangements for Culture and the establishment of a new Cultural Partnership Board and Culture Partnership Delivery Group.

In respect of consultation, it was explained that consultation on the development of the strategy would be undertaken at key stages in its development, and that one such key stage would be consulting with the new Elected Mayor. Members were informed that the consultation was scheduled to be undertaken throughout the Spring and Summer months, and it was possible that Ward Communities Meetings could be used as one particular outlet for conducting the process.

Members generally welcomed the establishment of a new Cultural Strategy for Leicester especially in light of the scale of the changes that had taken place since the last strategy was formed.

It was questioned how the strategy would relate to and how consultation would take place with those who lived on the outer estates of the city. In response, the Interim Director of Cultural Services explained that engagement from different communities was crucial, and that a balance of views was required in order to ensure that the consultation process was effective. It was also acknowledged that although it was advantageous for Leicester to have recently gained a number of iconic cultural facilities, the majority of culture took place at a 'grass-roots' level within communities.

Members heard that diversity issues featured prominently when compiling the previous strategy and that as a City, efforts had been made to ensure that Leicester's cultural provision met the needs of the diverse population. Officers also stated that it was essential to work vigorously to remove any barriers in existence which prevented people participating in cultural activity. The consultation process was welcomed by members, and it was stated to officers that consultation should be extended to as many partners as possible, including those which do not necessary usually participate in such exercises. The Interim Director of Cultural Services stated that officers were open to suggestions around particular organisations to consult with directly. She also confirmed that the Council had developed the use of different methods of consultation over recent years, including social media.

RESOLVED:

- (1) That the presentation on the 'Development of a New Cultural Strategy' be noted; and
- (2) That a further briefing be provided to the Board upon the completion of each milestone within the Cultural Strategy.

195. PLANNING APPLICATIONS - REVISED LOCAL VALIDATION REQUIREMENTS

The Strategic Director, Development, Culture and Regeneration submitted a report that asked the Board to consider adopting a revised list of details to be submitted with planning applications to make them acceptable in line with Government advice.

The Head of Planning Management and Delivery introduced the report and explained that Government guidance required the list of details to be submitted with planning applications to be reviewed, consulted on and adopted. Members heard that a revised list had been prepared in conjunction with other planning authorities in Leicestershire and Rutland.

The Head of Planning Management and Delivery explained that an eight week consultation period was to commence in April. Those that were active in submitting planning applications were to be included in this exercise. It was questioned whether those organisations that often scrutinised or challenged particular applications, such as ecological and civic heritage groups, would also be specifically included within the consultation. The Head of Planning Management and Delivery could not confirm whether such groups had been included on the list of formal consultees, but did state that separate dialogue has taken place with representatives of those involved in nature conservation. He would ensure that other groups are alerted to the consultation if not included in the formal consultation list.

RESOLVED:

That the report be noted and the recommendations contained within it be endorsed.

196. SCRUTINY OF THE PRELIMINARY FLOOD RISK ASSESSMENT

The Head of Highway Maintenance submitted a report that asked the Board to scrutinise the Preliminary Flood Risk Assessment (PFRA).

Officers from Highway Maintenance introduced the report and stated that as a Lead Local Flood Authority (LLFA), the City Council was required to undertake a PFRA which identified Flood Risk Areas by 22 June 2011. This assessment would form the basis of a flood risk management strategy and would be implemented over the course of the next few years. It was pointed out that the Environment Agency identified Leicester as one of only ten areas in the country meeting the national criteria as an indicative Flood Risk Area with over 30,000 people at risk.

Members were informed of the positive steps that had been taken to raise awareness around the risks of flooding. Such measures included the forming of a Member led Task Group which discussed all aspects of flood risk management. It was also noted that an internal LLFA Board had been formed and was Chaired by the Monitoring Officer. The Council's strategy in

responding to the risk of flooding is being prepared in conjunction with partners which included Severn Trent Water, British Waterways and the Environment Agency.

Members were informed that surface flooding often in occurred in areas that would appear to be less susceptible as it was dependent on so many differing factors. Officers explained that surface flooding could affect any particular area in the City but that the risk assessment would identify those areas at the greatest risk. It was confirmed that there were currently no changes proposed to indicative Flood Risk Areas, but that officers had advised Leicestershire County Council to propose Fosse Park as such an area. Members agreed with officers that Fosse Park and the surrounding area should be proposed as an indicative Flood Risk Area. The Chair agreed to write to Leicestershire County Council to indicate the level of support from the Board for the Fosse Park area to be listed as an indicative Flood Risk Area.

RESOLVED:

- (1) That it be confirmed that the Environment Agency's assessment of the indicative Flood Risk Areas in the City is correct.
- (2) That it be confirmed that no significant changes need to be made to the Flood Risk Areas; and
- (3) That a letter on behalf of the Board, be sent to Leicestershire County Council to indicate the level of support from the Board for the Fosse Park area to be listed as an indicative Flood Risk Area.

197. GREEN SPACE SUPPLEMENTARY PLANNING DOCUMENT

The Strategic Director, Development, Culture and Regeneration submitted a report that informed the Board of the outcome of the public consultation for the draft Green Space Supplementary Planning Document (SPD), presented the final version and sought comments on the formal adoption.

Officers from Planning Policy and Design were in attendance and stated that the purpose of the SPD was to assist planning applicants and developers who were seeking to secure residential development to calculate the amount and/or cost of green space, sport or recreation facilities that would be required. Members were provided with two documents that set out the current provision of green space and contained the relevant figures for enhancement.

In response to questions, officers explained that there was scope for developer contributions to be directed to the improvement of accessible green space, to meet the needs of the new residential development. The Chair made reference to particular wards that currently had no or very little green space provision. The Head of Planning Management and Delivery explained that there was potential for the Council to request on site provision within particular areas of

the city, but that evidence was required to demonstrate any such need.

RESOLVED:

That the report be noted and the recommendations contained within it be endorsed.

198. REPORT OF THE CULTURE AND LEISURE SCRUTINY TASK GROUP - "REVIEW OF LEICESTER CITY COUNCIL'S GREEN SPACE STRATEGY" - FINAL REPORT

Councillor Clair submitted a report which presented the findings of the Culture and Leisure Scrutiny Task Group's review into Leicester City Council's Green Space Strategy.

Councillor Clair reported that the aims of the review were to assess the progress to date in increasing the number of Green Flag Awards in the City, to determine the extent to which the Council has secured the necessary funding to support the additional Green Flag applications and to consider the progress made on the design and development of district parks.

As part of the recommendations, Councillor Clair stated that it was felt appropriate to continue to place emphasis on the attainment of Green Flag Awards, and aimed to achieve a further three more by 2013, and that those proposed would be Spinney Hills Park, Western Park and Gilroes Cemetery. An officer from Parks and Green Spaces pointed out that the level of work to achieve the desired status in each of the parks was extensive and would be difficult to achieve during the current financial climate.

It was questioned whether there was a correlation between the acquisition of Green Flag Awards and the level of activity within those parks that had attained them. An officer from Parks and Green Spaces responded by explaining that there was a correlation between park usage and satisfaction and that this was reflected nationally. It was also evident that there were clear health benefits that resulted from an increase in usage of parks.

In response to a further question, it was confirmed that there was evidence to suggest that improvements within certain parks were driven by parks user groups. It was explained to members that the Friends of Knighton Park User Group had been particularly instrumental in assisting the Council in making improvements to the park. It was noted that the Task Group had recommended holding six-monthly meetings between officials from park user groups and relevant Council officers.

A further recommendation requested that an audit of existing toilet provision in the City's parks be carried out to establish the current standard of provision and enable a planned maintenance schedule to be devised. In particular, it was felt that urgent maintenance of the disabled toilet facilities at Abbey Park was required.

Councillor Clair requested that the Director of Environmental Services provide the Board with a progress report on district parks in six months.

RESOLVED:

- (1) That the recommendations of the Culture and Leisure Task Group be supported;
- (2) That a divisional response to the review be brought back to the Board within three months; and
- (3) That the Director, Environmental Services, be asked to provide the Board with a progress report on district parks in six months.

199. ILLEGAL MONEY LENDING AND DELEGATION OF POWERS TO BIRMINGHAM CITY COUNCIL

The Strategic Director, Development, Culture and Regeneration submitted a report in relation to the delegation of enforcement and prosecution powers to Birmingham City Council to enable the Illegal Money Lending Section within Birmingham Trading Standards (IMLS) to undertake investigations into illegal money lending in the Leicester City area and take appropriate enforcement actions.

It was noted that an addendum paper to this report had been circulated which enabled Nottingham City Council to continue with actions commenced in respect of Operation Cairo.

RESOLVED:

That the report be noted and the recommendations contained within it be endorsed.

200. NEW AFFORDABLE HOUSING IN LEICESTER 2011-2015

The Director, Housing Strategy and Options, submitted a report that sought decisions on how the Council wished to respond to the Government's new approach to enabling new affordable housing as set out in its "2011-15 Affordable Homes Programme Framework".

The Director, Housing Strategy and Options introduced the report and explained that the framework provided the only opportunity to seek subsidy to develop affordable housing for the next four years. It was made clear that the Council would not be asked to enter into a binding contract until the final HRA settlement was confirmed, and this was likely to be around January 2012.

Members were informed that developers, including Councils and Housing Associations, must submit 'offers to develop' to the Homes and Communities Agency (HCA) by 3 May 2011. It was explained that offers considered by the

HRC to be value for money and which meet the identified needs of Councils would be awarded 4-year framework contracts.

The Director, Housing Strategy and Options, drew Members' attentions to Appendix 3, which gave examples of potential residential land that could be made available for housing completions.

It was queried why 'Gypsy and Traveller' pitches had been identified as a scheme that would require HCA funds for affordable housing. In response, it was explained that this was included as part of a 'wish-list' of needs that the Council wished to address. Members were informed that officers continued to attempt to identify particular sites which could be used for Gypsy and Traveller pitches.

Concern was expressed around the sale of land for minimal sums of money, and the possibility of capital receipts not being available. It was felt that if such sums were not secured, then many vulnerable residents could be affected, for example, by not receiving adaptations that were required to their homes. The Director, Housing Strategy and Options confirmed that the Leicester City Council maintenance programme would continue to meet the required needs of individuals.

It was confirmed to members that the Council will not be asked to enter any particular contracts until January 2012. In response to a request from Members, the Solicitor present agreed to provide Members with information on delegated powers to Members in light of potential changes to the decision-making process which could occur when the City Mayor took office in May. Members requested that future reports that ask the Council to consider enter into any binding contracts be taken by Full Council.

RESOLVED:

- (1) That the report be noted and the recommendations contained within it be endorsed.
- (2) That the Board requests that any decision for the Council to enter a binding contract be taken by Full Council; and
- (3) That Members be provided with information on delegated powers to Members in light of potential changes to the decision-making process which could occur when the City Mayor took office in May.

201. ANY OTHER URGENT BUSINESS

The Chair agreed to accept the following items of urgent business:

- 1. ADULTS AND HOUSING TASK GROUP – FINAL REPORT ON REMOVAL OF REPAIRS RUBBISH FROM VOID PROPERTIES**

Councillor Aqbany submitted a report that provided the Board with the findings of the Adults and Housing Task Groups' review into the disposal of repairs rubbish from void properties in Leicester.

Councillor Aqbany introduced the report and stated that the Task Group met on three occasions. The Task Group recommended full support of the new Mobile Working Scheme and proposed that this be further developed to offer greater improvements. A further recommendation proposed that void properties could be used to store associated rubbish.

In response to a question, Councillor Aqbany confirmed that it was largely staff from Leicester City Council who were responsible for the removal of such rubbish. He explained that the Task Group was also recommending that the Voids and Day to Day Management Teams developed better working relationships with Estate Wardens, City Wardens and local residents to improve the services.

In response to a further question, Councillor Aqbany estimated that positive differences to the practises around collecting rubbish from voids properties should be evident within several months.

The Board agreed that an update on the Voids Rubbish Collection service be brought to the Board in six months.

RESOLVED:

- (1) That the recommendations of the Culture and Leisure Task Group be supported;
- (4) That a divisional response to the review be brought back to the Board within three months; and
- (3) That an update on the Voids Rubbish Collection service be brought to the Board in six months.

2. REVIEW OF THE LEICESTER CITY COUNCIL WEBSITE

Councillor Grant reminded the Board that following a presentation provided to the Board in November 2010 by the Web Team regarding the refresh of the City Council's website, it was concluded that he would conduct a short piece of work to provide reassurance that during the website refresh, officers had taken proper consideration of the accessibility needs of potential users and to consider improvements to areas of the website pertinent to members.

Councillor Grant stated that in light of a lack of interest from members to participate in the review, he conducted it solely. The review concluded that the Web Team made reasonable attempts to ensure that the website refresh took into account the needs and requirements of those with special needs, but it was noted that the website did not achieve an

'excellent' rating because it failed on one of the accessibility tests. Councillor Grant suggested that in light of this, officers should gain a second opinion on accessibility and felt that this could be sought from the Centre for Integrated Living.

Councillor Grant stated that improvements were required around the way scrutiny appeared on the website and the access to associated pages. He felt that scrutiny should be placed more prominently on the website, and should more greatly encourage public participation in processes such as submitting representations to committees.

In addition to those recommendations included within the report, Councillor Grant suggested that a further recommendation be included to allow the Council's main scrutiny body to take ownership in developing the Council's website.

RESOLVED:

- (1) That the recommendations of the Culture and Leisure Task Group be supported.
- (2) That a divisional response to the review be brought back to the Board within three months; and
- (3) That the further recommendation to allow the Council's main scrutiny body to take ownership in developing the Council's website be supported.

202. PRIVATE SESSION

RESOLVED:

that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involved the likely disclosure of 'exempt' information, as defined in the Paragraph detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

203. NEW AFFORDABLE HOUSING IN LEICESTER 2011-2015 (COUNCIL NEW BUILD, EXTENSIONS AND CONVERSIONS)

The Director, Housing Strategy and Options, submitted a report.

It was clarified that Cabinet was being asked to delegate authority to the Director of Housing Strategy and the Director of Housing Services in consultation with the Cabinet Lead for Housing to agree the terms of an offer to HCA (Homes and Communities Agency) to be submitted by 3 May on the basis that no binding contract was entered into until the final HRA (Housing Revenue Account) settlement was confirmed and the terms of that contract would be agreed by Cabinet.

Members requested that future reports that asked the Council to consider enter into any binding contracts be taken by Full Council.

RESOLVED:

- (1) That the report be noted and the recommendations contained within it be endorsed; and
- (4) That the Board requests that any decision for the Council to enter a binding contract be taken by Full Council.

204. CLOSE OF MEETING

The meeting closed at 8:15pm.