

Minutes of the meeting of the **JOINT OVERVIEW AND SCRUTINY COMMITTEE** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Monday, 19 November 2018

**PRESENT:**

Councillors:	Sue Ayres	Melanie Barrett
	Barry Gasper	Elizabeth Gibson-Harries
	Lavinia Hadingham	Bryn Hurren
	Lesley Mayes	Alastair McCraw (Co-Chair)
	Adrian Osborne	Fenella Swan
	Keith Welham (Co-Chair)	Kevin Welsby

**In attendance:**

Councillors Julie Flatman – MSDC Cabinet Member for Communities  
Glen Horn – MSDC Cabinet Member for Planning  
Margaret Maybury – BDC Cabinet Member for Communities  
Nick Ridley – BDC Cabinet Member for Planning  
John Ward – BDC Cabinet Member for Finance  
Clive Arthey – Witness

Sally Reeves - Witness  
James Cutting - Witness

Assistant Director – Communities and Planning (TB)  
Assistant Director – Assets and Investments (EA)  
Assistant Director – Housing (GF)  
Professional Lead – Key Site and Infrastructure (CT)  
Corporate Manager – Housing Solutions (HS)  
Corporate Manager – Democratic Services (JR)  
Corporate Manager – Housing Development (AB)  
Infrastructure Officer (NP)  
Governance Support Officer (HH)

**36 APOLOGIES AND SUBSTITUTES**

Apologies were received from Councillors James Caston, John Field, Derek Osborne and Stephen Williams. Councillor Barry Gasper was detained but joined the meeting at 10:55am.

**37 DECLARATION OF INTERESTS**

There were no declarations of interests.

**38 JOS/18/19 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2018**

The minutes of the meeting held on the 20 September 2018 was confirmed as a correct record with the following amendment:

Councillor Sue Ayres to be added as present at the meeting.

**39 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

There were no petitions received.

**40 QUESTIONS BY THE PUBLIC**

None received.

**41 QUESTIONS BY COUNCILLORS**

None received.

**Please note:**

The order of the Agenda was changed by the Chair to as follows:

Item 1 to 7, Item 17, Item 10 to 12, Item 8, Item 13 to 14, Item 16, Item 9 and Item 15

The minutes follow the published Agenda.

**42 JOS/18/20 COMMUNITY INFRASTRUCTURE LEVY - CIL EXPENDITURE FRAMEWORK AND REVIEW**

42.1 The Chair began by introducing the witnesses.

42.2 Sally Reeves, Parish Councillor for Stowupland and Secretary to the Stowupland Village Hall Management Committee. She led on two CIL bids and assisted on two further CIL bids. She had also assisted Stowupland Parish Council on their applications for CIL and PIP Funding.

42.3 Clive Arthey, District Councillor – North Cosford, and Member of the Joint Member Panel. His Ward had applied for CIL funding for seven application and had been successful on five of these applications.

42.4 James Cutting, Planning Strategy Manager – Growth, Highways and Infrastructure for Suffolk County Council (SCC). He worked on CIL bids for public transport infrastructure and school extensions.

42.5 Councillor Nick Ridley – Babergh Cabinet Member for Planning introduced the report and Councillor Glen Horn – Mid Suffolk Cabinet Member for Planning was present to answer questions.

42.6 Councillor Ridley informed the Committee that the purpose of the scrutiny of the CIL was to review the implementation of the CIL application process and forward any recommendations to the next Joint Member Panel meeting on

the 22 November 2018.

- 42.7 Sally Revees then explained her experience of bidding for CIL Funding and outlined the issues she and her colleagues had encountered during the process including:
- The process felt rushed as the bidding round only lasted one month;
  - For her the online application form was relatively comprehensible. However, the terminology was quite technical, and she was concerned if it was possible for everyone to understand the details in the form as part of the form related to council procedures;
  - Question 16 requested priority criteria, which was difficult for the applicant to ascertain and it seemed that it would be better for the Council to determine the priority; this question also required more explanations;
  - It was not made clear from the start that the CIL bid was a top-up bid;
  - The time-line posed a problem for the applicant. Not only from an administrative perspective. Quotes from contractors were likely to change due to inflation and the time it took to get an application approved;
  - It would benefit the process if the Parish Council became aware of the requirements and process for CIL applications and how CIL funding was allocated in the community;
  - She suggested that Parish Councils should be able to allocate a small percentage of the funding to cover administration costs.
- 42.8 Members asked several questions including if CIL was only a part- funding scheme, if the support from the Council had been good and if the application form was suitable for the application in question.
- 42.9 The Professional Lead – Key Sites and Infrastructure clarified that CIL funding could be applied for up to 100% of a project and she listed the areas which she felt should be forwarded to the Joint Member Panel:
- A review of the form;
  - Consideration of the cost of inflation in relation to the length of the application;
  - More proactive work with the communities to provide information on how to apply for CIL funding;
  - To investigate if it was possible to allocate some administration costs;
  - Consider if parishes with successful bids could be mentoring neighbouring parishes in the bidding process.
- 42.10 Members felt that the timeline was of key importance and it was suggested that the bidding round should be extended by one month.
- 42.11 The form was also considered, and it became clear that the current online application form was not appropriate for small bids and that it was possible that parishes with smaller bids would be discouraged by the form. The Infrastructure Officer explained that the current form was based on a previous form but was under review.

- 42.12 The Assistant Director – Planning and Communities explained the implication of a multitude of smaller applications in relation to the funding required to meet these. He agreed that the application process had to be accessible for applicants but that CIL was but one form of funding available for communities' projects. Consideration should be given to streamline the process for the various funding streams available for communities to enable communities to understand the funding available.
- 42.13 In response to the question of how well the CIL team managed extra or unexpected costs during the bidding process, the response was that it had become clear that more detailed information was required to ensure the bids were fit for CIL funding.
- 42.14 Councillor Clive Arthey was the next witness and he thanked the CIL team for working with the Joint Member Panel on the framework for this project.
- 42.15 He informed the Committee that he had been working on successful bids in his ward, and that the success of the applications for Cockfield were good examples of how Members could help the process along by informing the parishes and communities of the CIL bidding process. It was also useful if parishes became familiar with the application form.
- 42.16 He said that clarification should be made regarding what was new and additional infrastructure and what was for repair and maintenance. He felt the latter was not eligible for CIL funding.
- 42.17 He explained that Cockfield had used all the Section 106 contributions and applied for 100% for these. The Council had probably collected £130,000 to £140,000 for CIL funding from developers and Cockfield had received approximately £20,000 from this money.
- 42.18 Babergh and Mid Suffolk had altogether collected £3.5 million for CIL funding but had only paid out £500,000 to parishes so far. This funding was entirely at the disposal for parishes. There were different criteria for the Council and the Parishes for the application for the CIL funding.
- 42.19 Councillor Arthey then drew Members attention to Appendix A and ask that the Committee considered any further suggestions for the Joint Member Panel for the review.
- 42.20 Councillor Hadingham enquired how much funding there was left in the Section 106 funding for each parish and if Members could be updated regularly on this. The officers responded that consideration had been taken for each application for the funding available. A software programme was also being launched to enable this kind of information to be available to Members.
- 42.21 James Cutting, witness from Suffolk County Council (SCC), explained his involvement in the CIL application for SCC and the implications of the funding provided by CIL. He said it was important that the local plan had the

right amount of funding spend on it and that support for infrastructure such as highways, education and transport was considered carefully. His team focused on the planning application stage to evaluate what kind of infrastructure was required before the application was progressed to the CIL application team. He detailed the implication for CIL funding for bus stops and educational provision. He pointed out that the application form was not suitable for educational providers.

42.22 He observed with reference to Appendix A:

- That it would be useful to align the CIL process with the infrastructure provided;
- That the request for further information had to be considered carefully;
- That some academies might not be keen with the use of a Community User Agreement.

42.23 Members questioned Mr Cutting how the funding for bus stops and schools were required and the response was that previously this had been paid by Section 106 funding and that some funding for schools had also been sought from central Government.

42.24 A discussion ensued regarding the previous Section 106 funding and how this previously sat with the SCC, who according to one Councillor seemed to have spent the money as they saw fit on for instance bus tops in villages, which had not requested bus stops. In response to this it was clarified that the current CIL funding offered approval from communities as applications were now going out to consultation in the community. It was generally agreed that this process worked better than the previous one.

42.25 Mr Cutting explained that SCC evaluated what kind of infrastructure was required and how this sat with the overall plan before taking the application to the District Councils. There existed a good dialogue between the local communities in relation to the location of bus stops. Also, the SCC now estimated the number of pupils joining schools for CIL applications, but that some flexibility was required for funding for school, if the amount of pupils did not increase. CIL funding was related to growth, but it should also be possible to apply for CIL funding for maintenance to bring class rooms up to standard.

NOTE: Councillor Gasper arrived at 10:55 am.

42.26 The Assistant Director – Communities and Planning outlined the relationship between Section 106 and developments and how this was linked to the Five-year Housing Land supply. He said it was important to reinforce collaboration between SCC and the District Council.

42.27 Members debated the recommendations and it was agreed that apart from Appendix A, the following should be taken into consideration in the CIL review:

1. That Communities were made aware of upcoming CIL bidding rounds and the lengths of the bidding rounds and that consideration be made to extended to the period of the bidding round.
2. That clarification should made if parish clerks could charge a fee for administration costs when administering CIL.

By a unanimous vote

**It was RESOLVED: -**

- 1.1 That the Communities be made aware of upcoming CIL bidding rounds and that consideration be made to extend the period of the bidding round.**
- 1.2 That clarification be made if parish clerks can charge a fee for administration costs when administering CIL.**

**43 JOS/18/21 THE HOMELESSNESS REDUCTION ACT 2017 - REVIEW OF THE FIRST SIX MONTHS**

- 43.1 Councillor Jan Osborne – Babergh Cabinet Member for Housing introduced the report and outlined the implications of the implementation of the Homelessness Reduction act. The increase in workload had surpassed predictions and cases had become more complex than previously. However, the Corporate Manager – Housing Solution had taken a project approach and had managed to deliver a multitude of projects and services, which were all outlined in the report. The team was dedicated to the improvement and delivery of housing solutions to the residents of the Districts.
- 43.2 Members said the report was excellent and that the appendices were well set out.
- 43.3 Questions were raised of what could be done to help the Housing Solution team cope the enormity of managing the Homelessness Reduction Act.
- 43.4 The Corporate Manager – Housing Solutions said that an increase in capacity had just been allocated to the team but that further capacity was required to enable duty officers to concentrate on cases. However, it was difficult to predict what the Government would do once they had conducted their twelve months review. Recruitment was conducted with this in mind. Monthly, quarterly and six-months reviews were conducted to monitor staff and resource capacity.
- 43.5 She continued to outline the funding schemes available to the team for the year but said that until the Government had conducted its Funding Review, funding for the coming year was difficult to predict. There were several funding streams the Council could bid for and she assured the Committee that there was enough funding for the staff and services for the next two years.

- 43.6 In a response to why the Flexible Homeless Support Grant was larger for Babergh (page 37) the officer responded that historically Babergh had more homeless people than Mid Suffolk but that she anticipated this to even out in the future.

**It was RESOLVED:-**

- 1.1 That the Committee notes the information provided**
- 1.2 That the Committee commend the Corporate Manager – Housing Solution and her team for the effort already taken and to receive a review in another six months.**

**44 JOS/18/22 INFORMATION BULLETIN**

The Information Bulletin was discussed in the closed session of the meeting.

**45 JOS/18/23 FORTHCOMING DECISIONS LIST**

**It was RESOLVED: -**

**That the Forthcoming Decisions List be noted.**

**46 JOS/18/24 BABERGH OVERVIEW AND SCRUTINY WORK PLAN**

**It was RESOLVED: -**

**That the Babergh Overview and Scrutiny Work Plan be noted**

**47 JOS/18/25 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN**

**It was RESOLVED: -**

**That the Mid Suffolk Overview and Scrutiny Work Plan be noted.**

**48 JOS/18/27 COMMUNITY STRATEGY ENGAGEMENT PROCESS**

48.1 The Assistant Director – Communities and Planning had discussed the report with Councillors Maybury and Flatman – Cabinet Members for Communities and agreed that this report was not restricted and could be heard in the public session.

48.2 The Assistant Director introduced the report and said that draft report was at an early stage.

48.3 The Community Strategy was a key priority for both Councils and was going to be in place by the end of the year. There had not previously been a strategy in place. He outlined the framework for the strategy and said that discussion in the communities with various stakeholders including Councillors and officers and would form the basis of strategy.

- 48.4 Councillor Welham asked who was expected to use the strategy and would there be an action plan following the strategy. The Assistant Director responded that the strategy would predominately inform officers but also statutory and voluntary partners in terms of what they could expect from the Councils and grant applicants would find the strategy useful. An action plan would be produced for the strategy.
- 48.5 Further questions included if there was to be a role for parish and district councillors and if they were to partake in the discussion for the strategy.
- 48.6 Councillors were also concerned if it would be possible to include hard to reach residents. The officers hope to engage with a cross section of communities and were happy to involve parish and district councillors further.
- 48.7 Councillor Welham suggested that the Chief Executive of SALC would be able to provide names of people who could assist in the development of the Community Strategy.
- 48.8 Members discussed the timing of meetings and if it was possible to involve residents other than those who were actively involved with the Community. This would achieve a varied cross section of the community.
- 48.9 Members were concerned about the hard to reach residents and was assured that a strategy for loneliness would be included.
- 48.10 Some Members were concerned that the Community Strategy was trying to include too much but was reassured that it was a collaborative approach with an aim for a partnership between Councillor and Officers.
- 48.11 Suggestions were made of how this could be achieved by looking at successful parishes and their processes. This could be a way to help other parishes to develop. District Councillor could provide assistance with this process.
- 48.12 The Assistant Director – Planning and Communities drew Members’ attention to the page 153, sixth paragraph and said this was where the Councils needed to focus their efforts and resources.
- 48.13 Councillor Gibson-Harries asked if it was possible to encourage communities to develop a programme to help elderly people.
- 48.14 Councillor Maybury – Babergh Cabinet Member – Communities asked that more should be done for the youth in the local communities
- 48.15 Recommendation 3.1 was proposed and seconded.

By a unanimous vote

**It was RESOLVED: -**

**That the Committee endorse an engagement approach through use of focus groups involving (a) internal staff; (b) external statutory and voluntary sector partners; (c) members of the community represented by a cross-section of winners from the recent 'Star 'awards; and (d) a cross-section of Councillors.**

**49 RESOLUTION TO EXCLUDE THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

Councillor McCraw proposed to exclude the public so the Committee could discuss Part 2, which was seconded by Councillor Ayres.

By a unanimous vote

**That pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item.**

**The Committee was also satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.**

**50 JOS/18/21 PART 2 THE HOMELESSNESS REDUCTION ACT 2017 - REVIEW OF THE FIRST SIX MONTHS - RESTRICTED APPENDICES E, F, K, L ,M**

Members considered the confidential Appendices E to M.

**51 JOS/18/26 HOMELESSNESS PREVENTION FUND POLICY**

By a unanimous vote

**It was RESOLVED: -**

**That the draft report be noted and that no comments be provided as the Committee was in agreement with the report.**

**52 JOS/18/22 INFORMATION BULLETIN**

51.1 The Mid Suffolk Members left the meeting at 11:58 am and the JOS/18/22 Information Bulletin was received by Babergh Committee only.

The business of the meeting was concluded at 11:58 pm.

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Chair (& date)