

Eden District Council

Overview and Scrutiny Committee Minutes

Date: 12 January 2023 Venue: The Council Chamber, Town Hall, Corney Place, Penrith, CA11 7QF Time: 6.45 pm

Present:

Chair:	Councillor J Raine	
Vice Chair:	Councillor D Ryland	
Councillors:	D Banks	D Holden
	M Clark	G Nicolson OBE
	M Hanley	G Simpkins
Officers Present:	Les Clark, Deputy Chief Executive	
	Laura Cadman, Assistant Director Delivery	
Democratic Services Officer:	Ian Bonfig	

OS/38/01/23 Apologies for Absence

Apologies for absence were received from:

Councillor Wicks
Councillor Burgin

OS/39/01/23 Declarations of Interest

There were no declarations of interest received.

OS/40/01/23 Minutes

With the agreement of the Chair, it was resolved that the confirmation of the draft minutes of the Committee Meeting held on the 1st December 2022 be deferred to the next available meeting.

OS/41/01/23 Question and Answer Session: Housing and Health Portfolio Holder

Members were invited to a question and answer session with the Housing and Health Portfolio Holder, Councillor Judith Derbyshire:

The Housing and Health Portfolio Holder discussed the following items:

- The difficulty with respect to nutrient neutrality and sourcing mitigation sites for planning applications. The Portfolio Holder noted that the Lake District National Park are working with the other authorities to find a way forward to support mitigation.
- The delivery of affordable housing in Eden.
- A total of £6.9 million in Housing Funding had come into Eden via Green Home Grants. The Council was working with the housing associations on home improvement grants and was also in receipt of homelessness funding to address housing schemes.
- With regards to homelessness, the Council worked closely with Eden Housing Association to source accommodation that could be used for urgent housing and then further assistance to move onto more permanent accommodation. There was an increase in homelessness figures due to both asylum seeker and refugee needs. The cost of living crisis had also negatively impacted upon homelessness figures.
- There was an ongoing discussion with the Home Office to discuss coping with asylum seeker and refugee influxes in the future.
- With regard to private sector housing issues, the Portfolio Holder noted that the council would be offering a service to support private landlords. In addition, the Green Homes Grant scheme was being used to support carbon reduction initiatives and increased energy efficiency at a number of properties. The Portfolio holder also noted that young families were struggling to find affordable housing in Eden.
- It was noted that there are a lot of empty second homes in Eden and that changes were incoming on how second homes are operated.
- The Portfolio Holder provided information on housing grants utilised to support disabled access through home improvements and expressed her thanks to officers for their work.

Members asked the following questions of the Housing and Health Portfolio Holder:

1. Cllr Ryland - with regard to the affordable homes at Forgecourt, Low Hesket, I note that it isn't in your report, is this because it's still in planning?
Further, in your planning policy for affordable homes do you take into consideration parish council comments in terms of problems with biodiversity at the site?
Response: Yes, we've included what's been completed and what's on site. This is a planning issue and the planning department communicates with the Housing team who then makes recommendations as to what's needed in terms of house type and affordability. The planning team then discusses this with the housing developers.
2. Cllr Nicolson enquired about the number of rough sleepers and whether more information could be provided?
Response: Don't think there is a significant issue of rough sleeping in Eden. When we investigate this generally appears to be people passing through. Once a year we do a rough sleep count and these figures are submitted to government. **Written response to be provided.**

3. Cllr Ryland – on the previous slide you said there would be a future increase in homelessness needs due to asylum seekers, yet the slide after says you have a contract with Circo, so any homelessness under the contract would be funded by the government rather than the Council?
Response: Circo have a contract with the Home Office. If they have the right to remain it can become a local authority issue via the homelessness route due to the local connection with the area.
4. Cllr Banks – any thoughts on EDC funding homes for refugees through Heart of Cumbria?
Response: Heart of Cumbria will cease to exist on the 19th January 2023. We do house asylum seekers and refugees via the homelessness route. Asylum seekers and refugees will be looked at by the new authority and we will have our own team in time in terms of provision. Certain information about who we house will be confidential.
5. Cllr Nicolson – do we know what proportion of the housing stock these numbers represent? And do we know where the houses are?
Response: we hold quite detailed information on this. We're also collating information on holiday lets.
6. Cllr Nicolson – The tax position on second homes – I understand that holiday lets are classed as a business. What is the council attitude toward rates on second homes and do we treat these the same?
Response: They pay the same rates as everyone else. This is being discussed by the Westmorland and Furness Shadow Authority.
7. Cllr Ryland – the Heating Systems Service and Repair grant starting in December 2022 – could this be put out on the Eden website again and eligibility criteria displayed?
Response: Assistant Director Customers, Performance and Housing to effect.
8. Cllr Nicolson are the grants means tested?
Response: some are and some aren't – during covid-19 the means testing was removed due to the delays it caused. All the grants have criteria – Disabled Facilities Grant is means tested and the others have criteria. If for instance a client has universal credit – this is treated as a passport to access grants.
9. Cllr Clark - what are we doing to address the dearth of bungalows in planning?
Response: This is a planning issue – we would make comments after assessing housing based on areas and the need in those areas.
10. Cllr Ryland enquired about the possibility of collecting information on home purchasers, where they came from and their financial bracket.
Response: this would be difficult information to collect.

OS/42/01/23 Question and Answer Session: Westmorland and Furness Cabinet Member for Sustainable Communities and Localities

Members were invited to a Question and Answer Session with the Westmorland and Furness Cabinet Member for Sustainable Communities and Localities, Cllr Dr Virginia Taylor:

The Westmorland and Furness Cabinet Member for Sustainable Communities and Localities introduced their role in respect of the Shadow Authority's work and set out their portfolio responsibilities. It was stated further that the council plan had been approved and that the budget consultation was due to go live. The Cabinet Member additionally discussed the various appointments of senior officers to their roles in the new Westmorland and Furness Authority.

There are to be three locality boards, with 16 Members each, based on the boundaries of the three current district councils. Their roles and how they will function are still in the process of being discussed and decided.

Members asked the following questions of the Cabinet Member for the Westmorland and Furness Shadow Authority:

1. Cllr Ryland - as the devolution of assets to Town and Parish Councils has been suspended, what plans does the new authority have to progress devolution of assets and what are the timescales for those councils who wish to do so?

Response: There isn't a policy or budget yet. Both of which are required to be in place before discussions about how devolution could happen. It is a large task that requires many resources to be effective and consistent. It is on the agenda for the new authority and a policy that is clear, sustainable and consistent will be formulated as soon as possible.

2. Cllr Ryland – could you explain please the plans the new Westmorland and Furness Council has to actively support and work with town and parish councils? Currently Cumbria has a County association to represent town and parish councils. All the District Council's contribute funding to CALC – what are the new authorities plans for this engagement and funding of CALC?

Response: The new authority has agreed to continue to fund CALC. We have agreed to fund the town and parish council elections coming up in May 2023. There have been several meetings with CALC and the Westmorland and Furness has continued to engage with CALC about what the future relationship will be.

3. Cllr Nicolson enquired whether CALC would be split to support Westmorland and Furness and Cumberland respectively, as Eden was currently supported by EALC?

Response: There will be three local areas receiving support just as there at present.

4. Cllr Ryland – could you reference where this waiver for the political balance of the local committees came from?

Response: It's within the legislation of the Localism Act I presume.

5. Cllr Raine enquired whether there would be funding and support for more parish community plans?

Response: The actual detail of how we will work with parishes is still being developed. The work stream's budget is still in the process of being constructed. This

will inevitably form part of our discussions with CALC and it is therefore important that CALC ensures it is on their agenda.

6. Cllr Banks – will everything will be ready on vesting day?

Response: Everything will be safe and legal, which is the terms. For many of the services it would continue operating as normal. There will be continual change. The new authority will not appear completely fully formed on vesting day in terms of its key structures and policies. The broad policy framework in terms of the corporate plan will be in place with other policies being formulated over time.

7. Cllr Hanley – how many Members are on the planning committee for Westmorland and Furness?

Response: This is set out in the Constitution.

8. Cllr Nicolson - will all of the Councillors in each of the three former districts be Members of the new locality board? and will this include Cabinet Members?

Response: Yes. Whether Cabinet Members will be able to be Members of the new locality boards has not been specified in the Constitution.

9. Cllr Nicolson enquired about the allocations to planning committee and officers?

Response: There will likely be delegations to officers due to the workload.

10. Cllr Holden enquired whether the central government was providing funding support after vesting day?

Response: No

OS/43/01/23 Eden District Council (EDC) Emergency Planning Arrangements

Members considered report no. DCE03/23 of the Assistant Director Delivery, which sought to provide the Overview and Scrutiny Committee information on the Disaster Planning arrangements at Eden District Council.

1. Cllr Hanley enquired about the lack of reference to local organisations that respond to emergencies and whether it was relevant to bring something about those organisations?

Response: We do make reference to partner agencies in those plans in our appendices, including community and voluntary group which are recognised through those, but these were held back due to confidential third party information. We do have an online system on how to make contact in the event of an emergency. Our last revision took place in December 2022 and we can feed that feedback into future processes post vesting day.

2. Cllr Nicolson enquired whether the document was being rolled over due to the short time period before vesting day?

Response: Yes, it is being rolled over with minor amendments.

3. Cllr Ryland enquired about Mansion House being disposed of I thought that this would be factored in?

Response: The document is based on the present situation and is reflective of our current circumstances. Westmorland and Furness will have its own plan incorporating Voreda House.

4. Cllr Banks enquired about the three local areas with regard to the emergency planning arrangements, whether the new amalgamated plan would be a local plan for Eden serviced by local officers?

Response: The current plan is active until the new structure is in place, the individuals and partners listed will remain the same until vesting day. There will be no gap in any emergency provision or cover as a result of LGR.

Proposed by Councillor J Raine
Seconded by Councillor D Banks

and **RESOLVED** that the Overview and Scrutiny Committee note the report.

OS/44/01/23 Waste Collection Arrangements in the new Unitary Authorities

Members considered report no. DCE84/22 of the Deputy Chief Executive, which sought to provide the Overview and Scrutiny Committee with information on waste collection arrangements in Cumbria.

The Deputy Chief Executive, Les Clark, noted that the pattern of services with regard to the waste collection arrangements in the appendices will see no change on vesting day. The discussion however could not focus on future arrangement as these would need to be determined by the new Westmorland and Furness Authority.

Members asked the following questions on the report:

1. Cllr Raine enquired whether the waste and recycling calendar would continue to be provided to residents?

Response: It is already in circulation.

2. Cllr Nicolson enquired about the number of bring sites, noting there are none in Barrow, 75 in Eden and 16 in South Lakeland. Are there different criteria in the other authorities?

Response: We do not have this information in detail; we only have more detail for Eden.

3. Cllr Nicolson and Cllr Banks enquired about the waste contracts continuing?

Response: both contracts with Cumbria Waste Recycling and Urbaser are co-terminus until end of March 2027.

4. Cllr Holden enquired about the use of plastic bags and her concern with residents' complaints regarding its use?

Response: while the contracts are in place until 2027, that doesn't preclude the new authority from negotiating with our or other service providers to change the method of collection.

5. Cllr Ryland enquired if the work of the committee will be forward to the new authority?

Response: All the work done by the Overview and Scrutiny Committee has been provided to that work stream.

6. Cllr Nicolson enquired about the relationship between Cumbria County and Cumbria Waste Recycling post-vesting?

Response: This is a matter for Cumbria County Council – Cumbria Waste Recycling is part of a larger group of companies called Cumbria Holdings. Cumbria Holdings and its subsidiaries are wholly owned by Cumbria County Council.

Propose by Councillor G Nicolson
Seconded by Councillor D Holden

and **RESOLVED** that the Overview and Scrutiny Committee note the report.

OS/45/01/23 Overview and Scrutiny Work Programme and Cabinet Work Programme 2022-2023

Members considered report no: DoR01/23 of the Chair of the Overview and Scrutiny Committee, which reviews the Overview and Scrutiny Committee's work programme for the remainder of the municipal year 2022-23. The report also invited, as a continuous option, suggestions for possible agenda items from all non-Executive Members.

Further, to note the Cabinet Work programme and consider any items which might benefit from the input of the Overview and Scrutiny Committee prior to the Cabinet making a decision.

The Chair noted that the date of the next meeting of Overview and Scrutiny Committee was yet to be confirmed and that meeting will receive the final report of the s106 Task and Finish Group.

Cllr Ryland enquired about the Inspiring Eden item for Cabinet on the Forward Plan. The Deputy Chief Executive clarified that it was decided that the item did not constitute a key decision, as it did not meet the key decision criteria, and could be determined via other decision making routes.

Proposed by Councillor G Nicolson
Seconded by Councillor D Banks

and **RESOLVED** that:

1. The Overview and Scrutiny Committee's work programme for the remainder of the municipal year 2022-2023 be noted and any revisions be agreed; and
2. That the Cabinet Work Programme be noted, and any decisions to scrutinise items contained therein be made.

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OS/46/01/23 Any Other Items which the Chair decides are urgent

There were no urgent items of business.

OS/47/01/23 Date of Next Scheduled Meeting

The date of the next meeting is to be confirmed.

The meeting closed at 8.21 pm

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