

Overview and Scrutiny Board Meeting

Minutes

19 January 2022 at 6.00pm

Present:

Councillor Pedersen (Chair); Councillor T. Malik (Vice-Chair), Councillors: Abid, Agbley, P. Chapman, Choudhry, Franks, G. R. Javed, J. Hussain, Moore, Nicholls and Wynn.

01 Minutes of Meeting 22 November 2022 (Ref 2.1)

That the minutes of the meeting held on 22 November 2021 be taken as read, approved as a correct record and the Chair be authorised to sign them.

02 Chair's Update (Ref 3)

The Chair advised of the outcome of the reference regarding "The Protection of Parks and Green Spaces") to the Executive at the Board's request at the last meeting. The recommendation was discussed at the Executive's meeting on 10 January 2022 as follows:

OSB's recommendation was "The Overview & Scrutiny Board recommends the Executive to seek the identification of those parks and green open spaces which are of the greatest social value and those which are at risk and to start a process of gradually, over as many years as necessary, progressing deed of dedication arrangements with Fields in Trust with a ultimate aim of protecting all Luton parks and green open spaces from development.)"

(Outcome – The recommendation was noted by the Executive.)

Resolved: That the Chair's update regarding the recommendation to Executive on Parks and Green Open spaces be noted.

03 South East Midlands Enterprise Partnership (SEMLEP) Annual Report (Ref 7)

The Chief Executive of SEMLEP, Hilary Chipping, delivered a PowerPoint presentation regarding SEMLEP's annual update and advised the Board of SEMLEPs activities in the SEMLEP area in the past year with particular focus to Luton. She said it had been another challenging year for local authorities and the partnership and most people had spent another year working from home. She added that it had been great working with colleagues' throughout the last year and hopefully 2022 would turn out a better year for everyone.

Updates

Currently the work of SEMLEP cover all of Northamptonshire which had recently been divided into 2 unitary authority areas; West Northamptonshire and North Northamptonshire; Bedford, Central Beds, Luton and Milton Keynes. This area with a population of 1.7 million over 77,000 businesses most small or medium size businesses with a GVA of over £50billion, was significant in terms of the economic opportunities available including having four Universities across the area namely; University of Bedfordshire with a campus in Luton, Cranfield University, Northampton, and the Open University.

Economic Recovery

SEMLEP as a private, public partnership with a focus on delivering sustainable economic growth work with all the Local Enterprise Partnerships, 38 in total in the whole country. SEMLEP worked very closely with local authorities partners right from the beginning of the pandemic to ensure that partnership working continue in order to share information and developing strategies for the economic recovery plan. There were 3 phases: survive, stabilise and grow. The lockdown period had particular impact in Luton because of the closed Airport and hospitality sector which brought significant challenges to Luton. Members were informed that the economic Strategy which brought together the extensive evidence based work for the whole area had now been published on the website. The Strategy had been themed around the foundations of productivity and looking at how to deliver productivity efficiently with focus on ideas, innovation, and commercialisation including clean growth. It aimed at supporting people with a focus on those who had been made redundant or those who lost their jobs.

Infrastructure

Infrastructure funding was coming to an end with a £265 million local growth fund programme completing in 2022.

Business Environment

The Chief Executive reported that the SEMLEP growth hub with business advisers who worked with local businesses providing support and advice. Last year SEMLEP supported many local small businesses in the Luton area especially as the UK exited the EU to enable people to continue to export goods also with a focus on businesses that were able to scale up.

Place

Place had been absolutely vital in terms of community access on natural environment and looking at the town centre and the economic recovery strategy would enable inclusive growth, that services could be reached by vulnerable groups across the demographics with emphasis on inclusiveness.

Governance

SEMLEP was clear about the importance of good governance which in line with its assurance framework. The Board had representatives from the 6 unitary authorities in the SEMLEP area. The Leader of Luton Council was also a member and SEMLEP work with some of LBC's senior officers. The makeup of the Board was inclusive of representatives from the private sector including the Vice Chancellor of the University of Bedfordshire. Members were informed that

equality and diversity was at the heart of their activities and work plan. SEMLEP was open to scrutiny by the local authorities' members.

Delivery of Activities in Luton

A lot of businesses in the Luton area continue to receive support from SEMLEP and so much work had been delivered through the growth hubs projects some of which was still been funded through the EU grant. Although it was soon to come to an end in a year's time, March 2023. This grant had a particular focus on the scale up business proposals. Another scheme was the skills development with a funded programme called Peer Network.

Members were further advised of the support rendered by SEMLEP to Luton businesses;

- Support offered to 223 businesses
- 81 businesses attended workshops
- 32 businesses were supported through the growth hub project,
- 21 were engaged in the Peer Network initiatives
- Kick start grants were awarded

Skills support to the people of Luton

SEMLEP had a skills team partly funded by the Careers & Enterprise Company coordinating work with the schools across the SEMLEP area. The Skill Strategy was aimed at encouraging young people to gain the sort of experience, qualification and competencies that they require in order to enter the work force locally. Advice and guidance to young people to ensure awareness of available activities and how they could gain access and opportunities through apprenticeship schemes, attending local college or gaining a qualification at University level. One key thing that worked very well was encouraging young people through direct engagement of people who worked in a particular field or sector. For a young person, to hear directly about what was involved for them to have a job in an area which they might not have thought about, was inspirational to them. SEMLEP was pleased to describe that in Luton, SEMLEP had funded a careers hub embedded into Luton Council, and provided additional useful and valuable results. There was an allocation of £110K a year for the staffing and activity of this Careers hub specifically aimed at Luton. This hub was regarded as being in the Top 3 in England.

Luton was also represented on the SEMLEP skills and Advisory panel which reported directly to the Department for Education to influence national policy on skills.

Getting Building Funds

- SEMLEP received £27.3million into the SEMLEP area.
- £4.5million was awarded to Barnfield College from this fund and the project will complete in 2022

Local Growth Fund

This was expected to come to conclusion in March 2022 but there would be a few projects delivery until the next financial year. In the Luton area there had been some significant business growth;

Luton Hat District – This had been an amazing success story

- Nearly £4million invested into it
- 71 jobs created so far,
- Had over 2 thousand square meters of commercial floor space with some exciting new business in this vibrant area located closely to the Luton Station.

Houghtonn Brook Flood Relief Scheme

This project received £1million investment. This was vital in terms of reducing flood risk for 119 businesses and 535 homes in Luton.

Morton House (Kblock)

Had been renamed and working with the new Luton Rising to create new skills and business hub which will be built to high environmental standards. It was planned that this would deliver space for 200 new jobs for Luton.

Community Grants

This was small programme but vitally important. They were smaller grants of about £10-20k which aimed at voluntary community sector and social enterprise. This grant also supported individuals who were unemployed or economically inactive with help to access training back into work. It addressed community needs reaching out to many people in the community.

Looking to the Future

There were fantastic opportunities in Luton, the Airport had been through difficult times but travel and hospitality was now beginning to pick up. Over the next couple of years, passenger numbers would increase in Luton and Luton would be able to deliver and increased passenger numbers in an environmentally friendly way and no doubt there were huge opportunities in delivering a sustainable Airport. From a SEMLEP perspective, LEPs have been under review in the last year and it was hoped that the Levelling Up White Paper that the government plan to publish in the next week would tell more about the future direction of SEMLEP and growth hubs. SEMLEP would hope that the Government would continue to support the LEPs and that SEMLEP would be able to work with local authorities in its area and colleagues in terms of collaboration and hopefully adding value to support inclusive sustainable economic growth.

In respect of the Oxford Cambridge Arc, SEMLEP had worked across the whole area with other LEPs and had delivered an economic prospectus last year. At the moment the Government was rethinking the Arc.

A Member of the Board commended the report stating that it was very informative. He stated that people in Luton were fearful that they would be left out of the Arc discussions although the Council and other organisations were very anxious to play its part. He asked whether there was an assurance that these organisations including the Council would have the opportunity to be involved in the discussions.

In response the Chief Executive stated that everyone was awaiting the government's next steps, especially in relation to the Spending Review last October. The central area of the Arc which cover the same geographical area as SEMLEP placed the Arc in a really exciting position for funding. However, in the government's plan, reference had not been made to the Arc and in fact there was no mention of the Oxford-Cambridge Arc in the last Spending Review. All involved had been waiting for the government to give clarity on the Arc but this did not in any way indicate that there had not been opportunities going on. Various working groups had been established with focus on environment economic and, infrastructure which she led on. There was also a lot of work on sustainable aviation that the council was involved in. Luton Airport had a key role in this including a group called the Oxford-Cambridge Arc, Virtual Institute of Aviation. She said there was a meeting earlier this week and Luton Airport was very keen to benefit from all the research by the universities around sustainable aviation and research into new sustainable fuels such as hydrogen. She said that a lot would depend on how the local authorities would want to respond to the government regarding the Arc. This could provide huge opportunities for everyone to work together and to demonstrate how much this whole area had to offer and Luton in particular should be very much be part of this initiative. There would be a meeting on 28 January of all the LA Leaders to have discussions around some agreement on how to move things forward with this project.

In response to a question about SEMLEPs involvement with some organisations that were trying to secure the much needed improvement to Luton town centre and the railway station, Members

were informed that SEMLEP had been a great supporter of the need to invest in Luton and the railway station for many years. At the moment the direct funding programme managed by SEMLEP would be coming to an end and England Economy Heartland had been looking at priorities for a transport investments where there were opportunities for investment in the Luton Train Station.

A Member stated that the growth hub and support to Luton businesses was largely reliant on EU funding which would end in March 2023. He asked what would happen after that.

SEMLEP does receive EU funds but also funds from other Government departments. There could be other opportunities of funding for next year. It was very much hoped that the funding would continue from BEIS so that SEMLEP could continue to provide the direct support for businesses its area. If not then the Board would need to consider options.

Responding to the issues of equality and diversity Members were informed that at the beginning of the pandemic it was identified that the health impact of the pandemic was falling on people unequally and in particular the ethnic minority communities as well as the elderly and people with existing health conditions, etc. SEMLEP recognised the need for inclusivity to be embedded into the economic recovery strategy. The only way to do this was to embed inclusion into SEMLEP's activities and to ensure the monitoring of people who were going through delivery and to double check that all the different communities who needed support in order to be able to recover were within reach. This was one of the areas identified in 2020 submission to the Committee giving assurance that there was a need to strengthen that area of work. Last year Members were advised that this was a piece of work being developed and during this year a lot of work had taken place to progress this agenda. SEMLEP had looked at data in terms of the growth hub activities and in particular so the Peer Network already mentioned looking at the profile of people going through the Peer Network, what was their gender, by age, by ethnicity, by disability, etc. Again looking across services and skills to ensure that marketing styles were delivered in accordance to the need of the community or whether there was need to do things differently. This is a continuous learning process, reviewing data and then tweaking to focus on the issues born out of the pandemic. There had been a lot of staff training so everyone was aware of the equality and diversity roles in their jobs and these had been embedded into the SEMLEP Board.

Members commended the report and showed recognition to all the activities and support that SEMLEP had taken in this area and especially having placed equality at the centre of their activities.

Resolved: (i) That the report be noted and that the Board's thanks to SEMLEP be recorded;

(ii) That SEMLEP be requested to report back in 12 months' time.

05 Low Traffic Neighbourhood (Ref 8)

The Principal Transport Planner, presented the report of the Service Director Sustainable Development regarding Low Traffic Neighbourhood Ref: 8. He was joined by the Service Manager, Strategy and Sustainability and the Service Manager, Highways.

The Principal Transport Planner informed Members that this report had been provided at the request of the Board to provide an overview on low traffic neighbourhood that had been delivered by other local authorities outside of Luton. The content of the report set out the potential impact of low traffic neighbourhood and some of their benefits in terms of improving liveability and designing spaces and places for people as opposed to cars.

In respect of the recommendation as set out in the report, if the Board was minded to support low traffic neighbourhoods trial, their comments and views would be reported to the Executive. He

stated that the council could work closely with local members on exploratory work and investigation into areas which could benefit from the introduction of the low traffic neighbourhoods. The planned proposal included restricting vehicle access at certain points but would allow people to walk and cycle through them.

Responding to questions, Officers advised that low traffic neighbourhoods were largely deployed through physical barriers (planters and bollards). The local authorities who had delivered this type of scheme used a mix of physical barriers and ANPR cameras. In some of the point closures, camera enforced modal filters provided access to certain classes of vehicles, e.g. street cleansing, refuse vehicles, emergency services but do not allow private vehicle users to travel through them.

Camera enforcement of point closure was currently not a possibility in Luton. However, the Department for Transport has started the process of laying regulatory changes that will enable local authorities to adopt powers under part 6 of the Traffic Management Act. If adopted, this would allow local authorities outside London to enforce moving traffic contraventions. He informed members of the Board that Officers plan to bring a report to the Board to discuss the implications of these changes for Luton.

In response to a question asking why the pilot areas were chosen, the Officer explained that Luton roads mirrored some of the characteristic of street patterns found in London boroughs i.e. in the case of Greenwich and Waltham forest. Oxfordshire was specifically reviewed to give a non-London Borough authorities feel.

In response to a question regarding the definition of 'priority' and 'non-priority' vehicles allowed access through camera enforced point closures, the Officer explained that these decisions would be discretionary. He added that the purpose of low traffic neighbourhoods was to reduce vehicle use, particularly for short trips. A high percentage of journeys made by car in Luton are those travelling under 2 kilometres by car. He added that some authorities had used Experimental Traffic Regulation Orders (ETRO) to manage LTN schemes. A Member commented that in London, schemes like this were intended to improve air quality. There was a view that the move towards low emission vehicles might substitute the need for a Low Traffic Neighbourhood, as air quality would have improved.

In response to a question, Officers advised that whilst cleaner air was one of the benefits of low traffic neighbourhoods, it was not considered the only beneficial objective expected from the scheme.

A Member stated that the council could look at the number of vehicles in one household which was currently a major problem, one household could own up to 4,5, and or 6 vehicles littering the whole street. Officers concurred.

In response to a question, Officers further explained that those authorities that implemented LTNs failed because of lack of local support for the scheme. A member stated that residents in his ward felt that they no longer had interest in any consultations carried out by the council, as their views were never considered in the final decision. Members were critical of a lot of consultations carried out by the council stating that many of those consultations were not carried out in a robust way.

Following comments, statements and questions from members, the Officer explained that the report, as much as possible, tried to be transparent and honest about the opportunities and challenges of delivering Low Traffic Neighbourhoods. Officers accepted that there were challenges in the delivery of these schemes and there had been protests in London against the delivery of the Low Traffic Neighbourhoods. The report also identified schemes that had been successful and ultimately reduced vehicle use and rat running. Ealing Council removed some of its low traffic neighbourhood schemes, but given enough time traffic would or could be reduced both inside the low traffic neighbourhood and on the boundaries so, this report and examples of Ealing

and Wandsworth was just to reflect the reality that Low Traffic Neighbourhoods could be contentious if not delivered correctly. Some of the London schemes were delivered as part of short term active travel funding which meant that they didn't have enough time to engage properly with residents about the design of the scheme, which then had negative consequences. The Council was currently undertaking some survey work on the Local Cycling and Walking Infrastructure plan and high response rates being sought. As part of this survey officers would take on board any detailed feedback and comments, to inform the final plan.

A Member asked if there was possibility for the schools to be part of the exclusion as previously discussed for example, Puttridge High Schools had to be experienced to be believed and this would be a good way in testing the water on some of this.

Responding to some of the questions, comments and statements, Officers explained that in some ways LTNs was similar to 'school street' schemes and it had been the council's intentions to deliver some of these schemes with schools. It was planned to work closely with head teachers, but there had been challenges in terms of the resources required to enforce road closures and discussions were ongoing with schools. There were three traffic exclusion zone schemes which the council had tried to set up but school staff were not able to support the council to ensure that they were maintained. Officers would go back and review these schemes but it was disappointing that a lot of time and efforts had been invested in planning.

The Portfolio holder, councillor Roche stated that discussions around these proposals were still ongoing. He said the council had agreement but because of lack of resources they were unable to accept, so basically this was still on the table. The council would be going back to consultation. In relation to the issues expressed by members of the Board around consultation, he was of the opinion that also that the council's consultation was not sufficient especially with the engagement on ground. He said he would be willing to work with Councillor Wynn about the issues he had expressed concerning his ward. Should the council push the scheme without the consent of local people, it may not work and this was what had happened in some of those London Borough. The other thing was about the high percentage of people who use their cars for trips that were less than 2 kilometres in the town. He said that his focus was to reduce the traffic and there would be other strategies to try and help that work. This being a pilot scheme the Portfolio holder stated that he would be happy to work with Councillor Wynn on his ward.

Members were of the opinion that the consultation process needed improvement and that participation in the consultation process was essential. A Member stated that sometimes a pilot may not be as successful as expected but that this scheme seemed to have been successful in certain areas in the country and had been welcomed particularly by the resident who lived in areas where the scheme had been successful.

Councillor Franks made a proposal by way of recommendation to the Executive:

That the Executive note the findings of the report and request officers work with members to identify an area that may benefit from the introduction of a pilot LTN to understand the level of support.

Members agreed the proposal and commended the reporting officer for a very elaborate report.

Resolved: (i) That the report (Ref 8) be noted and that the Board's thanks to the Principal Transport Planner be recorded.

(ii) That the Executive note the findings of the report and request officers work with members to identify an area that may benefit from the introduction of a pilot LTN to understand the level of support.

06 Article 4 Direction Commercial Business and Services Uses to Residential conversion Butterfield (Ref 9)

The Team Manager Planning Policy presented the report of the Service Director Sustainable Development Ref: 9, regarding Article 4 Direction currently in place at Butterfield Business and Technology Park, Stopsley and Capability Green Business Park in light of legislative changes as outlined in the report. The proposal would aid the continuing protection of these key employment site allocations which play a vital role in accommodating economic growth and increasing employment opportunities in accordance with the adopted local plan.

The Team Manager explained that specifically, the proposal was in relation to changes to the use classes order in 2020 which resulted in the amalgamation of retail, commercial uses such as office, light industrial and some leisure and commercial use into one class. The class E, commercial business and service uses was combined with the general permitted development order in 2021 which created a new commercial development right for people to move from class E to residential use subject to certain exclusion and conditions. Essentially the existing Article 4 direction were due to expire after the 31 of July 2022 and needed at this time to be updated. In Butterfield it was being proposed that a slightly larger area be covered to cover the entire allocation as in the adopted local plan.

The report sought the views of the Board and their support that the new Article 4 directions should be brought in on 1 August 2022 at the conclusion of the existing ones. Members were informed that the proposal would carry some risks of compensation because the changes were being carried out within the 12 months period of being made and confirmed.

Following brief debate and discussions about the options and the proposal as outlined in the report, Councillor Franks proposed;

That the Executive be advised that the Overview and Scrutiny Board:

- a) welcome the introduction of these Article 4 directions;**
- b) encourage the Executive to seek ways of extending Article 4 Directions to other areas of town.**

In response to questions, Officers explained that the Council was currently looking at the town centre to have Article 4 direction in place. This work stream was taking place now and planned for consideration in April 2022. Also, looking at the employment area designated as A and B Class, this work stream would be a new area to look at. Furthermore, the council would be looking at employment and retail after reviewing the town centre and the surrounding areas in April, Officers anticipate this would be ready for consideration in June 2022.

Councillor Wynne supported and seconded the proposal by councillor Franks. He said that the council should be looking at the widest possible area for this type Article 4 direction because there should be the least conversion of offices into substandard residential space around the town. These should be brought to control within the council's planning department rather than having it tossed on councillors.

The Chair commended the report and proposal as outlined in addition to the proposal made by Councillor Franks, which was also supported unanimously by the Board.

That the Executive be advised that the Overview and Scrutiny Board:

- a) welcome the introduction of these Article 4 directions;**

- b) encourage the Executive to seek ways of extending Article 4 Directions to other areas of town.**

Resolved: (i) That the report Ref: 9 regarding Article 4 Direction Commercial Business and Services Uses to Residential conversions, Butterfield Business, technology Park and Capability Green be noted and supported, and that the Board's thanks to Officers be recorded.

(ii) That the Executive be advised that that the Overview and Scrutiny Board:

- a) welcome the introduction of these Article 4 directions;**
b) encourage the Executive to seek ways of extending Article 4 Directions to other areas of town.

07 Driver Vehicle Licensing Agency (DVLA), Powers untaxed and abandoned vehicles (Ref 10)

The Neighbourhood Operations Manager, Neighbourhood Delivery Inclusive Economy, presented the report Ref: 10 regarding Driver Vehicle Licensing Agency (DVLA), Powers untaxed and abandoned vehicles which was for information only.

The report outlined the council's legal responsibilities and provided an insight into the processes used when dealing with various vehicle issues such as:

- Untaxed (unlicensed)
- Abandoned
- Vehicles with no MOT
- Uninsured

The council had a statutory duty to deal with abandoned vehicles within its own area but this however, was a complex area of work and incorrect decision could lead to damaging claims financially and reputational legal implications for the council. The council's processes and procedures had developed over time reflecting best practice.

In relation to untaxed vehicles DVLA had advised that there could be a monthly average of 12689 potentially untaxed vehicles in Luton. This would facilitate the need to re-examine the council's current model and officers would be working with DVLA on a targeted enforcement campaign to reduce the number of untaxed vehicles on the roads.

A Member stated that he was pleased to hear that the council could remove abandoned vehicles not on the highway but on private land.

A Member requested for clarity on the action about abandoned vehicles as outlined in paragraphs 6 and 7 of the report and in response, the Officer explained that it was definitely a contributing factor in the council's action. Considering whether a vehicle was taxed or not, could be an indicator but on the face of it, more information was necessary because there were vehicles which may seem to be taxed but had been abandoned. There were situations where the council had disposed of vehicles with tax on them, so it really would depend on the threshold, if high risk and abandoned the council would inspect. If there were any other circumstances such as anti-social behaviour associated with the vehicle or anything else, inspection would be carried out. Each was judged on its own merits and depending on the information received on the vehicle.

A Member stated that the Fire Service actually had the power to remove vehicle which they believe were of a significant arson risk and said that this could be helpful for the council in some circumstances when dealing with abandoned vehicles.

Members commended the report.

Resolved: That the report (Ref 10) regarding Driver Vehicle Licensing Agency (DVLA), Powers untaxed and abandoned vehicles be noted and that the Boards thanks to the Officer be recorded.

08 OSB Draft Work Programme 2021-22 & Executive Forward Plan (Ref: 11)

Members considered the work programme and agreed the following:

- 1) Banning of Estate agents boards – OSB meeting on 11 April 2022
 - To address issues illegally placed estate agents notice boards in Luton
 - They are being banned in other places – best practice
- 2) NEW - Luton Rising Group (LLAL) Consultation on and adoption of the Airport business plan 2022/27 (Mark Turner) – OSB 28 February 2022.

Resolved: That the Democracy and Scrutiny Officer be instructed to include the below items on the work programme:

Banning of Estate agents boards – OSB meeting on 11 April 2022

- **To address issues of illegally placed estate agents notice boards in Luton**
- **Best practice from other local authorities and towns where they were being banned.**

NEW - Luton Rising Group (LLAL) Consultation on and adoption of the Airport business plan 2022/27 (Mark Turner) – OSB 28 February 2022.

(Meeting ended @ 7.30pm)