

OVERVIEW AND SCRUTINY COMMITTEE

13 JUNE 2019

Present: Councillors Davies (Chair), Levane (Vice-Chair), K Beaney, Cox, Foster, O'Callaghan, Rankin and Turner

7. APOLOGIES FOR ABSENCE

Apologies received for Councillors Barnett and Battley

8. DECLARATIONS OF INTEREST

<u>Councillor</u>	<u>Item</u>	<u>Interest</u>
Davies	Any items where Teaching is discussed (3b, 6)	Personal
Rankin	Any items where Property is discussed (4, 6)	Personal

9.1 Minutes of the Previous Overview and Scrutiny Committee 24/01/19

RESOLVED – that the minutes of the meeting held on 24th January 2019 be approved by the Chair as a true record.

9.2 Minutes of the Previous Overview and Scrutiny Committee 07/02/19

RESOLVED – that the minutes of the meeting held on 7th February 2019 be approved by the Chair as a true record.

Councillors asked questions from arising from the previous minutes

Question: *Have other authorities been approached to see if they will help share the costs of maintaining the CCTV room?*

Answer: Other authorities were approached some time ago; a lot of the system covers Hastings Borough Council properties such as car parks. Previously other authorities were not interested in supporting the costs, but the Director of Operational Services would be happy to ask the question again and see if the response has changed at the next meeting with the chief inspector.

Question: *there was talk previously of 319 new Police officers and there was mention of 5 of these being for the Hastings area, is this number correct?*

Answer: This is an operational decision for the chief constable so the police commissioner would be unlikely to answer. It takes time to train new officers so

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we will have to wait to see the results of the recruitment. We can ask the chief inspector at the next meeting that councillor Fitzgerald and the director of operational services have with her on the 24th of June.

Actions: Director of Operational Services to pick up (i) CCTV and (ii) police capacity and report back to Scrutiny on discussions with the Chief Inspector.

Question: *what is the council prepared to do about retaining good teachers in the borough?*

Answer: Although the connections with the college are not as strong as before there is an officer on the Hastings opportunity area board who can potentially engage with partners on this issue with this board. . Some longer standing more experienced teachers in the borough are feeling forced out of the profession in favour of newer and cheaper replacements in the academies.

Question: *Did East Sussex County Council (ESCC) give any money for the licensing that the council is now doing on their behalf?*

Answer: As with highways licensing before, ESCC gave it to Hastings Borough Council to fix so shall see where we are in 3 years. The policy made by the licensing manager is very good.

Question: *Can we use our soft powers to help improve the image of Hastings to try and attract new teachers to the area and increase the standards of education?*

Answer: The deputy leader was happy to give assurance that will attend any meeting to which she is invited to assist where appropriate. ESCC have less power than they used to and Hastings Borough Council have lesser direct influence but will commit to do what we can. Engaging in these conversations is a good thing and we need to keep doing it. Education used to have a strong presence on the LSP but no longer.

10. PERFORMANCE AND FINANCIAL MONITORING FOR 2018/19 - YEAREND REPORT

Question: *Selective licensing is showing a variance in income in advance of licenses yet to be issued and due to a recent court ruling regarding EU directive 2006/123/EC in July 2018 meaning councils may need to prove that licensing fees only cover the costs of administration, would it be wise to put some of the money aside to see if this affects Hastings Borough Council?*

Answer: It is a self-financing scheme and is not, nor will it ever be, an income generator. Some people were not paying their invoices once the work had been done so the system was changed to a payment in advance system. This is why it is money in advance. If the license falls through then the money is refunded, but there is a team looking into how the licence is funded to make sure everything is correct if these questions are asked.

Question: *How does the council arrive at the fee?*

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Answer: Cannot answer completely but would be happy to have Peter Grace and Andrew Palmer present a report to you that breaks down the licencing fees.

Action: Director of Operational Services agreed to source a response as suggested prior to the next Q1 (September) meeting.

Question: *Regarding HMO's how do you deal with the situations where there are multiple freeholders? How many of these properties are there? And how do you deal with a situation where someone on benefits cannot afford it?*

Answer: The licensing scheme is first and foremost to protect the people who live in these properties. There will be problems and we will always try to be sympathetic in these situations. Cannot give a detailed answer around multiple freeholders but can ask and bring the answer back. It has been an incredibly successful scheme and has brought standards in Hastings up. It is a success story that is ahead of the curve but as we have seen the increase in tenancy, this scheme needs to be rolled out wider. There is confidence that staff are making plans to address the EU ruling.

Councillors commented that the scheme is very good and is important in making residents lives better. They are happy that the funding of the scheme is going to be unpacked following the commitment from the Director of Operational Services to follow this up.

Question: *the homelessness spend, is it sustainable? What will the council do if it isn't? What funding is available to the council?*

Answer: It is not sustainable, there is a potential deficit of £2m either the council will overspend or it has to take money from other budgets. Cabinet approved £2.5m to acquire temporary accommodation. There may be a case in the future for more but will require further conversations and if viable, approval of an associated business case.

Question: *What is the council doing about the underspend on the rough sleeping initiative?*

Answer: we will spend that money, it isn't an underspend.

Question: *there are a number of grant underspends is that because of late receipts of the money or is there a problem spending it in the time allowed?*

Answer: For some grants like the Disabled Facilities Grant the government has given the council more money. Not aware of anywhere where the council has been slow to spend it. The overspend of £90k hides the total spend of just under £1m somewhat, the accommodation money should be spent within the month which will help with the overspend.

Lead councillors commented that they would go away and think about how scrutiny can best assist in tracking spend and will let them know when they have an answer and thanked scrutiny for the offer.

Question: *is there a lot of red tape on the homelessness money determining what it can and cannot be spent on?*

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Answer: Each set of funding come with its own rules and expects a report at the end to show what it was spent on. Less and less funding is considered general.

Question: *What conclusion can be drawn from the underspends? Is it an issue that it is being carried over? The wording 'continues to underspend considerably' seems a poor choice? With the disabled facilities grant is there a lack of demand?*

Answer: The sentence 'continues to underspend significantly' is not a smart sentence. Will ask colleagues in housing about demand and whether it matches resources and report back. Members might then know a better way to spend the money, but need to be aware that it can only be spent on private dwellings.

Action: Director of Operational Services to seek feedback from housing colleagues on the extent to which demand is met by resources available for Disabled Facilities Grants (DFG) before Q1 Scrutiny meeting.

Question: *if the council are not spending the DFG money should they be giving it back?*

Answer: The council is constrained by the way they can spend it so should look at ways to make sure it is spent. The hiring of Occupational health therapists has helped speed up the application process. There is no waiting list at the occupation health end at the moment, but the biggest problem is finding approved contractors to perform the building work. As they have to meet a lot of specific standards to meet the requirements of the grant money. ESCC did recently ask for some of the money back and did receive it for a specific purpose. Going forward there should be improvements in the building process to decrease the need to make these changes with the DFG later down the line and future proof new builds more.

Question: *is the lack of a waiting list meaning that the council is not advertising the DFG service well enough?*

Answer: there is a good team of staff in the housing department who understand how these schemes work, and they believe that they are advertising correctly. The council is being as active as it can in advertising the scheme.

Question: *what does the report mean by private homes meeting the minimum standard?*

Answer: there are more than 200 homes out there that need attention but that 200 reflects the realistic capacity of officers to influence. It means properties meeting the minimum standards as a result of Hastings Borough Council involvement.

Question: *what are the minimum standards?*

Answer: can find out and send round to councillors.

Action: Director of Operational Services to liaise with housing colleagues to clarify definition of minimum standards by Q1 Scrutiny meeting.

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Question: *there are a higher number of targets not met but it would be good to see directional of travel in the report?*

Answer: directional travel is not in the overview but is in the more detailed part of the report. It was taken out of the overview to make it a quicker overview. Can put it back in and will take any comments on layout or information for next time as required.

Question: *the report cites a warm summer and less than cold winter as a cause for lack of associated housing complaints is this correct?*

Answer: The number of complaints indicates this is true, weather tends to affect the number of complaints the council receives in this area. This may be a confusion between causation and correlation and can look at making the wording clearer in the report.

Question: *there still seems to be new benefit applications coming in according to the report shouldn't Universal Credit be stopping these?*

Answer: some people are not eligible for Universal Credit so will still need to apply for benefits

Question: *The last two CHART consultation meetings have been cancelled why is this? The website has not been updated can this be improved?*

Answer: can pass on the comments about the website and will ask the question about the cancelled meetings.

Action: Director of Operational Services to seek clarification on why the CHART website is out of date and scope for improvement by Q1 Scrutiny meeting.

Question: *is the council secure about the end of the Council Led Local Development (CLLD) process and will it be used inform future projects?*

Answer: Should start to see a real difference through the CLLD programme and hope to get a lot of learning from it to inform future projects

Question: *there is a large block of red around benefits and there is an impact on people who claim housing benefit when it is suspended, especially if it paid straight to their landlord and suddenly they don't get the money. The person in receipt of these benefits then suddenly gets a section 21 notice. Would like to know the average number of days it takes to process an application?*

Answer: will take away and find out and bring it back to the next meeting but will say there is a large amount of changing of systems at the moment and this puts pressure on the staff.

Action: Director of Corporate Services to seek clarification on average number of days it takes to process an application by Q1 Scrutiny meeting.

Question: *can we do better on this as it affects the most vulnerable people?*

Answer: the council is working on it as best it can with the upgrade of systems and the move to online service to increase efficiency but while these systems are being put into place it takes staff away from the day job and puts pressure on existing staff, there will be an improvement at the end of this process.

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Action: Director of Corporate Resources to report back at the next Q1 Scrutiny meeting on progress with systems changes.

Question: *Eastbourne Borough Council give discretionary payments to help with this does Hastings Borough Council?*

Answer: yes, comparing to other councils is useful to make systems better. Hastings Borough Council is fully aware of the issues and are working to fix them as best it can. One thing that the council is now doing is the use of mystery shoppers the feedback from this process has been very positive and the mental health training that staff have received will help when dealing with the most vulnerable people.

Question: *With the litter and street cleanliness being 6% last year should a more challenging 4% be made for the DSO(the council's new in-house street cleansing service)?*

Answer: the same indicator should be taken as it was 6% last year and the target of this year of 5% is very challenging and will give the service time to bed down whilst still being a good target. Once the reassurances are in place then the targets can be made more challenging in future years. There is Confidence that there will be an improvement on the previous service. The indicator is a measure of the service but not the only one. You can only set targets based on the resources available.

Question: *how can the housing associations be made to take responsibility to keep their areas up to the same standard, as it will mean people in the poorest areas falling further behind? Biffa were reviewed, what did the council ask from them?*

Answer: As part of the new contract, Biffa have a work programme. They will have a 6 month period to bed in and the council thinks it is right to give them this time so they can see the best way to go about the work programme. There are changes from the previous contract such as the glass recycling changes and the council has the power to discuss any issues with the contractor. The budget is important to monitor, given the cost of the new service and the associated inflationary pressures. It has been brought back in house because the council believes that it can deliver a better quality service. There is a wider climate crisis at the moment and a debate needs to be had engaging everyone in the responsibility to dispose of waste correctly.

Question: *Will the council take responsibility to clean the twittens?*

Answer: One of the challenges with new waste arrangements is that If the councillors wish to clean the twittens then it will need to be put in the contract and be budgeted for and there will be an opportunity cost of doing so.

Question: *Citizens Advice Bureau (CAB) and Hastings Advice and Representation Centre (HARC) both receive funding from Hastings Borough Council why is the funding for HARC more?*

Answer: The council planned on how it looked at these services together, will find out the answer.

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Action: Director of Operational Services to provide a briefing on the differentiation in funding questioned by the quarter 1 Scrutiny meeting.

Question: *Where is the councils waste ending up?*

Answer: The council has less control over where the waste goes as ESCC have less control. Hastings borough council collects and ESCC disposes, until recently Hastings Borough Council was the recipient of recycling credits to encourage correct recycling but when the contract changed all the district councils in the Joint Waste Committee (JWC) opted out. If laws are changed and taxation is introduced for businesses then the councils may wish to revisit this.

Question: *is it appropriate that the holocaust memorial is under the 'growth' section of the report?*

Answer: This will change in the future, but will note that it is not appropriate to have it where it is.

Question: *the rehoming of Syrian families in the borough, considering the lack of temporary accommodation how is this scheme going?*

Answer: this scheme is going well, extra support and money has been provided to help these families. The support they get from the community is also really positive. It is central government money so doesn't impact on our resources and all accommodation is from the private rented sector so the burden and cost are zero to the council.

Councillors praised the great work from this programme and commented that they were proud of the council's commitment.

Councillors discussed their concerns on pressure on officers now that the workforce has been reduced, but praised that the council is working more closely with the trade unions.

Question: *What is the impact of stress on the workforce and what is the impact on lost days?*

Answer: A couple of long term sicknesses have skewed the results somewhat. Staff are under a lot more stress than before due to the shrinking workforce. Moving services online will alleviate some of this and the mental health champions who have been trained will also help where appropriate.

Question: *The HR team themselves are under huge pressure do they have enough support?*

Answer: it is a lot of hard work for them, and Councillor Rogers is keeping a close eye on the team.

Question: *is the climate change strategy target of 2030 achievable?*

Answer: it is a very ambitious target but that makes it more likely to be achievable. The target must be met or there will be dire consequences.

Councillors commented that the point on page 56 needs to be changed to achieve by 2030 and all instances of this need to reflect this.

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Action: Democratic Services to (i) check the published minutes of the associated Cabinet meeting where the motion was received (ii) to amend the corporate plan work programme summary in the report to reflect this where appropriate.

Councillors voted on the recommendations of the report and agreed unanimously.

RESOLVED that:

1. That the committees comments on 2018/19 performance be addressed by the relevant Lead Councillors(s) with appropriate action and report back
2. That the comments of the Overview and Scrutiny Committee on the proposed performance indicator targets for 2019/20 be referred to the Cabinet meeting on 8th of July 2019
3. That staff be thanked for their hard work and achievements

The reason for this decision was:

To assist the council to undertake performance management arrangements

Short break (20:40 to 20:46)

11. SCRUTINY REVIEW OF REGENERATION FUNDING

Councillor Paul Barnett submitted a report to set out the context, methods, key findings and recommendations from this review.

Councillors thank Councillor Barnett and his team for their hard work on this report. They commented that it is a very good and challenging report and hope that it will be taken in the spirit as it is intended. They commented that it is a good example of how scrutiny works together and leaves party politics out of their work.

Councillors discussed the poorer boroughs in Hastings and how this report should ensure that they are not being left behind. Area champions and better use of ward councillors will have a positive impact on these problems if feasible. It was commented that BREXIT implications are not directly mentioned in this report but maybe referenced in the management response as impacting on the types of funding available for the council to apply for in the future.

Councillors also spoke about Clinical Commissioning Group's (CCG) and how the funding from them in the future is uncertain due to their current financial constraints.

Councillors voted on the recommendations of the report and agreed unanimously.

RESOLVED that:

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1. That Overview and Scrutiny approve this report so that a Cabinet and Management response is then sought on the proposed recommendations and associated questions raised.
2. That Overview and Scrutiny thank their review team and those that contributed to this review.

The reason for this decision was:

To arrive at a response to the recommendations made in this report that will (subject to Scrutiny approval) likely inform further associated Scrutiny work.

12. YEAR-END UPDATE ON OVERVIEW AND SCRUTINY WORK PROGRAMME 2018/19

The Continuous Improvement and Democratic Services Manager presented an update.

Councillor Davies listed the work programme ideas to date:

- Corporate plan
- Gap analysis from regeneration
- Education review (investigate a standing panel)
- Scrutiny charter (how can the committee be embedded, developed and meet the steers)
- The DSO (the council's new in-house street cleansing service) and lessons learned from the DSO
- Managing the budget deficit
- Planning policy review
- Climate change motion (when cabinet have clarified what will be happening)

Councillors discussed the key difference between a review and a standing panel, they concluded that a review has a set time and ends with sending a report to cabinet where as a standing panel is an ongoing piece of work that monitors an area of concern to scrutiny and reports back and forth to cabinet regularly.

Councillor Turner reminded councillors that he has arranged a visit to West St Leonards Primary School which Brighton Academies Trust look after. It will be on July 8th at 2pm.

(The Chair declared the meeting closed at. 9.04 pm)