

OVERVIEW AND SCRUTINY COMMITTEE

26 November 2018

Minutes of the Overview and Scrutiny Committee held at the Town Hall, Bexhill-on-Sea on Monday 26 November 2018 at 6:30pm.

Committee Members present: Councillors P.N. Osborne (Chairman), M. Mooney (Vice-Chairman), J. Barnes, G.S. Browne, C.A. Clark, S.D. Elford, R.V. Elliston (in part), J.M. Johnson (ex-officio) (in part), J. Potts, Mrs S.M. Prochak, G.F. Stevens and M.R. Watson.

Other Members present: Councillors Lord Amptill, I.R. Hollidge (in part), Mrs S. Hart, Mrs G.P. Johnson (in part) and C.J. Saint.

Advisory Officers present: Executive Director (MJ), Executive Director (AL), Assistant Director Resources, Head of Service Housing and Community, Head of Service Acquisitions, Transformation and Regeneration (in part), Head of Service Strategy and Planning (in part), Conservation and Design Officer (in part) and Democratic Services Officer.

Also present: 2 members of the public.

Prior to the commencement of the meeting, the Committee stood for a minutes' silence in honour of Councillor Stuart Earl who had recently passed away.

OSC18/29. **MINUTES**

The Chairman was authorised to sign the minutes of the meeting of the Overview and Scrutiny Committee held on 15 October 2018 as a correct record of the proceedings.

OSC18/30. **THE PROGRESSION OF THE ROTHER DISTRICT PUBLIC REALM STRATEGIC FRAMEWORK** (5.1)

Members received the report of the Executive Director detailing progression of the Rother District Public Realm Strategic Framework (PRSF). A draft PRSF had been produced by officers and was presented as an appendix to the report for Members' consideration and recommendation to Cabinet for public consultation (including relevant stakeholders).

The PRSF aimed to address the need for better and more co-ordinated plans, standards and procedures and was informed by all the evidence gathered to date. It was a strategic document that aligned with the Council's Planning Core Strategy requirements to manage and improve the district's public realm in cooperation with relevant stakeholders. The framework set out the vision, objectives and key principles.

The PRSF was structured in three sections;

- section 1 introduced the subject and scope of the document, the local policy context, a vision for the district's public realm, a set of strategic objectives, an overview of national best practice guidance and a summary of the challenges and opportunities facing the district's public realm, including case studies of recent public realm improvement schemes in the district;
- section 2 analysed the different spatial areas of the district; the towns (Battle, Bexhill and Rye), the villages and the rural areas; and
- section 3 set out the delivery mechanisms and translation into policy, along with the funding mechanism and explored the roles and responsibilities of the various local authorities, statutory undertakers/utility companies and other key stakeholders (including the local community, businesses and developers) and set out a number of future actions to be developed through a collaborative, multi-agency approach.

The development of each of the actions would be a collaborative task between different departments within Rother District Council (RDC) as relevant and liaison with appropriate external agencies.

After some discussion, the following points were noted:

- a budget had not been set aside for the cost of the consultation and this would be carried out within the Corporate Policy Team;
- the National Planning Policy Framework placed more emphasis on design so plans should take into account their setting;
- the consultation would indicate whether key stakeholders would engage and take ownership of the delivery actions set out within the PRSF;
- Members suggested that the potential future savings made in business rates on public toilets could be set aside for upgrades to the public realm;
- Members requested that one officer be responsible for driving forward the PRSF and report back to the Overview and Scrutiny Committee on a regular basis;
- it was highlighted to Members the importance of adopting clear guidance and protocols for volunteer groups to carry out works on RDC public realm assets;
- Members requested feedback on the usage of the previous guidance for volunteer groups and were advised that the paperwork was currently under review; and
- Councillor Mrs Hart, previous Chairman of the PRWG, drew Members' attention to the Foreword of the draft PRSF and that the document was one to feel extremely proud of, containing high aspirations and expectations.

Councillor Saint, Chairman of the Public Realm Working Group (PRWG), thanked Members and officers of the Group and advised that as the work had now been completed, the PRWG could be disbanded.

RESOLVED: That the draft Rother District Public Realm Strategic Framework be agreed and forwarded to Cabinet for approval to:

- 1) carry out consultation on the draft Framework with key stakeholders and the public;
- 2) report the outcomes of the consultation back to the Overview and Scrutiny Committee in spring 2019, along with a final draft of the Rother District Public Realm Strategic Framework; and
- 3) that the Public Realm Working Group be disbanded.

(Councillors J. Barnes, C.A. Clark and S.D. Elford declared a personal interest in so far as they were Members of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

OSC18/31. **PERFORMANCE REPORT: SECOND QUARTER 2018/19**
(5.2)

Consideration was given to the report of the Executive Director on the Second Quarter 2018/19 Performance Report. Members were given the opportunity to scrutinise progress of a set of Key Performance Indicators (KPIs) previously selected for monitoring.

The Head of Service Acquisitions, Transformation and Regeneration advised that there were eight KPIs reported for the second quarter (up to 30 September 2018). Four met or exceeded target, one was slightly off target/forecast and three did not meet their target/forecast. These were: Changes to Housing Benefit Claims on Time; Homelessness Applications Received; and Households Prevented from Homelessness.

During discussion the following was noted:

New Housing Benefit Claims on Time: The average number of calendar days taken to process a new housing benefit claim from the date the claim was received to the date the decision was taken. The target was 35 days, result was 31.68 days (lower was better).

Changes to Housing Benefit Claims on Time: The average number of calendar days taken to process a submitted change to an existing housing benefit claim from the date of submission to the date of the decision. The target was 20.67 days, result was 24.1 days (lower was better). The worst quartile for English district councils started at eight days and the median was six days (DWP: Quarter Two 2017/18). Therefore, the Council had some way to go to move out of the worst quartile.

Homelessness Applications Received: The number of applications of homelessness from Rother households that had come into the Council. Quarter forecast was 51, result was 85 (lower was better). The Head of Service Housing and Community reported that there were 56 more applications in the first six months of the year compared to the first six months of the previous year. This was an increase in

applications of 58%. The new Homelessness Reduction Act defined a person as threatened with homelessness if it was likely that they would become homeless in 56 days. Prior to April 2018 this period was 28 days. Therefore, a larger number of households were owed a homelessness duty under the new Homelessness Reduction Act 'Relief Duty' than previously. A review of the forecast for this KPI was to be undertaken in light of the change in legislation.

Prevention of Homelessness Cases per 1,000 Rother Households:

The number of cases that the Housing Needs service prevented from becoming homeless through intervention and advice. Quarter forecast was 1.25:1000, result was 0.18; this was in the worst quartile performance for English district councils. The Head of Service for Housing and Community reported that the increased workload on homelessness had impacted on prevention work.

Households in Temporary Accommodation (TA): The number of households placed in TA by the Council by the Housing Needs team as measured on the last day of the quarter. The forecast for 2018/19 was 60. The result at the end of quarter two was 50. Households in TA were at 43 at the end of July, rose to 46 in August and up to 50 at the end of September. The Head of Service Housing and Community reported that of the 50 households in TA, there were 31 households who had already received a decision on their case and were waiting for suitable accommodation. Members were concerned that many households requiring TA were placed in Eastbourne due to the lack of suitable accommodation in Bexhill. The Head of Service for Housing and Community advised that a large piece of work was currently being undertaken on this issue and a number of papers would be brought forward based on recommendations made by the Housing Issues Task and Finish Group and partners.

Net Additional New Homes in Rother: The number of new homes in Rother, allowing for demolitions and change of use to give a net gain. Quarter forecast was 60, result was 69 new homes giving a total of 102 for the first half of the year, against a target of 120. The result was however a draft figure, the final figure would not be available until publication of the Housing Land Supply position statement, which had been delayed slightly due to the Development and Site Allocations Local Plan. Members were disappointed to note that this KPI was falling short and enquired about the new homes planned for North Bexhill. The Executive Director advised that detailed planning had been completed and work was due to commence in February 2019.

New Affordable Homes: The gross number of new affordable homes completed in the district. Quarter forecast was three new homes, result was seven; these related to the remaining homes from the Oakhurst Place scheme in Bexhill.

Return on Investment from Investment Assets: The return on investment from the income, expenditure and value of the Council's investment assets, reported in cash terms as well as achieving the target percentage return that was agreed at Cabinet and full Council. Quarter forecast was a gross income of £210,359, result was £438,573.93 (net).

Performance by Exception: Any performance that was doing significantly better or significantly worse than its target. There were two indicators to report: Income for the Planning Service, quarter target was £304,442, result was £228,894; and Number of Freedom of Information Act requests received, quarter target was 123, result was 137.

Assurance was given that all KPIs currently not on target would be continuously monitored.

RESOLVED: That the report be noted.

OSC18/32. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING**
(5.3) **QUARTER 2 2018/19**

Members received and considered the report of the Executive Director on the Revenue Budget and Capital Programme Monitoring Quarter 2 2018/19.

Overall it was expected there would be an underspend on services of £0.733m. This was attributed to underspends / savings on private sector housing, Strategy and Planning, payment of backdated rents, Bexhill Promenade and Foreshore, car parks, housing and temporary accommodation costs, Council Tax collection rate which was just below the previous year's and collection performance of Business Rates which was slightly higher than the same period of the previous year.

The provisional outturn for the 2018/19 Capital Programme was £8.550m spend against a £10,552m budget, an underspend of £2m.

After some discussion, the following points were noted:

- £1.5m had been awarded for Disabled Facilities Grants for the financial year and it was expected that £1.3m would be spent by the end of the financial year. Some of the grant funding would be used to meet part of the costs of the East Sussex occupational therapists service, who would be sited with the Rother team to deliver aids and adaptations to households in Rother rather than at East Sussex County Council offices;
- Members noted a £1.930m slippage in the Bexhill Leisure Centre development. The Executive Director confirmed that, as reported to Cabinet previously, the purchase of additional land was moving forward and would transact during 2019.
- Members noted the shortfall of £128,000 in Housing Needs; the Head of Service Housing and Community advised that a range of measures were being considered to address this.

RESOLVED: That the report be noted.

OSC18/33. **HOUSING BENEFIT PERFORMANCE UPDATE**
(5.4)

Members received and considered the report of the Executive Director which gave an update on the Housing Benefit Performance against key actions.

The resilience contract with Reigate and Bansted Borough Council was in place and operational. A small amount of work had been placed with them and performance in terms of speed and quality was being monitored closely. Capita's performance had improved with higher quality officers being deployed to undertake the Council's work; this was being monitored closely to ensure performance was maintained.

The training for new staff had been delivered and more training was being planned, which would add capacity to the service and reduce reliance on external support. Work on improving processing efficiency (Lean) had recently commenced.

Service performance reported earlier in the agenda showed improvement in processing times in the second quarter of the year. Members were also provided with results for October 2018, which showed further improvement, reflected in the amount of work outstanding. As at the end of October 2018, 261 items of work remained to be processed and during the month of October, in excess of 5,900 items of work were processed by the team and the resilience support providers.

Whilst processing times had improved significantly from Quarter 1, focus on achieving the actions in the improvement plan would continue to ensure they could be sustained. The Department of Work and Pensions were satisfied with the progress made thus far.

Members congratulated staff and officers on the improvement in performance.

RESOLVED: That the progress against the Benefits Service improvement plan be noted.

OSC18/34. **COUNCIL TAX REDUCTION SCHEME CONSULTATION REPORT**
(5.5)

Members received and considered the report of the Executive Director which gave Members an update on the outcome of the Council Tax Reduction Scheme consultation and made the final recommendations for the scheme design.

Work had commenced in January 2018 to develop a new scheme framework that could be applied across all of the East Sussex District and Borough Councils. As the joint working progressed, it had become clear that a consistent scheme across the County would be unlikely to be achieved.

The consultation was carried out between July and September 2018 based on ten proposals/questions, the major one being the move to an income banded scheme. Some 159 responses were received which

was lower than expected. It was believed that the complexity of the proposals may have affected the response rate. There was an overall support from respondents for the changes to the scheme.

Having considered the feedback, it was proposed that no material changes were made to the consulted scheme for 2019/20. However the modelling described had highlighted the need for some intervention in the scheme design to ensure vulnerable groups such as the disabled were not adversely affected. These changes did not change the intended outcome of the scheme as described in the consultation.

The new scheme framework would require a simplified claiming process with the distinct advantages being speed of processing, the wider income bands avoiding constant changes in discount, a modern approach to changes in entitlement and a much simpler scheme. Further details of the proposed scheme framework were shown at Appendix B of the report.

The modelling of the proposed scheme, presented to Members in the report, showed that the overall costs of the scheme could be largely maintained, thus meeting one of the key principles.

It was recognised that the proposals would result in winners and losers compared to the current scheme and the proposals would minimise any reduction in award for the most vulnerable claimants, whilst maintaining overall scheme costs to near the current level. An analysis of the total value of the discount on council tax per household type and the average gain or loss was shown at Appendix C of the report. Examples of the financial effects on specific household types were shown at Appendix D and a detailed equality impact assessment was shown at Appendix E.

The current scheme made provision for taxpayers to make an application for additional discounts where they experience exceptional hardship. It was proposed that the new scheme framework would contain the same provisions to protect individuals who experienced exceptional hardship.

It was proposed that the Council withdrew the Uninhabitable Property Class D discount altogether with effect from 1 April 2019, currently at a discount of 50%, leaving the full Council tax charge payable when a property was uninhabitable or undergoing structural repair.

After some discussion, the following points were noted:

- Members were pleased to note the scheme continued to contain an Exceptional Hardship Fund and were advised that individuals known to the Council qualifying for the scheme would be contacted.
- Members suggested that the withdrawal of the Uninhabitable Property Class D discount could encourage property owners to keep properties in a state of good repair and available for use.
- Members requested that an update on the performance of the new scheme after implementation be made to the Committee.

RESOLVED: That Cabinet be requested to approve that:

- 1) the proposals set out in this report for the Council Tax Reduction Scheme for 2019/20 financial year be recommended to Council for approval;
- 2) the proposed change to the Uninhabitable Property Class D Discount from Council Tax as outlined in this report be recommended to Council for approval; and
- 3) the performance of the scheme be reported back to Overview and Scrutiny Committee after implementation.

(Councillors S.D. Elford, P.N. Osborne and Mrs S.M. Prochak each declared a personal interest as a landlord and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

OSC18/35. THE DISTRICT OF ROTHER PARKING PLACES ORDER
(5.6)

Consideration was given to the report of the Executive Director on the District of Rother Parking Places Order (PPO).

The Council currently operated its designated car parks under the District of Rother (Off Street) PPO 1983 and despite a number of small variations, had not been significantly updated since its inception. There were a number of changes the Council wished to consider making to the existing PPO, which could either be achieved through further variations of the existing 1983 Order or the introduction of a new Order.

The overall objective of the proposed changes was to improve the ability of the Council to manage car parks effectively and better meet the cost of maintenance and enforcement. There was also a desire to provide greater controls to the Council within 'amenity open space parking areas' and certain rural car parks which were not named in the current Order and, therefore, were largely unenforceable.

The Committee's views were sought on the three options outlined in the report and the following points were noted:

- Members noted the list of car parks that had been devolved and therefore removed from the PPO. Members questioned whether the cost of rural car parks should be met by the Council or all devolved to the Parish Councils.
- The introduction of Civil Parking Enforcement was likely to lead to an increase in the use of car parks, resulting in an increase in maintenance costs.

RESOLVED: That Cabinet be requested to approve that Rother District Council consult on a new District of Rother Parking Places Order (Off Street) to then inform a final Parking Places Order for Cabinet approval (option c).

OSC18/36. **WORK PROGRAMME**
(5.7)

Consideration was given to the Overview and Scrutiny Committee's (OSC) Work Programme.

The following additions to the Work Programme were noted:

- Flexible Homelessness Support Grant 2019/20 – 28 January 2019
- Property Investment Panel Activity report – 29 April 2019

RESOLVED: That the Work Programme, attached at Appendix A, be agreed.

CHAIRMAN

The meeting closed at 8:15pm

OSC181126/lh

OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2018 – 2019		
DATE OF MEETING	SUBJECT – MAIN ITEM (Capitalised)	Cabinet Portfolio Holder
28.01.19	DRAFT REVENUE BUDGET PROPOSALS 2019/20 KEY PERFORMANCE TARGETS 2019/20 <ul style="list-style-type: none"> Flexible Homeless Support Grant 2019/20 	Ampthill Maynard
18.03.19	CRIME AND DISORDER COMMITTEE: TO RECEIVE A REPORT FROM THE COMMUNITY SAFETY PARTNERSHIP <ul style="list-style-type: none"> Performance Progress Report: Third Quarter 2018/19 Revenue Budget and Capital Programme Monitoring to January 2019 	Ampthill Kirby-Green
29.04.19	TOURISM TASK AND FINISH GROUP REPORT <ul style="list-style-type: none"> Call-in and Urgency Procedures Draft Annual Report to Council Review of Task and Finish Groups / Outcomes Property Investment Panel Activity Report 	Hart

ITEMS FOR CONSIDERATION	
<ul style="list-style-type: none"> Housing Allocations Policy Colonnade Review [Minute CB18/34 – 5 November] 	