

### OVERVIEW AND SCRUTINY COMMITTEE

5 June 2023

Minutes of the Overview and Scrutiny Committee held at the Town Hall, Bexhill-on-Sea on Monday 5 June 2023 at 6:30pm.

Committee Members present: Councillors P.N. Osborne (Chair), Mrs V. Cook (Vice-Chair), J. Barnes (MBE), Mrs M.L. Barnes, S. Burton, C.A. Clark, B.J. Coupar, C.A. Creaser, T.M. Killeen (MBE), M.C. Legg (remote) and C.R. Maynard.

Other Members Present: Councillor R.A. McCourt.

Advisory Officers present: Interim Chief Executive, Director – Place and Climate Change, Head of Housing and Regeneration (in part), Housing Needs Operations Manager (in part) and Democratic Services Officer.

Also Present: 13 members of the public, via the live webcast.

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#### OSC23/4. **MINUTES**

The Chair was authorised to sign the Minutes of the meetings of the Overview and Scrutiny Committee held on 24 April and 24 May 2023 as correct records of the proceedings.

#### OSC23/5. **APOLOGIES AND SUBSTITUTES**

An apology for absence was received from Councillor S.B. McGurk.

#### OSC23/6. **DISCLOSURE OF INTERESTS**

Declarations of interest were made by Councillors in the Minutes as indicated below:

Maynard      Agenda Item 6 – Personal Interest as an Executive Member of East Sussex County Council.

Osborne      Agenda Item 8 – Personal Interest as a landlord.

#### OSC23/7. **ROLE AND FUNCTIONS AND RECOMMENDATIONS OF THE SCRUTINY IMPROVEMENT REVIEW**

As part of the Member Induction process for 2023, a report outlining each Committee's roles and responsibilities would be presented to the first ordinary meeting of each Committee in the new municipal year. The report of the Deputy Chief Executive outlined the role and functions of the Overview and Scrutiny Committee (OSC), in addition to documenting the recommendations of the Scrutiny Improvement Review (SIR) that concluded in January 2023.

During the last administration, the Council commissioned the Centre for Governance and Scrutiny (CfGS) to carry out a review and evaluation of the Council's scrutiny function, as one of the recommendations that came out of a review of the Council's Constitution conducted during

2021/22. The CfGS commenced the review in July 2022, which involved evidence gathering in person and online through conversations with Members and officers.

As part of the feedback stage, a facilitated workshop was held with Members and officers in January 2023 to reflect on the review and to discuss options for improvement. Given that the make-up of the OSC had changed significantly since the elections, it was suggested that the OSC meet informally to consider in detail the outcome and recommendations of the SIR and agree future working arrangements in light of the review's findings. Members of the Committee were happy to agree to an informal meeting and a date in the autumn would be confirmed in due course.

**RESOLVED:** That:

- 1) the report be noted; and
- 2) the Overview and Scrutiny Committee meet informally to consider in detail the outcome and recommendations of the Scrutiny Improvement Review and agree future working arrangements in light of the review's findings.

OSC23/8.

**PERFORMANCE REPORT: FOURTH QUARTER 2022/23**

Consideration was given to the report of the Deputy Chief Executive on the Performance Report of the Fourth Quarter 2022/23. Members were given the opportunity to scrutinise progress towards the Council's stated aims, outcomes and actions in the Corporate Plan and make any necessary recommendations to Cabinet for future service delivery.

A summary of the Council's performance against the selected Key Performance Indicators' (KPI) five themes (Housing and Communities, Finance Performance, Economic Development and Poverty, Environment and Planning) at the end of the fourth financial quarter (1 January 2023 to 31 March 2023) was set out in the report. Performance was compared to the previous quarter result and to the same quarter the previous year.

**Housing and Communities:** During quarter four, one measure had met its target (Homelessness Prevented and Homelessness Relieved) and four measures had not met their target (Number of all households in temporary accommodation (TA), Number of households on the Housing Register, Number of affordable homes delivered (gross) (supply target: end of year) and Cost of TA).

**Finance Performance:** During quarter four, both measures had met the target (Net income from all investment assets and Additional Income Generation). The increase to the Income from all assets budgeted figure of c£550,000 was mainly due to the expected rental income from the Sainsbury's purchase in April 2022. This was less than was reported in the third quarter report, when the estimate was £2,566,126. The expected purchase for 16-18 Beeching Park estate had not yet completed, so full rental budget of £36,000 for these properties would not be realised in the current year. The additional income was higher

than expected due to overhead recharges to Rother Housing Company.

**Economic Development and Poverty:** During quarter four, all three measures met the target (Number of Council Tax Reduction Claimants, Council Tax Collection Rates and Business Rates Collection Rates). The Council Tax collection rate was at 97.66% at the end of March 2023 compared to 98.01% for the same period last year; the Business Rates collection rate was at 97.83% at the end of March 2023 compared to 96.99% for the same period last year.

**Environment:** During quarter four, one measure had not met its target (East Sussex County Council Waste re-used, composted and recycled, reported one quarter in arrears), the other measure did not currently have a set target (Carbon Baseline). The Council was currently in the process of inviting residents to renew their garden waste annual subscription for July 2023/2024. Garden waste tonnages were included in the recycling tonnages, and so very much contributed to the overall recycling and composting percentage of collected household waste, as garden waste weighed more than dry recycling.

**Planning:** During quarter four, both measures had not met the targets (Major Applications weeks/calendar days to process and Minor Applications days to process). Figures for the period April 2022 to February 2023, indicated some improvement with 100% of majors determined in time, between 50 to 96% of minors determined in time and between 69 to 78% of others determined. Although, this indicated a slight improvement, it was still below the target.

Members had the opportunity to ask questions and the following points were noted during the discussions:

- 'bring sites' resulted in large quantities of contaminated waste and often fly-tipping, so had to be emptied as refuse rather than recycling, which had a negative impact on the recycling rate. 'Bring sites' were gradually being phased out over a period of time;
- the Council had to pay for the collection of fly-tipping. Statistics were to be provided to Members after the meeting;
- the rate of waste and recycling was not to be included in the new set of KPIs, as it was not in the control of the Council;
- any new expectations as a result of the Environment Act were not yet known;
- the Carbon Baseline rate would be confirmed in September 2023;
- planning performance was a corporate issue and therefore within the remit of the Overview and Scrutiny Committee (OSC), whereas the remit of the Planning Committee was the quality of decisions in line with expectation. Performance statistics were reported to the Planning Committee on a quarterly basis and sent out to all Members monthly;
- the planning performance rates did not account for the percentage of applications completed within agreed extensions

of time. These were reported separately to the Planning Committee;

- the pre-application advice service was monitored internally and was at an acceptable level by most users. Non-acceptable applications were being successfully filtered out at this stage;
- officers were beginning to review the Housing, Homelessness and Rough Sleeping Strategy with Members and wider stakeholders for implementation in 2025, in order to address the potential slow-down in affordable housing development coming forward. The Housing Enabling officer was also meeting regularly with other registered providers and parish councils to identify potential development sites;
- under-occupied residential properties could also be considered;
- the empty units at Malthouse, Peasmarsh were now under offer; and
- the supply of social and affordable housing accounted for only 10% of the overall housing stock in Rother, whereas the national average was 17%. The Council should therefore consider how the level of stock could be increased. Officers would consider how best to involve the OSC in developing the new Housing Homelessness and Rough Sleeping Strategy.

Members were reminded that these KPIs were those that applied to the last financial year (2022/23) and a new set of more focused KPIs for 2023/24 had been recommended by the Committee and agreed by Cabinet in January / February this year. The new set of KPIs would better reflect indicators over which the Council had direct control and report other more wide-ranging factors through an annual state of the district report, including information such as the number of households in TA.

**RESOLVED:** That the report be noted.

(When it first became apparent, Councillor Maynard declared a Personal Interest in this matter as an Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

#### OSC23/9. **HOUSING ALLOCATIONS POLICY**

Members received the report of the Head of Housing and Regeneration, which provided details of the new draft Housing Allocations Policy (HAP), which was attached at Appendix A to the report. The Policy provided a transparent framework for the effective and equitable allocation of social housing in the Rother District, having regard to the statutory guidance as set out in s.196 of the Housing Act 1996 and the Localism Act 2011. In addition, the purpose of the HAP was to support the Corporate Plan Priority to reduce the housing list, as well as the objectives of the Housing, Homelessness and Rough Sleeping Strategy 2019-24.

Social housing was in very limited supply and accounted for only 10% of the total housing stock in Rother; this percentage was below the national average of 17%. Therefore, only those with the highest

housing need, with a local connection to the area, were likely to obtain social housing.

The demand for social housing continued to exceed supply, with the Council receiving on average 60 new housing register applications every month. There was a total of 2,072 households on the register which compared to only 218 available properties in the previous year, meaning that over 90% of households were unsuccessful in bidding for properties; of the 10% that were, the majority were homeless households to whom the Council owed the main housing duty.

The current HAP was written in 2014 and subsequently reviewed in 2019, but the revised HAP approved in 2019 was never formally implemented. In developing the new draft of the HAP, a market research exercise was conducted where officers examined the policies of several other local authorities, under guidance from the Council's Specialist Advisor within the Department for Levelling Up, Housing and Communities (DLUHC). The exercise helped to identify areas of good practice to support the development of a policy that better enabled the Council to achieve its Corporate Plan priority to reduce the number of households on the Housing Register. A multi-agency stakeholder collaboration event was then held in which the research undertaken was reviewed and stakeholders collaborated with one another to develop the draft HAP.

The purpose of the officer-led review and stakeholder collaboration event was to ensure that the draft HAP continued to meet its objectives effectively. The main objectives of the revised HAP were to:

- continue to provide a transparent and clear method of awarding priority for social housing that met the needs of local residents, particularly the most vulnerable;
- ensure compliance with statutory obligations and changes in legislation, particularly regarding eligibility and the Homeless Reduction Act (2017);
- reduce the number of clients on the housing register from its current total of 2,072, in accordance with the stated Corporate Plan Priority, and the Housing, Homelessness and Rough Sleeping Strategy 2019-2024;
- reduce the use of TA through improved homelessness prevention; and
- ensure that households identified as having urgent housing needs due to their health or housing conditions were suitably prioritised.

The Council was obliged to consult local residents and other stakeholders on the proposed changes within the new draft HAP so these could be revised, refined and adjusted to best meet the needs of the community; the draft Consultation Plan was at Appendix B to the report. The consultation would run for eight weeks, commencing in June or July 2023. Stakeholders would be invited to complete a questionnaire that aimed to capture feedback on the draft HAP, in a format that would allow the Council to assess levels of satisfaction with

the proposals. The draft HAP Questionnaire was attached at Appendix C to the report.

Consultation responses would then be reviewed and adjustments would be made in collaboration with a core stakeholder group and the Portfolio Holder for Housing. The finalised HAP would be presented to full Council for formal adoption in the late summer 2023.

Members were guided through the main changes proposed within the new draft HAP and the reasons for these changes, as outlined in the report.

Members were given the opportunity to ask questions and the following points were noted during the discussions:

- applicants' level of need was the highest priority, but local connections were also taken into account;
- the time taken to process applications to register for the housing list had reduced to 35/40 working days;
- applicants were directed to the Brighton Housing Trust if they wished to appeal a decision;
- overcrowding had become more commonplace with the reduction in supply of housing;
- officers would look at including hyperlinks in the consultation questionnaire to summaries of the changes in the HAP, rather than just to the full HAP document;
- officers would look at holding events in the community as part of the consultation exercise in addition to the online questionnaire, and Members were requested to advise officers of any groups that may benefit; and
- any residents willing to downsize their properties would be given priority on the housing list, to release larger properties.

Members of the OSC were happy to recommend to Cabinet that the draft Consultation Plan, draft Consultation Questionnaire and the draft Housing Allocations Policy be approved for consultation, as submitted.

**RESOLVED:** That Cabinet be recommended to approve the draft Consultation Plan, draft Consultation Questionnaire, and the draft Housing Allocations Policy for consultation with residents and wider stakeholders, as submitted.

#### OSC23/10. **ANNUAL WORK PROGRAMME**

Consideration was given to the report of the Deputy Chief Executive detailing the Annual Work Programme for the Overview and Scrutiny Committee (OSC).

Members were reminded that any Councillor could make a request for an item to be placed onto the Council's Scrutiny Committee Work Programme.

The following additions to the Work Programme were noted:

- 10 July 2023 – Council Tax Reduction Scheme and Council Tax Premium Review; and
- 16 October 2023 – Digital and Customer Services Strategy.

The following additions to the Items for Consideration were noted:

- Development of the new Housing, Homelessness and Rough Sleeping Strategy;
- Development of the new Corporate Plan; and
- Update report from the Climate Change Steering Group.

It was suggested that an informal meeting of the OSC to consider the outcome and recommendations of the Scrutiny Improvement Review be held at the conclusion of the Committee meeting scheduled to take place on 11 September if the agenda remained light. This would be confirmed at a later date.

**RESOLVED:** That the Work Programme at Appendix A be agreed, as amended.

(When it first became apparent, Councillor Osborne declared a Personal Interest in this matter as a landlord and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

**CHAIR**

The meeting closed at 8:05pm

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**OVERVIEW AND SCRUTINY COMMITTEE**

<b>WORK PROGRAMME 2023 – 2024</b>		
<b>DATE OF MEETING</b>	<b>SUBJECT – MAIN ITEM IN BOLD</b>	<b>Cabinet Portfolio Holder</b>
<b>10.07.23</b>	<ul style="list-style-type: none"> <li>Draft Revenue Budget and Capital Programme Outturn 2022/23</li> <li>Revenue Budget and Capital Programme Monitoring – Quarter 1 2023/24</li> <li>Council Tax Reduction Scheme and Council Tax Premium Review</li> </ul>	<b>Jeeawon</b>
<b>11.09.23</b>	<ul style="list-style-type: none"> <li>Performance Report: First Quarter 2023/24</li> </ul>	<b>Jeeawon</b>
<b>16.10.23</b>	<ul style="list-style-type: none"> <li><b>Medium Term Financial Plan 2024/25 to 2028/29</b></li> <li>Digital and Customer Services Strategy</li> </ul>	<b>Jeeawon Byrne</b>
<b>20.11.23</b>	<ul style="list-style-type: none"> <li>Performance Report: Second Quarter 2023/24</li> <li>Revenue Budget and Capital Programme Monitoring – Quarter 2 2023/24</li> </ul>	<b>Jeeawon</b>
<b>22.01.24</b>	<ul style="list-style-type: none"> <li><b>Draft Revenue Budget Proposals 2024/25</b></li> <li>Key Performance Targets 2024/25</li> </ul>	<b>Jeeawon</b>
<b>18.03.24</b>	<ul style="list-style-type: none"> <li><b>Crime and Disorder Committee: to receive a report from the Community Safety Partnership</b></li> <li>Performance Report: Third Quarter 2023/24</li> <li>Revenue Budget and Capital Programme Monitoring – Quarter 3 2024/24</li> </ul>	<b>Field Jeeawon</b>
<b>22.04.24</b>	<ul style="list-style-type: none"> <li>Call-in and Urgency Procedures</li> <li>Draft Annual Report to Council</li> <li>Review of progress against the recommendations of the Health and Well-Being Task and Finish Group</li> </ul>	<b>Coleman</b>
<b>ITEMS FOR CONSIDERATION</b>		
<ul style="list-style-type: none"> <li>Regeneration inc. Leisure Centre, Fountains, Skate Park and Accessibility of Green Spaces across the district</li> <li>Review of the Economic Regeneration Strategy</li> <li>Litter Strategy</li> <li>Review of the Tourism Strategy and the impact of Airbnbs</li> <li>Impact of Airbnb and second homes in Rye/Winchelsea/Camber</li> <li>Review of the Financial Stability Programme</li> <li>Update report from the Local Strategic Partnership</li> <li>Update report from the Health and Well-Being Board</li> <li>Review of progress against the recommendations of the Health and Well-Being Task and Finish Group (Year 3)</li> <li>Development of new Housing, Homelessness and Rough Sleeper Strategy</li> <li>Development of new Corporate Plan</li> <li>Update report from the Climate Change Steering Group</li> </ul>		

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