

# Scrutiny Panel

## Tuesday, 08 November 2016

**Attendees:** Councillor Phil Coleman, Councillor Beverly Davies, Councillor Adam Fox, Councillor Mike Hogg, Councillor Lee Scordis, Councillor Barbara Wood

**Substitutes:** Councillor Lewis Barber (for Councillor Christopher Arnold)

**Also Present:** Councillor Bourne, Councillor Cory, Councillor Lilley

### 88 Items requested by members of the Panel and other Members

#### Councillor Lilley

Councillor Lilley attended the meeting and requested that the Scrutiny Panel look at the issue of advertising boards in the Town Centre. Councillor Lilley stated that this was a significant issue in Colchester and that something needed to be done about it. By bringing this to the Scrutiny Panel members can fully discuss the issues and possibly make a recommendation to Cabinet.

Councillor Davies thanked Councillor Lilley for the suggestion, and stated that this would be further discussed under the Work Programme item.

### 89 Minutes

RESOLVED that the minutes of the meeting held on 21 September 2016 were confirmed as a correct record.

### 90 Work Programme 16-17

Councillor Davies introduced the Work Programme for 2016/17. Councillor Davies welcomed the suggestion from Councillor Lilley that the Panel look at the issue of advertising 'A' boards in Colchester Town Centre, particularly as these impact significantly on those with mobility or sight issues. Councillor Davies suggested to Panel members that the item could come to the March 2017 meeting, with scoping work starting as soon as possible.

Councillor Davies also highlighted that questionnaire responses had been received from all bus companies. The Panel requested that the responses be compiled and circulated to Councillors before discussions occurred around the next steps.

Following a comment from Councillor Davies, Pamela Donnelly, Executive Director, provided the Panel with an update on the forward plan of key decisions. Jonathan Baker, Democratic Services Officer, reminded the Panel of the Scrutiny training event taking place on 15 November. Panel members were also reminded to inform Jonathan Baker if they had any requests for information in advance of the Mercury Theatre and Arts Centre attend the Scrutiny Panel meeting on 13 December.

*RESOLVED;*

- a. That a Scrutiny Panel review of advertising 'A' Boards in Colchester be scheduled for the meeting on 28 March 2017
- b. That the bus company questionnaire results be circulated to Panel members.
- c. that the Work Programme 2016/2017 be noted.

## **91 Review of Colchester Borough Homes' Performance 2015/16**

**Councillor Hogg (in respect of his Directorship of Colchester Borough Homes) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Bourne (in respect of being a trustee of Beacon House) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Davies (in respect of being an employee of Rural Community Council of Essex, who assist with the Community Agents) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

Councillor Bourne, Portfolio Holder for Housing and Public Protection, introduced the report which requests the Panel review the performance of Colchester Borough Homes (CBH) during 2015/16 and to make any recommendations on CBH performance managements arrangements for 2016/17 and beyond. Councillor Bourne stated that she was pleased that Colchester Borough Homes were here to present the performance over the past year to the Scrutiny Panel.

Anne Grahamslaw, Chair, Colchester Borough Homes, and Gareth Mitchell, Chief Executive Colchester Borough Homes gave the Panel the presentation about the performance of the Arms-Length Organisation.

Anne Grahamslaw, stated that Colchester Borough Council had in 2013 signed a new ten-year management agreement with Colchester Borough Homes. At that time the Housing Options and Homelessness service as well as the Corporate Facilities Management service was transferred over to CBH from CBC. Whilst the ten-year management agreement will run until 2023, there will be a review of the agreement in

2020.

Colchester Borough Homes achieved all but one of its key performance indicators during 2015/16, but there is continuing pressure some areas, particularly given the changing landscape in the housing sector. The one key performance indicator that Colchester Borough Homes did not achieve was the ambitious target to reduce the use of bed and breakfast accommodation. Satisfaction from tenants had increased, and the organisation had also achieved the Investors in People Gold Status.

In addition, during this year Colchester Borough Homes have continued in looking for business development opportunities, which are fully supported by Colchester Borough Council; and this will continue into next year. Colchester Borough Homes have also continued to strengthen the governance arrangements with a focus on risk management, and have also been encouraging training and recruitment of board members.

Anne Grahamslaw stated that there have been a significant changes in legislation that have had an impact on Colchester Borough Homes. This includes rent reduction and the sale of high value assets will mean less revenue for the Housing Service. In addition the introduction of fixed term tenancies, demand exceeding supply, and affordability issues mean that not only demand for services is increasing, but supply issues means that CBH will be dealing with an increasingly vulnerable customer base. CBH have been working closely with CBC to prepare for the challenges ahead and have been jointly reviewing the Housing Revenue Account budget and re-profiling the investment programme. Anne Grahamslaw then introduced a short video about the performance of Colchester Borough Homes.

Gareth Mitchell, Chief Executive, Colchester Borough Homes, provided further information about the performance of Colchester Borough Homes. Gareth Mitchell stated that Colchester Borough Homes has two focuses; this includes the key performance indicators that have been set in agreement with CBC, and the measures from tenant and leaseholders.

With regard to performance, all targets were achieved during 2015/16, apart from one, the number of households in bed and breakfast accommodation. Gareth Mitchell stated that the target set by Colchester Borough Homes was ambitious as it is a last resort to have individuals in bed and breakfast accommodation. Colchester Borough Homes are focused on finding a solution to assist those households in temporary accommodation; however this is an area where demand can be seen increasing nationally.

Gareth Mitchell also highlighted that the survey of tenants and residents in 2016 showed that there had been increases in general satisfaction and value for money for rent and service charges. Since the 2014 survey CBH have put in place a number of improvements including photovoltaic panel installations, and improvements to sheltered housing.

Following the 2016 survey, Colchester Borough Homes will focus on issues around anti-

social behaviour areas, as well as communication and involvement. Gareth Mitchell also noted that the priorities are investing in homes and repairs and maintenance, as well support and advice on paying rent and reducing under occupation.

Gareth Mitchell also informed the Panel that Colchester Borough Homes achieving both the Bronze and the Silver award for the Homelessness Standard. In addition, CBH deliver the anti-social behaviour service for Colchester Borough Council, and a particular highlight is the proactive use of legislation around the St Botolph's public space protection order, which has made a significant difference.

With regard to the use of housing stock, Colchester Borough Homes use the transfer incentive scheme to incentivise tenants who are occupying a home that is too big for them to move into a smaller home, and during 2015/16 49 family homes were freed to enable a family to move in. The level of direct debit payments has also increased, and Colchester Borough Homes had also project managed the Creative Business Centre and the first phase of the refurbishment project for the Mercury Theatre.

Gareth Mitchell also highlighted the business development opportunities and partnership development. Colchester Borough Homes also need to become more efficient, through the use of ICT to change the way of working. In conclusion to the presentation Gareth Mitchell stated that he would be keen to seek further work with the Borough Council in providing services and business development.

The Panel welcomed the report, and congratulated Colchester Borough Homes on the performance during 2015/16.

Councillor Hogg was concerned that Colchester Borough Homes would return next year with similar figures for use of Bed and Breakfast accommodation. In response Gareth Mitchell stated that the situation is one that is affecting local authorities across the country. It revolves around residents who are no longer able to sustain their tenancy, the shortage of housing and housing reform. Gareth Mitchell stated that Colchester Borough Homes would continue to look at how services are provided, assess the pressure within the community and reorganise and allocate resources to try and reduce the use of bed and breakfasts. Gareth Mitchell highlighted that the Council allowed CBH to set up a private sector leasing scheme which would assist in working with landlords to providing housing for people in need. In addition, there are requirements to apply for the relevant Government funding when it becomes available as well as work in partnership. The work being undertaken will make Colchester Borough Homes better equipped to meet the challenge of reducing bed and breakfast provision, but the increase in need will create significant difficulties in achieving the KPI next year.

Councillor Coleman asked for further information about anti-social behaviour and the strategies that Colchester Borough Homes are using. In response Gareth Mitchell stated that it is possible to measure the number of cases that hadn't been reopened; the current workload is approximately 24 cases per month. With regard to the strategies used there has been an increase in the use of powers to resolve situations, such as

Public Space Protection Orders and Closure Orders. This is a key issue for tenants of CBH properties.

Councillor Davies highlighted that the Housing Options cases where homelessness was prevented figures are skewed as the final month in each quarter includes information from two local support agencies. In response Gareth Mitchell stated that the figures for CBH are reported monthly, but in line with national guidelines the figures must also include the prevention activities that the delivery authority (CBH) enable through other organisations which is only reported in the final month of the quarter. This results in the final month of each quarter having a higher level even though the homelessness prevention is still taking place; information from just CBH can be provided if requested, or just information for each quarter.

Councillor Barber questioned whether it's possible to quantify any business development successes and whether these successes could offset the future financial pressures. In response, Gareth Mitchell stated that one of his key tasks is to review the business development activity. Gareth Mitchell stated that CBH has core competencies that would be attractive to the market, such as property services which are currently being offered to the Colchester Institute. Other professional services in Colchester Town Centre may also be interested in the future. Further opportunities may also be presented with the work around communities and tenants which would present better outcomes and to schools following moves to academy statuses.

Councillor Bourne also highlighted that the core business for Colchester Borough Homes is the maintenance of assets and providing for tenants. The new management agreement provided the ability to grow the business to make revenue and surpluses that could be reinvested into housing.

Councillor Fox asked what the improvements in communication and involvement with tenants could be and whether this would help to allay fears of anti-social behaviour. In addition, Councillor Fox questioned whether further communication could also benefit the transfer incentive scheme. In response Gareth Mitchell confirmed that involvement and communication with tenants is at the core of the organisation. The challenges for the future are to broaden the opportunities to engage and the tenants that are involved. Gareth Mitchell highlighted an example of tenants being able to vote on how community budgets are being spent. The CBH Board approved the new strategy recently which focuses on enabling residents to have their say, get involved and manage areas themselves; the progress on the strategy will be reported back next year. With regard to the Transfer Incentive Scheme, CBH do a lot of work in this area and hold a database to know who to approach and review the tenancies. Councillor Bourne, highlighted that there are a number of conversations required to help those move because of the emotional connection residents have with their houses. Freeing up the larger properties has a significant knock on effect benefiting families throughout the chain. Councillor Bourne highlighted that there are 813 households that are under occupied by over 60's in the Borough of Colchester. Colchester Borough Homes are doing well to incentivise

people to move and part of this is the improvement in Sheltered accommodation; going forward more creative methods need to be used.

Councillor Davies questioned whether agencies were contacted to provide assistance to those who hoarding. Councillor Bourne stated that CBH are provide support to tenants to go through and reduce the amount of possessions they own.

Councillor Scordis questioned whether when residents move in whether they are given regular updates or an information pack of what their tenancy consists of. In response Gareth Mitchell stated that CBH are very proactive in managing the introductory tenancy period as it is a key point in the tenancy. Councillor Bourne confirmed that tenants are kept up to date with their tenancies through the Housing News and Views and Magazine as well as through Twitter and Facebook. Anne Grahamslaw also confirmed that a training session is put on for young new tenants before they are allowed to take ownership of the property.

In response to a question from Councillor Davies, Colchester Borough Homes confirmed that older people are referred to the Community Agents service.

*RESOLVED* that the performance of Colchester Borough Homes during 2015/16 be noted.

## **92 Homelessness Strategy Progress report 2016**

**Councillor Bourne (in respect of being a trustee of Beacon House) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

Councillor Tina Bourne, Portfolio Holder for Housing and Public Protection, introduced the report, which requests that the Panel considers the progress on implementing Colchester's Homelessness Strategy 2014-19.

Councillor Bourne highlighted the significance of the Homelessness Strategy Progress Report and that the priorities in the strategy are assisting the most vulnerable in Colchester including residents that are under financial pressure, due to the recent welfare reforms.

Councillor Bourne reminded the Panel that the five-year strategy was first adopted in 2014, with a report on the progress of the actions produced annually. This report includes information on how Colchester Borough Council and its partner organisations have worked together over the last year and includes the updated delivery plan.

Councillor Bourne highlighted the key priorities for the Homelessness Strategy Progress Report. With regard to the priority on mitigating the negative impacts of welfare reform, Councillor Bourne stated that some of the actions in this section related to the need to support individuals when downsizing their accommodation and changes to benefit caps. With regard to key priority four, *Changing the perception and culture of social housing through education – managing*

*expectations*, Councillor Bourne highlighted the requirement to manage expectation over the arrangements for the allocation of Council Housing which is based on need. With regard to Rough Sleepers, the Delivery plan includes a number of different strategies for providing assistance.

Karen Paton, Housing Strategy Officer, stated that the Council has a statutory duty to produce a Homelessness strategy, which sets out ways in which the Council will work together with partner organisations to prevent homelessness. Progress on the actions set out in the Delivery Plan for the strategy are continually monitored by the project group. A progress report is produced on an annual basis and circulated to all stakeholders. Karen Paton pointed out that the report to the Panel highlights some of the main achievements of the strategy over the last year.

Councillor Barber asked for further information about the difference between rough sleepers and those who are homeless. In response Karen Paton and Councillor Bourne informed the Panel that rough sleepers refer to those who are homeless and living on the street, and that homeless refers to those who have recently lost their home which could be for a number of reasons. Families and individuals can be made homeless as a result of issues with landlords (tenancy ending), not being able to pay rent, relationship break-down, or leaving care facilities or prison. With regard to Rough Sleepers a count is done on a specific night set to criteria defined by the Government; the Council may also provide an estimate for the number of rough sleepers. In both cases the Council works with its partner organisations to locate and gather information. This information will also be used to ensure that assistance is tailored to those living on the street, with the aim to get them back into accommodation. Councillor Bourne highlighted the work undertaken by Colchester Borough Homes in preventing homelessness and assisting to keep families in their home.

Councillor Coleman questioned whether the alternative giving campaign was ongoing. Karen Paton stated that she was not sure if the project was still running. Councillor Bourne highlighted that the campaign actively discouraged people giving donations to those individuals who are begging, and instead encourages them to donate and volunteer their time to the organisations that are actively working with the homeless to help provide support, accommodation and help them access employment.

Councillor Lilley, Portfolio Holder for Community Safety and Licensing, provided the Panel with an update regarding Zone Wardens interactions with beggars, rough sleepers and street drinkers in Colchester. Councillor Lilley highlighted that the Council provides assistance to help those vulnerable people in Colchester, but also to assist local businesses who may have street beggars blocking access to their property. Councillor Lilley also highlighted the recent Kindness Kills campaign; following a recent PubWatch meeting a number of licensed premises had agreed to display posters and provide collection buckets for the organisations providing support.

Councillor Davies questioned whether anything had been done regarding access issues to Beacon House due to opening times, conflicts with other users or having been banned

from using the facility. In response Councillor Bourne thanked Councillor Davies for the contribution, and stated that providing one location allows for the right type of support to be provided to both homeless individuals as well as rough sleepers. If there were a number of different locations providing the support it would create a piecemeal approach. Councillor Bourne highlighted that the strategy had identified the need for agencies to be open longer and noted that the Winter Accommodation Project would be commencing shortly.

Councillor Lilley confirmed, after a further query from Councillor Davies, that the Winter Accommodation Project and the project set up by the Safer Colchester Partnership and the Police to remove aggressive beggars were not connected.

Councillor Wood questioned the amount of grant funding from the Government, the region communities funding and funding provided to Beacon House. Karen Paton stated that the Government grant for Homelessness Prevention totalled £193,000 for 2016-17, and is administered by Colchester Borough Homes. With regards to the Regional Communities grant, further information will be provided following the meeting. Beacon House receive funding from the Homelessness Prevention grant totalling £14,047.

Councillor Hogg welcomed the strategy, and questioned whether it would be possible to compare the strategy with other Local Authorities.

Councillor Fox questioned whether it would assist Councillors to visit Beacon House, and also asked for clarification on whether anyone involved with the Council is taking the belongings of rough sleepers away from them as part of the action that is being taken. Councillor Bourne stated that if the belongings are being used as props and are littering a doorway they will be removed and stored at Beacon House; to date no one has collected any of the belongings.

In response to a question from Councillor Davies, Karen Paton confirmed that the Council is going to be applying for the DCLG Trailblazer and Rough Sleeper Funding jointly with Tendring District Council.

Councillor Lilley also confirmed that licenced premises are going to provide funding to help the SOS bus each month.

*RESOLVED* that the progress on implementing Colchester's Homelessness Strategy 2014-19 be noted.

## **93 Local Council Tax Support 2017/18**

Councillor Mark Cory, Portfolio Holder for Resources, introduced the Local Council Tax Support 2017/18 report. The report invites the Panel to review and comment on the proposed Local Council Tax Support scheme commencing 2017/18. Comments from the Panel will be considered ahead of the Cabinet meeting of 30 November 2016 and Full



Council on 8 December 2016 where approval of the scheme will be requested.

Councillor Cory stated that the Local Council Tax Support scheme comes to the Scrutiny Panel each year and focuses on how the scheme may need to be altered following national legislative amendments. Councillor Cory outlined that the scheme current helps 10,100 residents, and that includes people of all ages some of whom are fully supported and others who receive smaller levels of support.

In the current scheme, all working age recipients of Local Council Tax Support have to pay a minimum contribution of 20% towards their Council Tax. The scheme does also include a back to work bonus where if a resident gets a job they are paid four weeks in arrears; this ensures that the recipient receives an income before any support provided is stopped.

The changes proposed in the report include amending the backdating of support to one calendar month; which brings it in line with housing benefit. The second change is to reduce the period for which a person can be absent from Great Britain and still receive Local Council Tax Support from 13 weeks to four weeks. Councillor Cory highlighted that there will be exceptions to this rule if there is a justified reason, for example a death in the family.

Councillor Cory also highlighted that the report includes information about the financial elements of the scheme, and that the scheme was one of the most generous across Essex. The Local Council Tax Support scheme supports residents in the Borough and assists with Council Tax collection. Councillor Cory stated that with the proposed changes the scheme is anticipated to cost Colchester Borough Council £261,000.

Councillor Davies stated that the report would need to include a specific reference to the reduction to the four-week period as part of the second proposal in paragraph 4.2.

In addition, Councillor Davies welcomed that the time absent from Great Britain would not include stays in hospital and questioned how the Council would know that an individual would be outside the Country for more than four weeks. In response Jason Granger, Customer Interventions Manager, stated that it is the responsibility of the resident to declare a change in circumstances. Officers within the team will assess and declarations where circumstances have changed, and also ensure that underlying checks on caseloads are completed throughout the year.

Councillor Coleman questioned Councillor Cory regarding the wider costs if Colchester Borough Council did not provide the scheme. In response Councillor Cory stated that without the scheme low income families would struggle and the Council would be adding to the difficult issues that these families already have, potentially pushing them past the breaking point. If it was expected that these families pay more towards their Council tax, there would be those who are not able to pay; resulting in a mutual disbenefit for both the local resident and Colchester Borough Council. Councillor Cory also confirmed that the cost of the scheme is offset by the significant benefits that it provides.

*RESOLVED* that the Scrutiny Panel reviewed and commented on the recommendations in respect of the Local Council Tax Support Scheme for 2017/18.

## **94 Financial Monitoring Report – April to September 2016**

Darren Brown, Finance Manager, introduced the Financial Monitoring report for April to September 2016. The Panel is asked to consider the financial performance of General Fund Services and the Housing Revenue Account (HRA) for the first six months of 2016/17.

Darren Brown stated that at the six-month position the General Fund has a favourable variance of £617,000, against profiled budgets to date. This is primarily due to the timing of expenditure and the profiling of expenditure budgets. Darren Brown stated that the income level to date was below target in some areas, including community alarms, but above the target in others.

Darren Brown also highlighted the possible increased pressure on achieving investment income targets due to the EU referendum potentially causing the short term interest rates to reduce.

With regard to the Housing Revenue Account, there is a current underspend of £760,000, which is a result of the budget profile and the timing of expenditure. Darren Brown said that it was expected that the Housing Revenue Account would at the end of the year be on budget. Any underspend at the end of the financial year will be used to fund a greater proportion of the Housing Capital Programme, minimising new borrowing and maximising available headroom.

A further forecast will be provided to the Governance and Audit Committee in March, with the budget coming to the Scrutiny Panel at the end of January.

Councillor Barber questioned where the savings comes from within Community Zones and Development service of £12,000 relating to Castle Park. In response Darren Brown stated that this particular saving relates to an offset salary overspend in this area; further information on this can be provided after the meeting.

Councillor Davies questioned the overspend associated with the Assistant Chief Executive directorate. In response Darren Brown stated that this is due to a vacancy factor. Matt Sterling, Assistant Chief Executive, confirmed that this particular overspend relates to a budget process where the budget objective is to save money and this is assumed through the use of vacant posts. Until such time that there is a vacant post an overspend will be recorded.

Councillor Coleman questioned why there was £6,000 less income generated in Community Development by school visits. In response to this Darren Brown stated that he would have to find out the information and come back to the Panel.

Councillor Davies also questioned why there was a late submission penalty charge for the Professional Support Unit. In response the Panel were informed that the fine was a result of the deadline for submitting payroll information to Essex County Council being brought forward at the same time as the Council was changing its payroll supplier. Councillor Cory confirmed that the payroll supplier had changed saving approximately £300,000. Unfortunately, in changing between providers there were some issues that required the Council to set up its own bureau system to ensure that staff were provided with their payslips at the required time. Whilst there was a fine, this change has achieved a saving and a more efficient service.

*RESOLVED* that the Scrutiny Panel considered and commented on the Financial Monitoring Report April to September 2016.

## **95 Capital Expenditure Monitor 2016-17**

**Councillor Davies (in respect of being an employee of Rural Community Council of Essex, who manage an arts project that received a Council grant) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Cory (in respect of being involved in the Wivenhoe Gym) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Hogg (in respect of being a trustee of the Oak Tree Centre, a recipient of a Council grant) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

Sean Plummer, Finance Manager, introduced the Capital Expenditure Monitor for 2016/17. The report requests that the Panel review the level of capital spending during the first six months of 2016/17, and forecasts for future years.

Sean Plummer highlighted that the previous quarter report went to the Governance and Audit Committee in September. Sean Plummer highlighted that the costs associated with the Capital Monitor do not flow evenly through the financial year and many schemes have spending planned across more than one year. The budget for the year is broadly on track, with no specific issues identified. Sean Plummer also highlighted that there were no red category schemes, with only amber and green schemes.

Councillor Coleman questioned what the issues were that caused the delay in the Leisure World Health and Fitness Extension. In response Sean Plummer stated that there were some delays in the tendering of the processes, which may impact on the timescales. Sean Plummer stated that further information from the budget manager can be provided.

Councillor Scordis questioned the funding provided for the surface water flooding along

Haven Road. Sean Plummer stated that further information could be provided after the meeting.

Councillor Davies requested further information on the Garrison Gym. Councillor Cory stated that a number of organisations have shown interest in the facility. One organisation is looking in to taking between 60-70% of the building, with other smaller groups using the remainder of the building. Councillor Cory informed the Panel that the building has been fitting out, and Colchester Borough Council are currently finalising the insurance details about further costs that can be recovered from the insurer.

Councillor Coleman stated that as the Alderman Blaxill School is scheduled to be closed in the near future and some groups that current use that facility may be interested. Councillor Cory highlighted that whilst the aim is to get those groups who are interested in the long term future to ensure the future of the building is secure, a number of short term users would also be possible.

Councillor Davies requested further information on the disabled facilities grant as a small amount of the total budget had been spent so far this year. Rory Doyle, Environmental Health Service Manager, confirmed that a briefing note would be circulated to the Scrutiny Panel with the latest information. Rory Doyle stated that the current situation, is an expenditure of £375,611 with a commitment to spend another £320,513 on works that have either just started or are due to be completed. There is also a further £200,000 of works to approve, with a forecast spend of £933,000. During this municipal year the Council has dealt with more cases so far this year than during the whole of the previous year, with the focus on targeting the vulnerable who require the works.

*RESOLVED* that the Scrutiny Panel reviewed the level of capital spending during the first six months of 2016/17, and forecasts for future years.