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Minutes of the meeting of the **Overview & Scrutiny Committee** held in Committee Room 2, East Pallant House on Tuesday 17 November 2015 at 10.00 am

Members Present: Mrs C Apel (Chairman), Mrs N Graves (Vice-Chairman), Mr P Budge, Mr M Cullen, Mrs P Dignum, Mr N Galloway, Mrs E Hamilton, Mr G Hicks, Caroline Neville, Mrs P Plant, Mr H Potter, Mr J Ransley, Mr A Shaxson and Mrs J Tassell

Members not present: Mr S Lloyd-Williams

In attendance by invitation: Mr G McAra

Officers present: Mr R Dunmall (Housing Operations Manager), Mrs B Jones (Principal Scrutiny Officer), Miss L Higenbottam (Member Services Assistant), Mrs J Hotchkiss (Head of Commercial Services), Mr D Hyland (Community and Partnerships Support Manager) and Mrs E Reed (Environmental Housing Manager)

23 **Chairman's announcements**

Mrs Apel welcomed the committee, members, officers and the press and invited all present to stand for a minutes silence in memory of those who lost their lives in the recent Paris attacks.

Apologies were received from Mr Lloyd-Williams.

24 **Minutes**

Mrs Apel explained that the recommendations from the Hyde Review were ongoing. Members had been informed that Hyde were holding a series of residents meetings at many of the sites in the review. Some members were invited to these meetings. Hyde had invited members to attend an Open Day in Chichester on 18 November 2015. Mrs Apel encouraged all present to attend.

RESOLVED

That the minutes of the Overview and Scrutiny Committee (OSC) held on Tuesday 15 September 2015 are approved as a correct record.

Accordingly, Mrs Apel signed and dated the official version of the minutes.

25 **Urgent Items**

To be discussed under late items:

- OSC work programme
- Centre for Public Scrutiny sponsored awards

26 **Declarations of Interests**

Mr Cullen declared a personal interest in relation to agenda item seven as a private landlord based outside of the district.

Mr Galloway declared a personal interest in relation to agenda item seven as a private landlord based outside of the district.

Mr Ransley declared a personal interest in relation to agenda item seven as a private landlord.

Mr Shaxson declared a personal interest in relation to agenda item seven as a private landlord.

27 **Public Question Time**

There were no public questions.

28 **Leisure Services Review**

Mrs Apel introduced the item explaining that a year and a half ago it had been agreed to review leisure services. It was now timely to receive an update on progress with this review.

Mr McAra, a former member of the OSC and originally nominated to sit on the Cabinet led Leisure Task and Finish Group (TFG), explained that the TFG had met several times and the leisure services review was still ongoing. The TFG discussed options for the leisure centres and potential private operators, reducing the preferred options to two following an interview process. Mr McAra noted the process could result in considerable savings for the council although the provision of current services needed to be maintained, the impact on other council services minimised and the impact on tax payers considered.

Mrs Hotchkiss explained the process to date. In September 2014 Cabinet reached a decision to test the market for leisure services provision and set up a TFG which had met six times. The first meeting in November 2014 agreed the terms of reference and established a reporting structure. In April 2015 following competitive dialogue the leisure services went out to open tender with 11 parties registering interest. Following an evaluation process this was reduced to five who were invited to submit tenders. In August 2015 two preferred bidders were decided. The TFG received presentations from both and the final tenders had been submitted. Following a re-evaluation process the tenders would be discussed at the December 2015 TFG along with the risks and benefits of outsourcing. The final decision of whether to outsource leisure services will be made by Council. If Council decides in favour of outsourcing then Cabinet will decide its preferred contractor in February 2016.

Mrs Hotchkiss assured the committee that the following communication methods had been used for the review:

- A Staff Forum with 15 representatives from across the leisure services including sports development
- Two letters to all staff involved
- Senior officers attended two Joint Employee Consultative Panels
- Clubs, organisations, partners and sponsors have been written to and invited to comment and discuss any questions
- A newsletter was issued to the leisure centres, libraries and other local community venues
- The local paper featured a double page spread on the review

Mr Cullen noted the excellent work of the leisure centres is due to the positive attitude and work of the staff. Mr Cullen asked how the current services would be protected. Mrs Hotchkiss explained that if a contractor was the preferred option they would be issued with a Sports England contract based on a Sports England specification to keep the high standards and ensure baseline facilities are maintained or enhanced. Both contractors were asked to produce method statements for current delivery. Mrs Hotchkiss explained that services such as GP referrals will continue. Mr McAra added that consideration would be given to The Grange as a joint building with West Sussex County Council (WSCC).

Mrs Hotchkiss clarified for Mrs Graves that working with a larger organisation could provide benefits.

Mr Ransley asked for clarification of the timetable for the decision of whether to outsource the leisure services with his understanding being Cabinet meet in January the morning before Full Council. Mrs Hotchkiss explained this was the current schedule but all members would receive Cabinet papers five clear working days in advance. Mr Ransley commented on the small window of time to consider the papers and requested that all of the options papers be provided to members.

Mr Ransley suggested either OSC rely on the TFG or a special meeting of the OSC be held to provide members with the reassurance. Mrs Hotchkiss explained the TFG would meet on 18 December 2015 with the Cabinet report ready for 26 January 2016. If the meeting of the 26 January were to change then this could affect the project end date.

Mrs Apel asked if the decision could be put back. Mrs Hotchkiss explained that the deadlines had been issued to the contractors and notice would have to be given.

Mr Ransley asked if there was a reason OSC could not meet in January. Mrs Hotchkiss explained that the papers would not be ready until the 26 January 2016 Cabinet. Mr Ransley suggested a report from the TFG could be provided.

Mrs Apel suggested co-opting Mr McAra onto the committee for the period of the review. Mr McAra stated he did not wish to accept.

Mr Shaxson noted the function of OSC could only be fulfilled by having a properly constructed appraisal. Mr Shaxson explained it was necessary to avoid a situation in January where the decision had to be deferred as it had not been scrutinised.

Mr Ransley explained he had no desire to defer the decision, just to ensure due process is followed by the TFG reporting back to OSC in January. Mr Hyland explained that the TFG was established through Cabinet not OSC.

Mr Ransley recommended a verbal report be provided to the 12 January 2016 OSC by the Chair and OSC representative of the Leisure Task and Finish Group. This was seconded by Mrs Dignum. The majority were against.

Mr Shaxson proposed a written report from the TFG be brought to a special or ordinary OSC meeting in January 2016. Mrs Plant seconded. The majority were in favour.

Mrs Hotchkiss asked for confirmation of when the papers need to be submitted.

RESOLVED

That a special meeting of the OSC be convened between 12 and 26 January 2016 to consider a written report from the Leisure TFG.

Post meeting update: The date of this meeting has been set as Tuesday 19 January 2016.

29 Review of Private Sector Housing Renewal Strategy 2016-2021

Mrs Reed explained that local authorities are undertaking reviews of housing stock in the district. A desktop exercise has been carried out. 22% of stock has a category one health and safety hazard. The results also indicate a high level of fuel poverty and cold homes in the central and northern areas of the district. The highest levels of hazards are also in the central and north areas of the district. Mrs Reed explained a strategy had been developed to help towards reducing these figures.

The strategy involves four main types of financial assistance:

1. A Landlord Accreditation Scheme for private sector landlords to match-fund properties to bring them up to the minimum standard. Landlords can access up to £4,000 across a 10 year period. This has been successful since 2006 with the University of Chichester now only advertise accredited properties.
2. A Home Repair Assistance Scheme for the most vulnerable to carry out essential repairs if they meet the requirements of a means test.
3. A Chichester Warm Homes Initiative for landlords and homeowners to provide vulnerable tenants with funding when they are unable to access grants from energy companies.
4. Providing mandatory disabled facilities grants and continuing to work with housing colleagues to ensure clients reside in a suitable home.

Mr Dunmall clarified that the recommendation should read 2021.

Mr Dunmall added that the stock modelling exercise showed a much lower level of excess cold hazard and fuel poverty in social housing.

Mr Cullen asked for clarification on funding provided by WSCC. Mr Dunmall advised an approximate 10% cut back on funding was likely.

Mr Ransley commented on the terms of reference and the credibility of a desktop exercise and could see no target or outcome proposed in the strategy. Mr Ransley asked how the most vulnerable would be identified and requested an indication of achievements from the current year in order to justify any targets set for the strategy next year.

Mr Dunmall explained that the information used was sourced from the 2011 Census which contained questions about home and heating. The English House Condition Survey also provided data on financial resources and expenditure. The Building Research Establishment carried out the stock modelling exercise and the results of such surveys have been shown to reflect the results of physical surveys. Mr Dunmall explained the strategy was in draft and amendments will be considered following the consultation process.

Mr Ransley asked how the most vulnerable would be identified. Mr Dunmall explained that information is held for individual properties on a database but staffing levels do not allow for a thorough search. The council will identify residents with capital under £16,000 who are in receipt of a means tested benefit.

Mrs Hamilton asked if any of the Rural Estate Landlords had joined the accreditation scheme and if they had why they required the financial benefits. Mr Dunmall explained that no Rural Estate Landlords had taken up the scheme. Cabinet had provided Cowdray, Goodwood and similar estates with grants in 2001.

Mr Dunmall explained new legislation requires that any complaint submitted in writing by a tenant receives a response and plan of action from the landlord in 14 days. The tenant would receive protection from eviction for six months from the date of the complaint.

Mr Shaxson questioned the communication with landlords as he was unaware of the initiatives.

Mr Shaxson asked how effective the schemes were and whether lessons had been learnt. Mr Dunmall explained that approximately 50 households have been improved each year. 350 properties are above standard with approximately 300 of those multiple occupancy with three to four beds. Mrs Reed added that the budget is limited with two health officers available to visit properties. Landlord engagement and tenants coming forward are the main sources of identifying properties. Mrs Reed emphasised the wish to promote a strategy that can achieve results with the resources available.

Mr Shaxson suggested that extensions to houses should be noted. Mr Dunmall explained extensions would be subject to build control so should be up to standard.

Mr Shaxson suggested they might be suitable for the occupier but generally not affordable at resale.

Mrs Tassell asked for clarification of affordable housing on exception sites in rural housing areas and whether exception sites would cease. Mr Dunmall explained that through S106 there is a requirement for social housing unless the local authority state otherwise. Mr Dunmall was unable to clarify whether exception sites would be discontinued.

Mr Potter explained that West Dean is an exception estate and only three properties are not owned by the estate. All properties are metered by a gas heating supply charged to the estate. The success of this biomass scheme could lead to a bigger boiler being created to also include the provision of hot water. Mr Potter felt this could be a way forward for other similar communities.

Mr Cullen suggested adding Rural Estate Landlords to the OSC work programme.

Mr Ransley requested that when the strategy comes back after consultation it should have a plan to identify the most vulnerable and provide guidance of intended outcomes annually over the next five years. This was seconded by Mr Cullen.

Mr Ransley requested a definition of category one hazard be put in any future papers.

Mr Ransley requested that the second bullet point on page 4 of the agenda 'Strict planning controls restricting opportunities for new housing developments in rural areas' be removed. Mr Dunmall suggested stating 'within the national park area'.

Mrs Graves asked why the Leconfield Estate had not been included. Mr Dunmall explained that engagement had stopped since the early 2000's following site visits.

Mr Dunmall clarified that out of the £4 million budget only £686,000 is set aside for repairs over a five year period.

Mr Ransley requested the budget be reassessed to provide a greater resource to the most vulnerable in the district.

Mr Dunmall explained that the disabled facilities money comes from the Better Care WSCC fund. This fund allocated £623,000 to the Chichester district this year but could not clarify future funding. Five years ago the expenditure totalled over £1 million.

RESOLVED

That the draft Private Sector Housing Renewal Strategy 2016-2021 be approved for consultation taking into account the comments and revisions suggested by the committee.

Mr Hyland explained that an arrangement had been made in March 2014 to support Voluntary Action Arun and Chichester for a two year period with funding from this Council, and monies received from WSCC under contract. The current arrangement is due to end in March 2016. The Grants and Concessions Panel have scheduled to discuss a detailed report on the matter at its January 2016 meeting when further information regarding whether WSCC will commit to funding should be available.

Mrs Apel expressed concern over the risk posed to the continued work of a large volume of organisations if the funding were to cease. Mr Hyland explained that the funding available from WSCC is currently unclear due to a larger review taking place.

Mr Ransley requested a separate exercise to address the bigger picture of funding for the voluntary sector. Mr Hyland explained that the report provided a snapshot in time and at present there was no definitive way forward, however there was a belief that a level of funding would be available next year but this would hopefully be confirmed at the Grants and Concessions Panel.

Mrs Tassell expressed how impressive speakers from the voluntary organisations had been at a previous TFG.

Mr Cullen noted the excellent work of the organisation and the vast amount of work carried out.

Mr Cullen recommended that the Leader write to the Leader of WSCC asking for an immediate response to WSCC's Voluntary and Community Sector funding commitment post March 2016 with the outcome reported back to the January OSC meeting. This was seconded by Mr Potter.

Mr Shaxson explained that care should be taken in scrutinising the voluntary sector to keep encouraging volunteering.

RECOMMENDED TO THE LEADER OF THE COUNCIL

That the Leader writes to the Leader of WSCC asking for an immediate response to WSCC's Voluntary and Community Sector funding commitment from March 2016.

RESOLVED

1. That the Grants and Concessions Panel report be noted.
2. That the Grants and Concessions Panel will be carrying out a review of the funding agreements and that the Panel makes recommendations for the renewal of the contract.
3. That the Council plans ahead for any future gap in funding of this service.
4. That an update be provided to the January OSC.

31 Corporate Plan Task and Finish Group Final Report

Mrs Dignum explained that the Corporate Plan TFG was tasked with checking the Corporate Plan performance against targets with six red areas identified:

The Housing Condition Stock Modelling

- This item was only flagged red due to a delay in coming to OSC
- Mrs Dignum expressed admiration for the hard work of the Housing Department

Private Sector Renewal Policy

- This item was only flagged red due to a delay in coming to OSC
- Mrs Dignum noted no real concerns

All Reported Crimes – Chichester

- The council is not responsible for crime rates but is a partner to authorities who are
- There has been a 3.3% increase in crime
- The increase could be explained by a change to the method of recording serious crime and the increase trend in the number of sexual offences being reported
- Mrs Dignum explained that the activities of one individual can skew the results for an area
- Mrs Dignum praised the Community Wardens who work to prevent crime and suggested they be given permanent contracts

The percentage of people who are maintaining positive lifestyle changes as a result of referral to the Wellbeing Hub after 3 months

- Mrs Dignum explained the wellbeing quarterly surveys were impressive
- A target had been set of 80% and previously 90% had been achieved
- The lower score of 75% can be attributed to the loss of data for the period by an individual and some lack of advice taken up by those referred to the service
- Mrs Dignum commended the efforts of those involved in the many positive case studies

To increase the survival rates of companies after 3 years to align with SE actual

- A 51.7% survival rate was achieved
- A challenging but considered achievable target of 61.9% was set nationally
- Mrs Dignum requested updated figures in December as the figures provided were a year in arrears

The percentage of household waste sent for reuse, recycling and composting

- The target for recycling was set at 42% but 39.25% was achieved
- The Inter Authority Waste Group discussed ways to increase this figure with suggestions including the collection of textiles, small electrical items, smaller waste bins, food waste bins and collecting rubbish less often
- Mrs Dignum explained the TFG felt this was an area of concern and further attention is required
- Mr Barrow, the Cabinet Member for Environment, had been requested to attend this meeting to update the committee but had been on holiday,

however he is scheduled to brief Full Council prior to its 15 December meeting

- Mrs Dignum highlighted the European Union target of 50% recycling and a possibility of 70% recycling by 2030 which would require some radical rethinking

Mr Shaxson proposed reintroducing the Waste Minimisation Strategy Panel, the Council's former recycling monitoring body, to help identify solutions. Mrs Tassell seconded.

Mrs Plant discussed the issue of the treatment of black bag rubbish which contains a lot of wet and heavy food and the idea of using a third bin and recycling via an anaerobic digester. Mr Ransley explained that individuals could buy digesters to recycle food waste for composting.

Mr Cullen explained that residents need easily accessible recycling facilities and praised the superb recycling facilities and staff at the Westhampnett site and the provision of amenity tips to take food and electrical waste.

RESOLVED

1. That the report of the Corporate Plan TFG is noted and that the committee is satisfied that the Council is achieving satisfactory levels of performance against the targets and activities in the 2015/16 Corporate Plan mid-year progress report.
2. That the concerns of the Corporate Plan TFG reflected in paragraph 4.5 of the report regarding the Council's underachievement of the recycling target (and the need to have a fuller debate of new ideas at a higher level as a step towards improvement of the figures) are forwarded to the Cabinet Member for Environment, along with the request to reintroduce the Council's Waste Minimisation Strategy Panel.

32 Budget Task and Finish Group

RESOLVED

1. That Mrs N Graves, Mr G Hicks and Mr J Ransley be confirmed as members of this Task and Finish Group.
2. That the Terms of Reference, scope and outline plan be approved.

33 Community Safety Task and Finish Group

RESOLVED

1. That Mrs P Dignum, Mrs N Graves, Caroline Neville, Mrs P Plant and Mrs J Tassell be confirmed as members of this Task and Finish Group.
2. That the Terms of Reference, scope and outline plan be approved.

34 Late Items

OSC Work Programme

Mrs Jones updated the committee on the items scheduled for the January OSC meeting:

- Budget review TFG – final report
- Antisocial Behaviour Act and Enforcement Policy – review of implementation
- Housing Strategy – review in light of recent government changes
- Improving the Health of our Communities and Workforce - assessment of project outcomes
- Think Family Expansion Programme – evaluation of outcomes
- Business Improvement District – evaluation of outcomes in the Business Plan
- Cultural Grants TFG - terms of reference
- Hyde Review TFG - terms of reference

Centre for Public Scrutiny Award

Mr Hyland explained that the Centre for Public Scrutiny sponsors an annual award with entry closing in February. Entries are marked against the following criteria:

- Innovation
- Involving Communities
- Raising the Profile
- Service Transformation
- Working Together

The committee agreed that they may consider an entry in 2017.

35 Exclusion of the Press and Public

There were no restricted items for consideration.

The meeting ended at 12.33 pm

CHAIRMAN

Date: