

**PERFORMANCE SCRUTINY PANEL
16TH APRIL 2018**

PRESENT: Councillors Fryer (Chair)
Councillors Brookes, Campsall, Draycott, Gerrard, Huddleston,
Lowe (Vice-chair), and Paling

Councillor Harper Davies, Cabinet Lead Member for performance
of major contracts (item 6)
Councillor Page – Cabinet Lead Member for Communities, Safety
and Wellbeing (item 6)
Councillor Poland – Cabinet Lead Member for Equalities Member
and Strategic Services (item 6)

Head of Cleansing and Open Spaces
Head of Customer Experience
Head of Landlord Services
Head of Neighbourhood Services
Head of Strategic Support
Property Manager
Team Leader, Regeneration and Economic Development
Corporate Improvement and Policy Officer
Principal Officer Tenancy and Income Management
Democratic Services Officer (NC)

APOLOGIES: Councillor Rollings, Seaton and Vardy

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

50. MINUTES

The minutes of the meeting of the Panel held on 14th February 2018 were confirmed as a correct record and signed.

A member of the Committee noted that in the previous minutes, resolution 1 for item 7 – Utilising Section 106 funds which stated that 'the wording would be clarified within the letters which were sent to relevant stakeholders when notifying councillors of a planning application' - the wording had not included a mention of S106 but this had now been rectified.

51. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures of pecuniary and personal interests were made.

52. DECLARATIONS – THE PARTY WHIP

No declarations of the existence of the Party Whip were made.

53. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 11.17

No questions had been submitted.

54. 2017-2018 QUARTER 3 PERFORMANCE MONITORING REPORT

A report of the Head of Strategic Support providing performance information for the third quarter of 2017 - 2018, in respect of the Corporate Plan objectives and key performance indicators was submitted (item 6 on the agenda filed with these minutes).

The Corporate Improvement and Policy Officer attended to assist the Panel with the consideration of the item.

At the invitation of the Panel, the Head of Cleansing and Open Spaces, the Head of Customer Experience, the Head of Landlord Services, the Head of Neighbourhood Services, the Property Manager and the Team Leader, Regeneration and Economic Development attended the meeting to assist with consideration of the item.

At the invitation of the Panel, the Cabinet Lead Member for performance of major contracts, the Cabinet Lead Member for Communities, Safety and Wellbeing and the Cabinet Lead Member for Equalities, Member and Strategic Services attended to assist the Panel with the consideration of the item.

Red Performance Indicators considered

In respect of SLE4 – PR (work with local stakeholder groups to consider opportunities to address underused sites and improve the public realm in Loughborough town centre), in addition to the information provided within the report and in response to issues raised by the Panel, the Team Leader, Regeneration and Economic Development stated that:

- as advised at a previous meeting, the project had been delayed due to the General Election and the Shelthorpe By-election and that the consultation responses had required some additional work. The final project report had been approved by the Cabinet on 12th April 2018.
- the delay had been frustrating but had not resulted in significant consequences for the project. The development action plan was in progress and Councillors would have an opportunity to see the published Master Plan. There were challenges but by working together to progress these, the Council would provide a viable and vibrant future for Loughborough town centre.
- the Team Leader was the main officer contact, and was confident that the team had established a good working relationship with a broad range of stakeholders who would work together to implement the masterplan. Finding

major investors was difficult, but promotion of the Council's vision of Loughborough town centre was encouraging investors to engage.

- the capital programme which had been agreed in February 2018 and reported to Cabinet in April 2018 included the Bedford Square gateway project as part of the vision for the town centre. The capital programme would be amended as the plan developed over the next 5-10 years and the Council would consider its role in its delivery as one of the possible investors.

In respect of Indicator DES3 - CIS(2) (Pilot new telephony technology to investigate the potential for home working amongst Contact Centre teams) in addition to the information provided within the report and in response to issues raised by the Panel, the Head of Customer Experience and the Lead Member for Equalities, Member and Strategic Services stated that, as reported at quarter two, the whole telephony project had been delayed which had affected the delivery of other elements of the project and there had been additional challenges getting the technology working. It had been difficult to recruit volunteers to participate in the homeworking pilot as the original two identified had since left the Council, however two more had recently been identified and the pilot was progressing.

In respect of Business Plan Indicator BP2 (percentage occupancy rate of industrial units), in addition to the information provided within the report and in response to issues raised by the Panel, the Property Manager stated that 25 businesses had shown interest in occupying the units and 10 units had been reserved. Of the 10 units, five were located in the Oak Business Centre, and three new tenants had taken units in the Ark Business Centre. Progress for Quarter 1 2018-19 was anticipated to be around 87%. There were 87 - 90 units in the Council's portfolio, being maintained to a good standard, were fit for purpose and comprised a mix of open compounds, business and industrial units.

In respect of Indicator NI 191 (Residual household waste per household) in addition to the information provided within the report and in response to issues raised by the Panel, the Head of Cleansing and Open Spaces stated that:

- measures had been taken to try and achieve the target, which included promoting recycling to encourage residents to remove recycling elements out of the residual waste and issuing smaller bins to new properties and as replacement bins to limit residual waste disposal. As the replacement rate was slow it was taking time.
- it was unlikely the Council would achieve the target unless food waste collection was introduced. However this would be of significant cost to the Council and was unlikely to be popular with residents as the collection frequency of other bins was likely to be extended to a three-weekly collection.
- the target had been revised for 2018-19 to 440kg and after considering the trends over a number of years, this was still a challenging and realistic target for the collection regime at the Council.
- side waste was not permitted for residual waste unless there were exceptional circumstances when a larger bin could be provided.

- if a second recycling bin was provided to a household, evidence suggested it was more likely to be contaminated so clear plastic bags were being issued through which the recycling being disposed of could be assessed.

In respect of Indicator KI4 (percentage of household waste sent for reuse, recycling and composting) in addition to the information provided within the report and in response to issues raised by the Panel, the Head of Cleansing and Open Spaces stated that:

- the target of 50% was a national target for the UK to achieve by 2020. The Council's performance was mirrored by other authorities across the country.
- the packaging industry reducing packaging, the reduction in use of glass, and the government's policy on packaging were impacting the ability of the Council to achieve this target as it was measured by weight.
- although it was noted that some residents were unhappy with the increased charges for brown bins, the original fee had been set very low and the Council had increased the price to meet national standards. Benchmarking had been completed in Leicestershire and across the country, which had shown that £40 was an average charge and that unlike the Borough Council, some local authorities did not collect garden waste all year round.
- the numbers of subscribers for the service had increased from 29600 to around 36000. It would be monitored after the introduction of the higher fee on 1st May 2018 but it was not expected to decrease.
- the system was more secure with the introduction of stickers. The sticker was issued once the direct debit had been taken from the residents account, and there was a month's grace from the end of one period to the next to provide a continuity of service.

In respect of Indicator KI12 (reduction in all crime), in addition to the information provided within the report and in response to issues raised by the Panel, the Head of Neighbourhood Services, the Head of Landlord Services and the Cabinet Lead Member for Communities, Safety and Wellbeing stated that:

- it was positive that the Partnership had maintained its position for the year and the Council had the lowest increase in all crime across Leicestershire for quarter 3 at 12.7%.
- if drug dealing was an issue with tenants in Council properties, it was a criminal matter and should be reported to the Police. However the Council would work with the Police to secure closure orders associated with significant disorder. If there were concerns about anti-social behaviour or nuisance associated with drug dealing this could be recorded by the Council but any criminal activity would be referred to the Police.
- if a tenant was known to be convicted of dealing in drugs they may not be rehoused by the Council, however the Council had to adhere to homelessness legislation and tenants would be submitted to rigorous tests within the statutory framework before being provided with a house if appropriate. The decision would include multi-agency input.
- the Partnership was prepared to take action which included serving injunctions and working with other agencies to reduce crime.

- more ethical recording by the Police had increased the number of crimes being logged. This was important as it helped identify hotspots. Members of the public were encouraged to report crime and take responsibility for their own properties.
- as the approach to recording crime had changed over time it was important to ensure that the data was being reviewed in a comparable manner. Trends were monitored to consider any abnormal shifts from previous years to understand the data in more detail.

Amber Performance Indicators considered

The Corporate Improvement and Policy Officer drew the Panel's attention to the information in the report with respect to amber indicators SLE1 FP (1) (ensure industrial units are fit for purpose and they are advertised as soon as they become vacant to increase the number of new businesses into Charnwood), SLE1 FP (2) (evaluate options to develop land owned by CBC at Messenger Close into industrial units), DES3 PROG (deliver the Customer Service Programme in line with the project milestones), and DES3 CIS (1) (upgrade and implement Avaya System for improved telephony and opportunity to offer webchat and call recording).

In respect of indicator DES3 SS, (explore opportunities to use Government initiative funding to develop a future leaders programme in partnership with other Local Authorities in the area), in response to a question, the Corporate Improvement and Policy Officer stated that this had slipped due to a lack of buy-in from elsewhere but had been completed by quarter 4.

In respect of indicator ERM2 LS (invest in our housing stock to provide fit for purpose homes), in addition to the information provided within the report and in response to issues raised by the Panel the Head of Landlord Services stated that the heating programme was still on hold due to a health and safety concern and any outstanding work was being rolled over to the new housing contract. All stock was gas safe and was annually inspected; there were 6 properties outstanding due to requiring a legal process to gain access. Kitchens and bathrooms were replaced on a planned basis if they reached the end of their component life cycle and this was not related to the age of the house. Occasionally if a kitchen failed earlier it would be replaced.

In respect of complaints and sickness absence, in addition to the information provided within the report and in response to issues raised by the Panel, the Head of Strategic Support and the Corporate Improvement and Policy Officer stated that:

- in relation to complaints it was not currently possible to identify whether the complaints identified by category were upheld or not.
- it was unlikely that the number of days of absence taken by staff for stress and depression related only to work as the Council did not specify between incidences of stress and depression caused by home or work issues.
- the Council had implemented a new wellbeing programme to support staff who may be suffering with stress and depression.
- it was possible that the number of staff per absence reason could be the same person who had been absent a number of times.

- this was the first time the indicator KI10 (the number of working days / shifts lost to the local authority due to sickness absence) showed as green and it indicated the trend over a yearly period.

Members of the Committee wished it to be noted that the number of green indicators in the Performance Monitoring report for Quarter 3 was pleasing.

RESOLVED

1. that the performance results, associated commentary and the explanations provided be noted;
2. that the Panel be provided with further information by the Head of Strategic and Private Sector Housing in relation to Indicator SLE2 – HOU (bring empty homes into use through housing advice / assistance and partnership grants) regarding whether additional resources were being used to ensure the delivery of the 5 problematic empty homes identified for enforcement action into use;
3. that the Corporate Improvement and Policy Officer liaise with the Corporate Complaints team regarding correlating the complaints tables to indicate whether the complaint categories have been upheld, partially upheld or not upheld for inclusion in future Performance Monitoring Reports;
4. that future Performance Monitoring reports include additional detail relating to sickness absence, in particular, the total number of staff, the data for previous quarters and whether the number of staff per absence reason included repeat absences by the same member of staff.

Reasons

1. To record the information contained in the 2017-18 Quarter 3 Performance Monitoring Information report.
 2. To provide Members of the Panel with further clarification regarding the actions being taken to bring problematic empty homes into use as Members considered this matter could take be difficult to resolve.
- 3 & 4. Members of the Panel wished to receive additional information as part of the quarterly Performance Monitoring Reports to improve their scrutiny of the performance of the Council in these matters.

55. HOUSING RENT ARREARS – UPDATE

A report by the Head of Landlord Services providing an update on the internal processes for dealing with rent arrears, the value of arrears by ward and the pattern of arrears was submitted (item 7 on the agenda filed with these minutes).

The Head of Landlord Services and the Principal Officer Tenancy and Income Management attended to assist the Panel with the consideration of the item and noted that the year-end position, as of 31st March 2018, indicated that of the 93 tenants in receipt of universal credit, 53 tenants were in arrears resulting in £39,752 owed by tenants who were in receipt of Universal Credit. The percentage of rent arrears collected (including arrears brought forward) exceeded the target of 97.14%, 97.20% was achieved.

In addition to the information contained within the report, and in response to issues raised by the Panel, the Head of Landlord Services, the Head of Customer Experience and the Principal Officer Tenancy and Income Management stated that:

- the average debt per head for tenants in receipt of housing benefit was around £464, the average debt for tenants in receipt of universal credit would be much higher.
- it was possible that the number of tenants owing up to £149.99 were having issues with bank accounts or setting up clockwise accounts but the number was likely to decrease. The small debts could be challenging to recover and a small balance could be carried over during the course of the year.
- all tenants in receipt of housing benefit would eventually be transferring to universal credit over the next few years. However new claimants or those who had changed their circumstances would have to transfer. Tenants who moved within the Local Authority area wouldn't be required to transfer to universal credit as long as this was the only change in circumstances.
- the Council were proactively supporting the introduction of universal credit by recruiting additional staff in Landlord Services and Customer Services, signing tenants up to clockwise accounts, providing officers with tablets to support tenants in completing forms at home, introducing 'any day' direct debits to expand payment dates, holding regular meetings with the Department of Work and Pensions, tracking tenants as they changed over to universal credit and educating tenants about the process. Officers had also visited other local authorities who had already transitioned to universal credit (for example Melton Mowbray) to observe best practice, seek additional guidance and to understand how it has affected their rental income.
- the number of private tenants in receipt of housing benefit was estimated to be 16,000. Taking into account the number of old age pensioners who would not be transitioning to universal credit this was likely to be approximately 9,000 tenants. The Council were working with private landlords to ensure they were aware of the changes and providing updates at landlord forums and other relevant meetings about the introduction of universal credit to mitigate the potential impact for private tenants.
- as Council tax arrears would not be included in universal credit this could affect income.
- if a tenant was unable to pay the whole amount in arrears in full, arrangements could be made to agree payment plans but each case was assessed individually.

Members of the Committee noted that concerns had been raised at Housing Management Advisory Board meetings about the effect of the transition period on

Council tenants if housing benefits were stopped before payments of universal credit started which could result in tenants being without money for five weeks.

RESOLVED

1. that the information contained in the report of the Head of Landlord Services be noted;
2. that the Head of Customer Experience ensure that information about universal credit, in particular connected to landlord forum meetings is placed on the Council's website;
3. that a further update regarding housing rent arrears, including detailed information regarding universal credit, be presented at the Panel's meeting on 9th October 2018;
4. that an annual update regarding housing rent arrears be provided at the Panel's meeting on 18th June 2019 and be added to the Panel's Work Programme as an annual item.

Reasons

1. The Panel was satisfied with the information provided.
2. Members of the Panel wished to ensure that information regarding universal credit was communicated as widely as possible using all platforms available to the Council.
3. The Panel wished to continue to receive an update regarding housing rent arrears in October 2018 as it had concerns about the impact of the introduction of universal credit.
4. The Panel considered that it would be of value to see this report on an annual basis so that the annual data could be scrutinised.

56. UPDATE REPORT ON COUNCIL TAX RECOVERY

A report by the Head of Customer Experience providing an update on Council Tax collection and recovery action was submitted (item 8 on the agenda filed with these minutes).

The Head of Customer Experience attended to assist the Panel with the consideration of the item and in response to issues raised by the Panel, stated that the figures in Appendix A related to the number of enforcement actions and did not necessarily relate to multiple households or individuals. The figure could indicate one person who had been taken through recovery action several times in one year or it could reflect multiple years' debt.

RESOLVED

1. that the information contained in the report of the Head of Customer Experience be noted.
2. that providing the Key Corporate Indicator KI8 (percentage of Council Tax collected) as reported in the Performance Monitoring report presented to the Panel on a quarterly basis remained green the update report on Council Tax Recovery be removed from the Panel's Work Programme.

Reasons

1. The Panel was satisfied with the information provided.
2. The Panel considered that the original purpose of the update report on Council Tax Recovery submitted to the Panel as agreed by the Scrutiny Management Board was no longer valid, particularly as the collection of council tax was measured by a key corporate indicator as reported on a quarterly basis in the Performance Monitoring report to the Panel.

57. WORK PROGRAMME

A report of the Head of Strategic Support was submitted to enable the Panel to consider its work programme and to propose to the Scrutiny Management Board any additions, deletions and amendments as appropriate (item 9 on the agenda filed with these minutes).

The Head of Strategic Support assisted the Panel with the consideration of this item and explained that the previous Chair of the Panel had wished to consider the performance of a chosen policy or strategy against its key indicators and objectives half way through its life cycle to highlight any difficulties prior to the end of its review period. In response to issues raised by the Panel, he noted that the Policy Scrutiny Group scrutinised some policies and strategies when they were coming up for review and that it wasn't advisable to ask officers to 'self-refer' themselves to the Panel for scrutiny if their service wasn't meeting its objectives and targets.

Members of the Panel raised the following points:

- it was the role of the Panel to monitor performance and reviewing policies and strategies did not appear to fit with this responsibility although it was considered appropriate for the Panel to check whether policies and strategies were performing against identified objectives.
- caution was required to ensure that the Panel didn't duplicate scrutiny activity being performed by other scrutiny committees and it was necessary to ensure the benefits of scrutinising a policy or strategy was clear.
- policies and strategies not meeting their objectives would not necessarily be visible through scrutiny of red indicators in the quarterly Performance Monitoring report.

- it was possible to include key performance indicators reviewed in the quarterly Performance Monitoring report to the policies and strategies list to support the Panel's decision .
- strategies that had review periods of 30 years were usually due to statutory requirements.

RESOLVED

1. that it be **recommended to the Scrutiny Management Board** to agree that the mid-term review of the Zero Waste Strategy be added to the Panel's Work Programme for its scheduling to the Panels' meeting on 21st August 2018;
2. to note that some items for consideration by the Panel have been reallocated to the nearest comparable meeting date of the Panel for the Council 2018-19 year;
3. that the monitoring of the performance of the Charnwood Lottery be scheduled for consideration by the Panel at its meeting on 19th February 2019 subject to the Lottery scheme commencing in September 2018;
4. to note the current position with the Panel's Work Programme.

Reasons

1. To enable the Panel to scrutinise a particular policy half way through its review cycle as a test case to determine the benefits of the Panel scrutinising policies and strategies.
2. To make the Panel aware of the current position with its Work Programme.
3. To ensure that the Panel scrutinises the performance of the Charnwood Lottery six months after its planned initiation date.
4. To make the Panel aware of the current position with its Work Programme.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 25th June 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Panel.