

Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 19 July 2011 at 6.30 pm

Present: Councillor Kieron Mallon (Chairman)
Councillor Lynn Pratt (Vice-Chairman)

Councillor Ann Bonner
Councillor Tim Emptage
Councillor Leslie F Sibley
Councillor Daniel Sames
Councillor Lawrie Stratford

Also Present: Councillor George Parish
Councillor D M Pickford

Apologies for absence: Councillor Chris Heath
Councillor Alastair Milne Home
Councillor Neil Prestidge
Councillor Trevor Stevens
Councillor Rose Stratford

Officers: Catherine Phythian, Senior Democratic and Scrutiny Officer
Gillian Greaves, Head of Housing Services
Martyn Swann, Strategic Housing Manager
Helen Town, Strategic Housing Officer
Barbara Horth, Private Sector Housing Inspector

12 **Declarations of Interest**

Members declared interests in the following agenda items:

5. Private Sector Housing Strategy.

Councillor Kieron Mallon, Personal, as a private landlord.

Councillor Lawrie Stratford, Personal, as a Board Member of Sanctuary Housing.

Councillor Leslie F Sibley, Personal, as a Board Member of Sanctuary Housing.

6. Commissioning of Voluntary Sector Services.

Councillor Alastair Milne Home, Personal, as a Banbury Town Councillor and Board Member of Banburyshire Community Transport Association.

Councillor Lawrie Stratford, Personal, as a member of Bicester Citizens Advice Bureau Management Committee.

13 Urgent Business

There was no urgent business.

14 Minutes

The Minutes of the meeting of the Committee held on 14 June 2011 and the Minutes of the Joint Meeting of the Overview and Scrutiny Committee and the Resources and Performance Scrutiny Board on 12 July 2011 were agreed as a correct record and signed by the Chairman.

In the course of considering the minutes of the meeting on 12 July 2011 Councillor Sibley requested that officers be tasked to ensure that the financial information supporting the recommendations to the Executive included figures from June 2011.

15 Private Sector Housing Strategy

The Committee considered a report of the Head of Housing Services which provided an update on the progress made by the Council against the targets set by the Private Sector Housing Strategy 2010 -14.

Officers gave the following responses to specific questions from the Committee:

- **Inspection:** there was a planned inspection programme for licensed Houses in Multiple Occupation (HMOs) but during the year officers inspect additional HMOs as a result of referrals or complaints. The Committee requested a written response setting out the annual split between planned and responsive inspections and what percentage of HMOs were subject to inspection per year.
- **Enforcement Powers:** Certain large HMOs are required to have a licence under the Housing Act 2004. Non-licensable HMOs are assessed using the Housing Health & Safety Rating System under the Housing Act 2004. All HMOs (licensable or not) are subject to the HMO management regulations to ensure the owners of the HMO manage and maintain the property properly. Failure to comply with the requirements of the Housing Act 2004 can result in enforcement action which can include serving improvement notices or in extreme cases making a prohibition order followed by prosecution for non-compliance. The Council can also prosecute landlords for failure to comply with the management regulations.

However, the Council does not always cover its costs when it prosecutes a private sector landlord and so the Housing team are exploring other options for dealing with non-compliance, for example, issuing a formal caution on the condition that the landlord attends a training course. Making a Prohibition Order is the last resort because of the implications for the homeless register. A further option is to issue an interim management order to transfer the control of a property to another body capable of managing the property. But this is particularly difficult for Cherwell as it is not a stock-holding Council and does not have the in-house skills and experience to act as a landlord which means we are reliant on partnership arrangements with our housing organisations. Development of this arrangement to allow the Council to use HMO management orders is currently being explored as part of the Private Sector Housing Development Project.

- Empty Homes Policy: production of this policy document has been delayed mainly because of external events (changes to national benefit payments and the economic recession) which required a re-prioritisation of resources in the housing team. The draft policy is scheduled for completion in the autumn. The Committee requested that they be given the opportunity to review the document prior to its submission to the Executive.
- Numbers of Private Sector Landlords: changes to the national benefits system has resulted in some landlords ceasing to offer property to Council nominated tenants. Options to address this situation and encourage more landlords to work with the Council in order to avoid a significant increase in the number of residents placed in temporary accommodation are being explored as part of the work of the Private Sector Housing Development Project.
- Complaints: the increase in the number of complaints was believed to be a reflection of the economic and social pressures caused by the current economic climate; there were no known or apparent underlying themes or trends in the type of complaint.

In conclusion the Committee agreed that as this was essentially a monitoring item it should be removed from the Overview and Scrutiny work programme. However, they asked officers to ensure that a further update on progress in this area be circulated to all Members at a future date.

Resolved

- (1) That the progress made with achievement of targets set by the Private Sector Housing Strategy 2010 -14 be noted.
- (2) That prior to its submission to the Executive, the Empty Homes Policy be reviewed.
- (3) That the Private Sector Housing Strategy be removed from the work programme.

Commissioning of Voluntary Sector Services

This topic was confirmed as a review item at the meeting on 14 June when Councillors Mallon, Emptage, Pratt, Stevens, L Stratford and R Stratford had volunteered to meet with officers to discuss the specific issues relating to:

- Advice
- Volunteering
- Voluntary Car Transport Schemes

The notes of these informal working group discussions were tabled at the Committee alongside a question and answer statement in response to questions raised by Councillor Cartledge. The Strategic Housing Manager and the Strategic Housing Officer briefed Members on the key issues arising from the informal discussions and explained the details underlying the written answers provided.

In discussion the following points were made:

- That the commissioning project should not be seen as a cost-cutting exercise but as a vehicle to ensure the delivery of transparent, equitable cost effective services to the widest range of residents.
- Statistics and data analysis: the officers explained that statistical data should be treated with caution as it was not always possible to check the source data. For example when looking at call centre volumes for some of the charitable organisations it was not clear whether the figures were all first time callers or included a number of repeat calls. Clearly this had implications for performance assessment and the quality of service provided. This was an area that was targeted for improvement through the commissioning process which would require a more rigorous methodology for data collection and analysis.
- Volunteering: the commissioning project should seek to encourage volunteering from all age groups and backgrounds and replicate good practice from across the county. It was also important to recognise that volunteering schemes should complement service offerings and not be seen as a cheaper alternative delivery option.
- Community Transport: the Committee noted the current status of the County Council's review of dial-a-ride services across Oxfordshire and their intention to provide a base-line service which could be "topped-up" with funding from the individual District Councils. A survey to be led by the County Council of existing Banburyshire Community Transport Association (BCTA) customers was planned which would inform the new service specification to be delivered by either the County Council or a third party. This would also inform the District Council about the appropriate level of "top-up" funding that might be required. Officers also briefed the Members on the current status of the discussions with BCTA and the support that had been offered in the light of the Council's decision in principle to terminate the dial-a-ride funding agreement in March 2012.

In conclusion the Committee agreed that it was important that the Council used the commissioning exercise to ensure that the funds available were channelled towards strategically relevant services and projects which would meet the needs of residents securing positive outcomes for them. It was also acknowledged that the understanding of customer needs will become more refined as the commissioning exercise progresses and in this context a degree of flexibility is required in terms of the amount set aside to support the development of a County Council dial-a-ride service.

The Committee confirmed their support for the commissioning project and agreed that it was important that it progressed according to the set timetable to ensure that no residents were disadvantaged in April 2012 because contracts and suppliers were not in place.

Resolved

- (1) That the Overview and Scrutiny Committee forward a short report to the September meeting of Executive confirming their support for the Council's approach to the Commissioning of Voluntary Sector Services and highlighting some of the observations made as a consequence of this review. The report should include as appendices the three documents of evidence and information submitted to the Overview and Scrutiny Committee meeting and the minutes of this meeting.

17 **Draft Overview and Scrutiny Annual Report 2010/11**

The Board considered a report of the Interim Head of Legal and Democratic Services which presented the draft Overview and Scrutiny Annual Report 2010/11.

Resolved

The Overview and Scrutiny Committee resolved to:

- (1) That the draft Overview and Scrutiny Annual Report 2010/11 be noted.
- (2) That the Democratic, Scrutiny and Elections Manager be delegated, in consultation with the former and current Chairmen of the two scrutiny committees, to complete the foreword and to make any minor amendments to the annual report before submission to Council.

18 **Overview and Scrutiny Work Programme**

The Committee considered the report of the Interim Head of Legal and Democratic Services which updated Members on the Overview and Scrutiny Work Programme 2010/11.

Forward Plan

The Committee noted that a report on the Options for future provision of ICT - South Northamptonshire Council & Cherwell District Council was due to go to the Executive. They agreed that this was a topic of some importance and

that it should be considered at a meeting of the Committee prior to the Executive making any final decision.

Registered Social Landlords Relationship Policy

The Committee considered the draft scoping document for a review of the Registered Social Landlords Relationship Policy. They agreed that this was an important issue and indicated that the Council's approach to the setting, monitoring and enforcement of performance standards would be a particular area of interest as they saw this as a key success factor. The Head of Housing Services explained that regular performance review meetings were held with the individual Registered Social Landlords, and that these meetings looked at the interaction across all of the Council's service areas not just housing.

The Committee agreed that Councillors Bonner, Emptage and Mrs R Stratford would work with officers outside the meeting to develop a briefing pack on the current procedures and policies and to develop the plans for the structure of the review. The topic was scheduled for either the October or November meeting of the Committee.

Agenda for 13 September 2011

The Committee confirmed their intention to review the Council's Equality Framework for Local Government 'Achieving' Self Assessment at this meeting. In view of the importance of this topic and the need to ensure that the self-assessment was subject to a detailed and robust challenge the Committee agreed that Councillors Mallon and L Stratford would work with officers to prepare for the debate at the Committee meeting.

Resolved

- (1) That the current Overview and Scrutiny element of the work programme for 2011/12 be noted.
- (2) That the issue of the future provision of ICT at South Northamptonshire Council & Cherwell District Council should be included on the Overview and Scrutiny work programme for 2011/12 and that officers be requested to bring a report on the options to the Committee prior to the Executive making a final decision.
- (3) That the scoping document for the review of the Registered Social Landlords Relationship Policy be agreed, that it be included on the work programme for October or November 2011 and that Councillors Bonner, Emptage Mrs R Stratford be nominated to work with officers on this topic.
- (4) That it be noted that the 13 September 2011 meeting of the Overview and Scrutiny Committee would review the Councils Equality Framework for Local Government 'Achieving' Self Assessment and that Councillor Mallon and L Stratford had volunteered to work with officers on this topic.

Chairman:

Date: