



OVERVIEW AND SCRUTINY

Committee

30th July 2008

MINUTES

Present:

Councillor Phil Mould (Chair), Councillor David Smith (Vice-Chair) and Councillors M Chalk, A Fry, W Hartnett, B Quinney and D Thomas

Also Present:

R King

Officers:

A Heighway, E Hopkins and L Tompkin

Committee Officers:

J Bayley and H Saunders

35. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received on behalf of Councillors Banks, Norton and Taylor.

36. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest or of any party whip.

37. MINUTES

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on Wednesday the 9th of July be confirmed as a correct record and signed by the Chair.

38. ACTIONS LIST

RESOLVED that

the contents of the Actions List be noted.

.....
Chair

OVERVIEW AND SCRUTINY

Committee

30th July 2008

39. CALL-IN AND PRE-SCRUTINY

Members discussed the Upper Norgrove House Initial Options Appraisal item considered at the meeting of the Executive Committee on Wednesday the 23rd of July. They expressed interest in the Council's procedures for disposing of assets and requested further information about this process for the purposes of clarification.

There were no call-ins and no proposed items for pre-scrutiny.

RESOLVED that

Officers attend a meeting of the Overview and Scrutiny Committee to explain the Council's procedures with regards to disposal of assets.

40. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

A draft scoping document focusing on Housing Mutual Exchange, submitted by Councillor Smith, was considered by the Committee.

Officers explained that Housing Mutual Exchange had been proposed as a potential topic for scrutiny during the Overview and Scrutiny Work Programme Planning Afternoon in June 2008. Councillor Smith had become interested in the issue, following an incident in his ward concerning Housing Mutual Exchange.

The draft Scoping Document contained proposals that Members should scrutinise the Council's policy and procedures in relation to Housing Mutual Exchange, should investigate the relevant policies and procedures utilised at other local authorities and consider whether any improvements could be made at Redditch Borough Council.

Officers explained that the Housing Mutual Exchange policy was contained within the Council's overarching Allocations Policy. Members were provided with a relevant extract from the Allocations Policy for consideration (attached to the report at Appendix A).

Members were informed that the Council had recently incorporated Housing Mutual Exchange into the Choice Based Lettings system. Furthermore, Officers would be undertaking a review of the Choice Based Lettings system in the following months which would have implications for the Council's approach to Housing Mutual Exchange. Officers therefore suggested that it might be appropriate

OVERVIEW AND SCRUTINY

Committee

30th July 2008

for Members to postpone the Housing Mutual Exchange review until the Officers' review had been completed and the system had had some time to become established practice within the Choice Based Lettings process.

Councillor Smith noted that the Council also provided Home Swaps to Council house tenants and requested clarification of the differences between Home Swap and Housing Mutual Exchange. Officers explained that Home Swap was a national arrangement whilst Housing Mutual Exchange operated at the local level.

RESOLVED that

- 1. the proposed review of Housing Mutual Exchange be approved; and**
- 2. the launch of the Housing Mutual Exchange review be postponed until November / December 2008.**

41. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee considered update reports in relation to current and pending reviews.

The following oral reports were given:

- a) The Role of the Mayor Task and Finish Group
– Chair Councillor M Chalk

Councillor Chalk reported that the group had convened its first meeting on Monday the 28th of July. The Group had produced a Work Programme and had reduced the expected timescales for the completion of the exercise to thirteen hours.

Councillor Thomas expressed concerns about the review and suggested that the topic was not suitable for a scrutiny exercise. The Chair of the Overview and Scrutiny Committee reminded Cllr Thomas that the Role of the Mayor Task and Finish Review had been proposed, considered and approved at the previous meeting of the Committee. He therefore considered that the review should be allowed to take place in accordance with the terms and conditions contained within the scoping document for the exercise.

OVERVIEW AND SCRUTINY

Committee

30th July 2008

b) The Third Sector Task and Finish Group – Chair Councillor D Thomas

Councillor Thomas also reported that a bespoke Web Page, explaining the terms of reference for the review, had been added to the Council's website. Furthermore an online feedback form had been linked to the Web Page and would provide representatives of the Third Sector with an opportunity to request further information or register interest in the exercise directly. The Group had also issued a press release to inform third sector organisations that it was undertaking the review.

Councillor Thomas reported that the Group had held its second meeting, where Members had received a report from Officers concerning current arrangements for awarding grants and donations to third sector organisations. The Group would be considering the implications of the Worcestershire Compact and Funding and Procurement Protocol for the Council's funding relations with third sector organisations.

Councillor Thomas reported that the Group needed to address a number of points including: clarifying the Council's purpose for providing grants and donations to third sector organisations; and determining whether the allocation of grants and donations should be linked to the Council's priorities. She explained that the Group was due to interview the Group Leaders at a following meeting to address these issues.

Members discussed the process for appointing the membership of Task and Finish Groups and the need to consult Group Leaders during the appointment of Members to Task and Finish Groups was noted. Members asked Officers to determine the constitutionality of the existing Task and Finish Groups in the absence of Group Leader consultation. The Committee also agreed to observe due process when appointing Members to any Task and Finish Groups established at following meetings.

RESOLVED that

the Task and Finish Group progress reports be noted.

OVERVIEW AND SCRUTINY

Committee

30th July 2008

42. JOINT SCRUTINY EXERCISE ON FLOODING

Officers explained that, following the previous meeting, the arrangements for considering the final report from the Joint Scrutiny on Flooding Group had been discussed further with Officers at Worcestershire County Council. County Officers had suggested that the arrangements for the final report had yet to be finalised. They also explained that an alternative arrangement might be put in place, whereby the Chair of the Joint Scrutiny Group would report the final recommendations at a meeting to be attended by the Chairs and Vice-Chairs of the District and County Council Overview and Scrutiny Committees. County Officers advised that the final arrangements would be approved by the Joint Scrutiny Group at its following meeting on the 6th of August 2008.

RESOLVED that

the report be noted.

43. HOUSING AND HOMELESSNESS APPEALS REPORT - OFFICER UPDATE

The Housing and Homelessness Appeals Review had been undertaken by Members of the Social Overview and Scrutiny Committee in 2006 / 2007. The Group had been tasked with scrutinising the Council's two stage housing appeals process and the suitability of continuing Member involvement in that process. The first stage of the housing appeals process was review by Officers. The second stage of the Housing appeals process was review by Members at meetings of the Housing Appeals Committee. Appellants could also appeal to Redditch Crown Court as part of the Housing and Homelessness Appeals process. However, Members noted that this had rarely occurred at Redditch Borough Council.

The Housing and Homelessness Appeals Task and Finish Group had produced two recommendations: firstly, that the two-stage appeals process be retained, subject to further review concerning the impact of the choice-based lettings system upon the Housing and Homelessness appeals process at the end of 2007; and secondly, that all new Members be given training in the conduct of quasi-judicial meetings.

Officers explained that the Housing and Homelessness Appeals review had not been reviewed at the end of 2007 mainly because no housing or homelessness appeals had been considered by the

OVERVIEW AND SCRUTINY

Committee

30th July 2008

Housing Appeals Committee in 2007. Two Homelessness Appeals had subsequently been considered by the Housing Appeals Committee in June 2008. Prior to that date the Housing Appeals Committee had not been convened to consider any homelessness appeals since September 2006 and had not considered any housing appeals since August 2006.

Officers explained that all new Members were offered training in the conduct of quasi-judicial training as the need arose. In addition, Members received specific further training for working on specific quasi-judicial Committees. External training was provided for members of the Licensing and Planning Committees.

The item had been added to the agenda for the Overview and Scrutiny Committee to provide Members with an opportunity to reflect on the impact of the Choice-Based Lettings system on the Housing and Homelessness Appeals process. Officers reported that the Housing and Homelessness Appeals item had also been added to the Committee agenda as part of the Council's process for monitoring the impact of scrutiny reviews.

Officers reported that the introduction of the Choice Based Lettings system had impacted on the number of cases going through the housing and homelessness appeals process. The majority of cases were being resolved by Officers either prior to or at the first stage appeals process. The Council had also appointed a Special Needs Tenancy Officer and was therefore addressing a number of housing and homelessness needs before they reached the appeals stage. Officers reported that the majority of customers had reported that they were satisfied with the service they had been provided.

Members discussed the Housing Appeals process that had been in place when the Council had had a Housing Management Sub-Committee (HMSC). Members had represented constituents' appeals cases before the Committee. Under this system forty - fifty cases had frequently appeared before the Committee each year. Members noted that a reduction from fifty cases per annum one or two a year represented a significant alteration.

Some concern was expressed that the two-stage process required individuals to present their own appeals before the Housing Appeals Committee. Members noted that this might have deterred some people from utilising the second stage of the appeals process as they might have found the prospect of representing themselves at a Committee intimidating.

OVERVIEW AND SCRUTINY

Committee

30th July 2008

Members expressed agreement that there remained a need for a housing appeals process. The Committee agreed that on balance the two stage system was working well.

RESOLVED that

the update report be noted; and

RECOMMENDED that

no alterations be made to the two stage Housing and Homelessness Appeals process.

44. PERFORMANCE MONITORING OUTTURN REPORT APRIL 2007- MARCH 2008

The Committee received the Performance Outturn Report for 2007/08 for consideration.

The Chair noted that the Council's performance in relation to Best Value Performance Indicator BV109a, the percentage of major planning applications determined within thirteen weeks, had fallen. Further clarification about the reasons for this change in performance was requested.

Members also noted that the Council's performance in relation to ET05, the number of public reports of fly tipping, had also fallen. Officers explained that this had been recognised by senior Officers and would be considered by the Corporate Management Team. Members requested an explanation for this reduction as well as information about the types of items classified as fly tipping; the type of land which tended to be targeted by fly tippers; and the locations within the Borough where fly tipping more commonly occurred.

Members noted that the Council's performance in relation to BVPI79b(i), the amount of Housing Benefit overpayments recovered as a percentage of all Housing Benefit overpayments, had also fallen. Members requested an explanation for this change in performance.

Members discussed the third footnote attached to the report: "due to a large number of tenancies (having been) returned in a poor state mainly due to abandonment, the length of time to turn these properties around (had) been increased as more work (was) required to return them back into a lettable state. Action (was)

OVERVIEW AND SCRUTINY

Committee

30th July 2008

being taken to address this by reviewing the role of the tenancy Officer and the tenancy management role and the voids team (were) working more closely with the capital team where larger works (were) required". Members requested further information about the number of properties affected by being left in a poor state of repair as well as the number of properties so badly affected that they could not be repaired.

Members noted that a few years previously the Council had introduced a reward scheme for tenants who returned their properties in a good condition. They suggested that the application of this policy could have enabled the Council to address incidents of properties having been left by tenants in a poor state of repair. Officers were asked to clarify whether this policy had been retained by the Council.

Officers explained that the Council was exceeding its targets for indicator CS2, the number of British Crime Survey Comparator crimes reported. The Government Office for the West Midlands had commended that Council for their performance in relation to this performance indicator.

The Council had also experienced improved performance in relation to indicator BV082a, the percentage of household waste arisings which have been sent by the authority for recycling. Members requested further information about the number of incidents that had occurred in relation to this performance indicator during 2007/08.

RESOLVED that

- 1. the information requested be circulated for Members' consideration by email prior to the next meeting of the Committee; and**
- 2. the Performance Outturn Report be noted.**

45. REFERRALS

There were no referrals.

46. WORK PROGRAMME

Officers advised Members that the dates for the Portfolio Holder Annual Reports had been finalised. These dates had been selected at the convenience of the Portfolio Holders and would be recorded

OVERVIEW AND SCRUTINY

Committee

30th July 2008

on the Overview and Scrutiny Work Programme for the following meeting.

Members were informed that there had been a request for Portfolio Holders to be provided with at least four weeks' advance notice about what they should expect to address during the course of their Annual Reports. Members agreed that they would state the nature of the item on which the Portfolio Holders would be required to provide an account by informing them of the themes that they would be questioned about in advance of the meeting they were scheduled to attend.

RESOLVED that

Subject to the updates recorded on the preamble above, the Committee Work Programme be noted and approved.

The Meeting commenced at 7.05 pm
and closed at 8.10 pm