

**BRECKLAND COUNCIL**

**At a Meeting of the**

**OVERVIEW AND SCRUTINY COMMISSION**

**Held on Thursday, 17 November 2011 at 2.00 pm in the  
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

**PRESENT**

Mr J.P. Cowen (Chairman)	Mr A.P. Joel
Mr S.G. Bambridge (Substitute Member)	Mr R.G. Kybird
Mr A.J. Byrne	Mrs S.M. Matthews
Mr K.S. Gilbert	Mr R. R. Richmond
Mrs D.K.R. Irving	Mr J.D. Rogers
Mr T. J. Jermy	Mr B. Rose

**Also Present**

Mr P.D. Claussen	Mr M. A. Wassell
Mr W. R. J. Richmond	
Mr F.J. Sharpe	

**In Attendance**

Anita Brennan	- Housing Manager
Paul Jackson	- Planning Manager
Helen McAleer	- Senior Committee Officer
Dylan Powles	- Customer Contact Manager
Darryl Smith	- Principal Housing Officer (Strategy and Enabling)
Teresa Smith	- Committee Officer (Scrutiny & Projects)
Robert Walker	- Assistant Director of Commissioning

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**87/11 MINUTES (AGENDA ITEM 1)**

Subject to an amendment to add Mr F Sharpe to the Members in attendance, the Minutes of the meeting held on 6 October 2011 were confirmed as a correct record and signed by the Chairman.

**88/11 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)**

Apologies for absence were received from Mr C Carter. Mr G Bambridge was in attendance as his substitute.

**89/11 URGENT BUSINESS (AGENDA ITEM 3)**

None.

**90/11 DECLARATION OF INTEREST (AGENDA ITEM 4)**

Mr P Cowen declared a personal interest in Agenda Item 6 by virtue of his occupation as an Architect in practice in the district.

**91/11 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

Mr P Claussen, Mr F Sharpe, Mr W Richmond and Mr M Wassell were in attendance.

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**92/11 EXECUTIVE MEMBER PORTFOLIO UPDATE (AGENDA ITEM 6)**

Mr Claussen, Executive Member for Planning and Environmental Services had been invited to update the Commission on ongoing issues within his portfolio. He advised Members that there was a lot going on and that several areas were under review involving staff at risk, so he would not go into those areas in detail. Both HR and Unison were involved.

Environmental Health

This was one area under review. The aim was to share management at Principal Officer and Team Leader level whilst still retaining local knowledge. IT would be shared and mobile working would be implemented across both authorities to provide consistency. The Business Development Manager and the Business Improvement Team were undertaking a full business process review. An IT 'pipe' would link both authorities and would be capable of expansion if necessary. A Project Board and Project Group had been set up to progress the review and it was expected to be completed by 1<sup>st</sup> April 2012.

Environmental Services was working with other departments and the Immigration authorities with regard to rough sleepers. They had also teamed up with Trading Standards to address under 18s using sun beds.

The dog and pest contracts had both been re-let and were operating well. The RSPCA had awarded the Council a 'Gold Footprint' award for its work with stray dogs. There was also a micro-chipping service and dog training courses which were very popular and over-subscribed.

Food Hygiene courses were also proving popular and might become commercial.

The 'Scores on the Doors' project had been very successful, with over 1200 businesses receiving scores of between 3 and 5. Only 5% of businesses required improvement. However, some businesses were requesting re-visits to try and improve their scores.

Licensing

The Police Reform and Social Responsibility Bill would bring changes to regulated entertainment licensing. The implications on workload were not yet known as more details were awaited. The situation was being closely monitored.

Planning

Due to shared services, the Leaders of both Councils wanted to align Planning and Economic Development, therefore, the Policy side of planning and the Capita contract now fell within the Assets and Strategic Development Portfolio and Mr Kiddle-Morris had joined Mr Claussen and the Chairman of the Planning Committee on the Contract Monitoring Board.

The main criteria for outsourcing the Planning department had been to make savings and by the end of 2011 the contract would be on target to reach contractual savings of over £400,000.

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Capita continued to meet all targets. There had been a problem with the Enforcement target but that had been addressed. However, the targets originated from the old BVPIs (Best Value Performance Indicators) which used to be linked to receipt of the Planning Delivery Grant. Those targets no longer attracted a grant and negotiations had commenced to review the targets to address issues such as customer access.

The Planning Manager explained that they wanted targets to be customer focused. They would look at how the processes worked and aim to improve consultation and access and make the system as transparent as possible. The website was one area where time would be invested to make accessing information easier. The intention was to focus on two new customer delivery standards: customer access and quality of decision.

The Executive Member advised that they hoped to find a solution to telephony problems and to bring the IT platform up to the required level. He asked the Commission for the opportunity to return in six months to provide an update on the progress made.

The Chairman suggested that Mr Claussen's update on housing should be provided in conjunction with the next item on the agenda. He therefore invited questions on what had been heard so far.

*(The Chairman also apologised at this point for not welcoming Mr Jermy as the new Vice-Chairman at the start of the meeting.)*

Mr Gilbert asked about the dog warden service and whether it included taking action against fouling on footpaths. Mr Claussen was not sure if that was part of the dog warden's contract. He promised to find out.

Mr Bambridge was glad that planning issues were being addressed. He thought it was important to let applicant's know when they could expect a decision. He asked if the changes would affect the timescale in which the contract was expected to start 'earning' money.

Mr Claussen advised that the contract was not due to start earning additional money until 2012/13, although that issue was already discussed at Contract Monitoring meetings and some work from other authorities was already being undertaken. He had accompanied the Deputy Chief Executive to a meeting of the Planning Advisory Service in Leeds. They were looking at alternative ways for authorities to save money and Mr Claussen thought that cuts in staffing levels at other authorities might lead to work opportunities in future.

With regard to the 'Scores on the Doors' project, Mr Sharpe asked if the Council would be charging for the re-visits and Mr Claussen said that that would be considered.

Mr Joel asked if more advice could be provided on the website to assist members of the public in accessing planning application information. He also asked if the Council was considering charging for pre-application advice. He knew of another authority that already did and then allowed a discount if a planning application was submitted.

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The Planning Manager agreed that the website needed to be simplified and made clearer. He also thought that all Councils should charge for pre-application advice, but only if value was added to the service, and he did not feel that the Council was currently in a position to do that. He did not think that application fees should be discounted, as they were set by the Government and to do so would cause audit problems.

The Chairman had personal experience of a local authority that already charged for application advice and he echoed the Planning Manager's thoughts on providing value.

Mr Rogers asked how many complaints were received about the Planning department from Parish Councils and individuals. The Executive Member did not know the numbers, but said that that was one of the reasons they were seeking to make changes as many of the complaints were about communication problems.

The Chairman asked why the Capita contract had not brought improvements to the IT systems for Planning as expected. The Executive Member explained that Breckland had made the decision to retain ownership of the systems, which had caused issues. Capita were willing to upgrade but would prefer to have free reign over the system. Improvements had been made; having plans on-line was one example.

The Chairman noted that another reason for choosing Capita had been the fact that they were a large organisation with diverse expertise which the Council could draw on for advice on complex planning applications. He asked if that had happened.

The Executive Member was not aware that they had and said he would take that question to the next Contract Monitoring Board meeting.

Mr R Richmond asked the Executive Member to look into a recent case where an applicant had complained about certain details included in a letter of objection, which had been published on the website.

The Chairman thanked Members for their questions and invited the Executive Member to update the Commission on the Housing part of his Portfolio.

**Housing**

The Executive Member advised that the number of people on the waiting list had increased whilst the number of properties available had reduced. There had been a 33% increase in the number of applicants to be on the waiting list.

With regard to homelessness, the Council worked hard on prevention and early intervention. This proved cost effective and was reflected in the relatively low use of bed-and-breakfast accommodation.

The Reviews extended to the Housing Teams. One had already been completed, leading to savings from reducing staff by two full time employees and maintaining standards by adopting different working practices.

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As part of the on-going shared service reviews the Housing Advice Team, the Homelessness Team and then the Private Sector Housing Team would be reviewed. Although savings were sought there was no intention to affect front line services.

The Executive Member mentioned 'One Future' and for the benefit of new Members this was explained. The Council dealt with Registered Social Landlords (RSLs) as it did not own any housing stock itself. The three former stock transfer organisations, Peddars Way, Suffolk Heritage and Kings Forest had been 'collapsed' into a single entity 'Flagship' which the Council had formally heard would provide improvements to those tenants living in the Breckland District. One area of concern for the Council was that Flagship had not submitted a framework to the Homes & Communities Agency (HCA) to access funding for new build housing. The Council needed to deliver social housing and in the immediate future they were therefore looking to other partners as without a framework Flagship's access to the money available was limited.

Mr Rogers noted that the Council had loaned money to the Housing Associations in the past to buy houses. When the Council had sold its own housing stock it had only been able to use the money to re-invest in housing. He asked if those loans had been re-paid. The Executive Member agreed to find out.

The Vice-Chairman asked if the current location of people on the waiting list was known and the Housing Manager explained that they knew where the people were located and which areas in the District had the greatest need. Local investment planning targeted those areas.

Mr Bambridge hoped that when the changes to the Planning Strategy became law the Council would provide more social housing in rural areas.

The Chairman was concerned that the Council had fallen behind the existing housing strategy in terms of delivery of new houses. He found the 33% increase in people applying to be on the waiting list alarming and asked if the reason for the increase was due to the economic climate or because more people were moving into the district.

The Principal Housing Officer advised that when the new Contract Based Lettings system had gone live it had created a spike in applications – a recognised phenomenon with new systems because they were easily accessible. She was able to confirm that there were only 55 people from outside the District on the list, which equated to 13% of the overall number. She thought that the changes in people's circumstances together with the fact that some private rented properties were being sold were two of a range of reasons for the increase.

The Housing Manager advised that the increase could also be seen in the number of people presenting as homeless. There was an increase there too.

The Chairman asked if the increase was a trend, or just a 'blip'.

The Executive Member said it was a combination of things including the

**Action By**

depressed housing market. On a positive note, the Council's 'Restore' scheme was already proving a success. This provided a grant of up to £5,000 to bring disused properties up to lettable standard. Changes to the Benefits system were causing additional problems. If there were any ways to kick-start housing development they were being looked at.

The Housing Manager thought that there was likely to be a rise in numbers on the waiting list, year on year should the current economic conditions prevail. In reality however, the Council via its allocations policy could only help a fraction of the people on the list and she suggested that going forward the Allocations Policy could be tailored to target a less wide group of people and reflect Breckland rather than national needs. For those people that could not be housed, other advice could be provided.

Mr Rogers was concerned that a major developer in his area was refusing to start work on housing it had permission to build and that was having a knock-on effect on other parts of the development, which could not adopt roads without its contribution.

Mr Sharpe wondered if the supply of social housing was being affected by the 40% requirement level. He suggested that the figure should be revisited to try to encourage development.

The Executive Member explained that the 40% threshold had been set to address housing need, but that it was always a negotiating point.

Mr Gilbert was worried that people's expectations of social housing were too high and Mrs Irving, Lead Member for Breckland Key Select said that during the 22 bid cycles so far over 7000 bids had been received for the 221 properties available. Affordable housing was a scarce commodity and not always the best route for some people.

The Executive Member advised that Mrs Irving was the Lead Member for the next item. The Chairman suggested that it was time to move on to that item. He thanked the Executive Member for his update.

**93/11 BRECKLAND TENANCY STRATEGY (AGENDA ITEM 7)**

The Principal Housing Officer presented the report. She advised that with the Localism Bill receiving Royal Assent there were many changes on the way. The Tenancy Strategy was one area where work had started on dealing with those changes. It was not yet complete and Members' input was sought to both the Tenancy Strategy and the review of the Allocations Policy.

The Council needed to make the best use of the available housing stock and to ensure that it was occupied by the right people. The Tenancy Strategy addressed the following issues:

1. how long a tenant should occupy a property
2. what rent they should pay; and
3. what was the best use for the property

Guidelines suggested that tenure should be not less than five years and the suggestion was to set a ten year limit for the Council. That would

**Action By**

only affect new tenancies – not existing ones. After ten years a review would be held to discuss options and perhaps at that time to encourage tenants to change to a different house size.

The driver for affordable rent as opposed to social rent was to raise money for new development. Flagship Housing Association was not accepting HCA terms and was charging affordable rent. Developers were also pushing for affordable rent.

Members also need to consider the best way to tackle under-occupation? If tenancy was secure, tenants could not be forced out, but would the Council consider allowing Housing Associations to offer incentives to people to move?

Local Lettings – these were usually attached to Legal Agreements and gave priority to local people. This was an opportunity to set out exactly how the Council wanted to deal with Local Lettings in the new strategy.

Tied to the strategy was the Allocations Policy. The Localism Bill allowed greater freedom for the Council to set its own criteria. Currently there was an open register and anyone could apply. The Council could decide to add some priorities and give preference to certain groups if it chose. This could extend to excluding certain people from applying, such as those with a certain level of savings, or those with a history of anti-social behaviour. Members were asked to provide input on all of the issues set out.

The Chairman reminded Members that part of the function of Scrutiny was to help to shape Policy. They had an opportunity to look carefully at how to address housing need in the District.

He suggested that a Task & Finish Group should be set up to look at the issues. It should have both rural and Market Town Members. They needed to understand Planning and Core Strategies as Planning and Housing were inextricably linked.

The Housing Manager suggested that the Homelessness Business Plan might also be considered by the Task & Finish Group. It was a matter that could not be separated from the Tenancy and Allocations Policies, as decisions on either would have implications on homelessness.

The Chairman agreed and suggested that the overarching areas considered by the Task & Finish Group would be Tenancy, Allocations and Homelessness. It was a wide remit and volunteers to sit on the T&FG were asked to contact the Committee Officer (Scrutiny & Projects).

In the meantime, it was agreed that the Policies should be moved back on the Forward Plan to allow the Task & Finish Group time for consideration. The timeframe for the Group would be between three and six months.

The Vice-Chairman implored the Council to issue reassurance about the tenancy changes as there was a lot of confusion in the community. It needed to be made clear that those already in place were safe.

The Principal Housing Officer agreed that a strong message needed to

**Action By**

be given out about existing security of tenure.

The Chairman thanked the Officers for their presentation.

**94/11 ONE STOP BUS MAINSTREAMING (AGENDA ITEM 8)**

The Customer Contact Manager presented the report and explained the background to the Bus. The original funding had been exhausted and it would be a considerable cost to the Council to continue its use. Cabinet had decided it should be discontinued and the Commission had been invited to consider how the Council could meet the demand for services in rural communities within budget.

The Chairman noted that the Commission could only run three Task & Finish Groups concurrently so they were unable to undertake the task at present. However it was something that they could look at in the future.

The Customer Contact Manager advised that the bus was actually finishing in one week's time. They were planning to run some pilot schemes such as sending invitations to Parish Councils offering to attend meetings. If Members had any ideas he would be grateful to hear them.

Mr Joel had attended the bus every month and thought it had been a very good concept with excellent staff. He suggested that the Click campaign could be continued in the village schools, with the pupils teaching the older people. That would be a way to pass on skills without the costs associated with the bus.

The Chairman said he had attended the bus on two occasions in his Ward, but no residents had turned up. He liked Mr Joel's idea which had other good social benefits.

Mr Richmond also supported the idea of using the schools which he thought might have additional health advantages.

Mr Wassell said that whatever the Council decided to do it would need to be well advertised. He thought that part of the reason the bus had been uneconomic was due to the public not knowing about it. People that had visited the bus had looked upon it as a 'council' facility – and it hadn't mattered which Council. He suggested that the aim should be to provide joined up services for all three tiers of local council.

The Chairman asked the Contact Centre Manager to come to the next meeting to update the Commission on how the pilot schemes were progressing.

Dylan  
Powles

**95/11 TASK AND FINISH GROUPS (AGENDA ITEM 9)**

(a) Dereham Parking Task and Finish Group

Mrs Matthews, Chairman of the Group, advised that the public meeting due to be held in early December was to be deferred until after Christmas. No real problems had been identified in Dereham and it was likely the review would finish after the public meeting.



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The Vice-Chairman asked if parking in Thetford would be reviewed and the Chairman explained that whilst the growth and development of Thetford were being determined they could not focus on just one aspect, but that parking issues would be addressed eventually.

(b) **Bunker & Business Continuity Task & Finish Group**

Mr Kybird, Chairman of the Group, said that they would be talking to the ICT officers at the next meeting about recovery plans. Once that meeting had taken place and storage arrangements had been clarified he expected to be able to finalise their report.

Mr Bambridge asked about the generator provision for Elizabeth House which he thought was a key issue. He considered that an outlay of only £30-35,000 for a generator was not big considering the cost if working time was lost.

Mr Kybird advised that overall business continuity would depend on joint working arrangements. ICT would be asked if the existing 'mirroring arrangements' required another equipped site or whether all facilities were transferable.

The Chairman said that the Group would respond to those concerns in their final report.

**96/11 JOINT AUDIT & SCRUTINY PANEL (AGENDA ITEM 10)**

The Chairman advised that Skype was now available and was being trialled by some Members.

Mr Bambridge, E-Champion, expected all Members to have been set up with Skype within a few weeks. Web-Ex was slightly more complicated and training would need to be given, but it was likely that only the Chairmen of Committees would need to use it.

**97/11 HEALTH & SCRUTINY (STANDING ITEM) (AGENDA ITEM 11)**

Mr Kybird had not attended the most recent meeting but Lady Fisher had sent round a briefing note to all Members.

The Chairman had attended a conference in Mattishall on 2 November looking at fundamental changes to Health Services. Local Authorities were due to take responsibility for Health services in April 2013 and from April 2012 shadow organisations would be set up to start the transition. Norfolk County Council would retain responsibility for scrutinising health in the County. However it was pointed out that Thetford hospital services were provided by Suffolk so there would be cross border implications.

Mr Kybird clarified that for Thetford and Brandon, Norfolk administered physical care, Suffolk looked after mental care and King's Lynn catered for elderly care.

**98/11 SCRUTINY CALL-INS (STANDING ITEM) (AGENDA ITEM 12)**

None.

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**99/11 COUNCILLOR CALL FOR ACTION (STANDING ITEM) (AGENDA ITEM 13)**

None.

**100/11 WORK PROGRAMME (AGENDA ITEM 14)**

The Chairman reminded Members that they had the opportunity to bring topics to the Commission. As long as they were relevant to the District as a whole, they would be gratefully received.

**101/11 NEXT MEETING (AGENDA ITEM 15)**

The arrangements for the next scheduled meeting to be held on 5 January 2012 were noted. If possible, a Utilities meeting would be arranged in December.

The meeting closed at 4.17 pm

CHAIRMAN