

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 2 November 2017 at 2.00 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mrs S.M. Matthews
Mr D. R. R. Oliver (Vice-Chairman)	Mr T. F. C. Monument
Mr P. M. M. Dimoglou	Mr M. J. Nairn
Mr T. J. Jermy	Mr R. R. Richmond
Mr A.P. Joel	Mr P S Wilkinson (Substitute Member)
Mr R.G. Kybird	

Also Present

Mr S.G. Bambridge	Mr J.P. Cowen
Mr S H Chapman-Allen	Mrs J. Hollis
Mr P.D. Claussen	Mrs L.S. Turner

In Attendance

Ralph Burton	- Strategic Property Manager (BDC)
Christine Marshall	- Executive Director Commercialisation (S151 Officer)
Helen McAleer	- PA to the Leader of the Council
Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Greg Pearson	- Corporate Improvement and Performance Manager
Riana Rudland	- Breckland Place Manager
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Rob Walker	- Executive Director Place

94/17 MINUTES (AGENDA ITEM 1)

(a) Minutes of the meeting held on 14 September 2017

Councillor Dimoglou requested a change to the wording of paragraph 7 on page 11. He had said that the Policy was weighted far too much against the subject of the vexatious complaint, not against the vexatious complainant.

Subject to that amendment the Minutes of the meeting held on 14 September 2017 were confirmed as a correct record and signed by the Chairman.

(b) Minutes of the Special Meeting held on 3 October 2017

The Minutes of the Special meeting held on 3 October 2017 were confirmed as a correct record and signed by the Chairman.

95/17 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Brame and Crawford.

Councillor Wilkinson was present as Substitute for Councillor Brame.

Action By

96/17 URGENT BUSINESS (AGENDA ITEM 3)

None.

97/17 DECLARATION OF INTERESTS (AGENDA ITEM 4)

No declarations were made.

98/17 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Councillors Bambridge, S Chapman-Allen, Claussen, Cowen and Hollis were in attendance.

99/17 PRESENTATION BY THE CITIZEN'S ADVICE BUREAU (CAB) (AGENDA ITEM 6)

Mel Jones, Bureau Manager, Citizens Advice Diss, Thetford & District gave a short presentation. David Potten, acting Chief Executive and Mandy Lewis, Bureau Manager Mid Norfolk were in attendance to answer questions.

There were three bureaux in Norfolk and in Breckland there were offices in Thetford, Dereham, Watton, Swaffham and Attleborough. The bureau offered independent, unbiased advice and dealt with a range of problems including debt, housing, benefits and employment issues and also offered advice on relationship and legal issues. Their main sources of funding were Norfolk County Council (NCC) and District Councils.

Details were given about the number of clients helped in the District and the number of issues addressed. Issues were often inter-related such as the breakdown of relationships leading to homelessness, job loss, etc. The reduction in the number of other charities offering help and also in the availability of legal aid had led to increased demand on the CAB. They dealt with an increasing number of disabled clients.

The introduction of Universal Credit in March 2018 in the District would bring more problems, and the CAB were preparing and training for that.

Q: What problems was Universal Credit (UC) expected to bring?

A: *The biggest issue was the six-week waiting time from first application until payment. Private landlords could not wait that long for rent and evicted people. People needed to be made aware that they could get advanced payments on their benefits (to be paid back over a six month period).*

Q: How were elderly people, who could not travel or use the internet, to engage with UC?

A: The effects of UC should be minimal on that age group.

Q: Where in the District was the grant money provided by the Council being spent and what was it being spent on?

A: Information could be provided to Ward level.

Q: How often were the bureaux open?

A: Thetford 3 days a week but looking at a fourth day
Dereham 3 days a week
Watton one morning a week,

Action By

Rob
Walker

Action By

Swaffham one day a week,
Attleborough two days a week.

It was noted that client numbers referred to new visits not repeat visitors.

Q: The towns were working towards being dementia friendly. Were bureau staff dementia trained?

A: Staff were *trained in mental health but not specifically about dementia. They would welcome dementia training if it was available.*

Q: There was often a mental health element to issues and the District was very poorly served by mental health teams. How did the CAB overcome that?

A: *The bureaux were seeing increasing numbers with mental health issues. Many clients were geographically isolated with no access to the internet. Transport was also a problem. Sometimes mental health issues could be alleviated by good advice.*

Q: Did the ARP help the CAB?

A: *It was very helpful to work in partnership with the ARP.*

Q: Does the CAB have access to the Council's policies re Housing etc.

A: Yes.

Q: The Dashboard information provided on the Agenda showed a large amount of contacts by letter/mail, but not e-mail. Was that correct?

A: *The figures included letters written by the bureaux on behalf of clients.*

Q: The number of clients in Dereham was as high as in Thetford which was the District's area of most serious deprivation. What was causing the increase in Dereham numbers?

A: *The numbers had been on a par for some time, but Dereham was getting busier. The increase might be linked to the migrant community spreading out. In Thetford it was a struggle to get volunteers. Dereham was able to deal with 10 times the number of calls partly because it had more volunteers.*

Q: Do clients get referred to the CAB by other third party agencies?

A: *Yes, people were often signposted to the CAB when their cases were complex or the third party agency and the client were not in agreement.*

Q: Were interpreters available at the bureaux to help with the migrant population?

A: *There were no bilingual volunteers in Thetford but staff had access to Language Line for interpreters.*

Q: What does each client cost the service? That information would be useful to the Council when setting its budget.

A: *Research done in 2012 showed the average cost per client was about £15. That had increased significantly due to the complexity of issues now. A lot of volunteers were trained and then lost because the training made them employable and they moved on to engage in employed work.*

Q: The lack of language speakers in Thetford was disappointing; there should be some dual language people available.

A: *All advisors were volunteers and it was hard to get them in Thetford. The CAB would welcome people with language skills. They were working in partnership with Keystone and hoped to upskill some of their advisors.*

Action By

Q: How much pressure would it put the CAB under if your funding was cut?

A: *We have moved premises to ensure we are as cheap as possible and we are working in partnership with Keystone. If our funding was cut we would have to see less people. We have made bids for other funding. We are also dependent on donations and no amount is too small. In Dereham there are only two paid staff in the bureau. If funding was cut, paid staff would go and there would be no bureau.*

The Chairman explained that the Council was not looking to cut funding but it wanted to know how the money was used and whether there were other ways it could help.

It was noted that the migrant community in Thetford was more settled and helped themselves and helped each other to fill forms out, etc. Self-help was welcomed, but there was concern that the support was not regulated and not independent and some people were being charged large amounts to fill in even basic forms.

The CAB had worked with Keystone on the issue of advice sharks – people from the European communities operating in the cafes in the community and giving advice for money. In some cases it had caused real issues.

The CAB had previously had an agreement to provide general reception cover at Breckland House in Thetford in exchange for space in the building. That agreement had expired and was one of the reasons that the CAB had moved premises.

It was noted that Breckland House was run as a commercial tenanted building.

Q: Was the funding provided by the Council used for core funding or for projects?

A: *The funding was needed for core costs. Volunteers could not be employed without premises, telephony, etc. The funding was also needed to pay the salaries of paid staff to supervise and ensure the safety of volunteers.*

Councillor Cowen explained that the Council was about to embark on budget setting and was looking internally and externally for savings. The problem with funding the CAB was that it did not work solely within the Council's boundaries. If the Council gave money it wanted to be sure that it would be spent on Breckland residents. Having a clear understanding of the costs of the offices in Breckland would help in making decisions.

The Chairman asked Rob Walker to arrange a get-together meeting of CAB and Council officers to discuss funding and other ways that the Council could provide help. She thanked the CAB representatives for their presentation.

100/17 THE BUDGET (AGENDA ITEM 7)

Councillor Cowen, Executive Member for Finance gave a high level presentation on the budget process. The Council's remit was to provide services. The challenge was how to reduce the cost of those services and to reduce reliance on RSG at the same time.

Members were shown a graph of income sources. The largest sum was from

Action By

non-domestic rates. The second highest income was from fees and charges (planning, etc) and Council Tax was third with rents providing the fourth largest amount.

A further graph explained the breakdown of fees and charges. Understanding where income came from helped with working out how to increase it and target resources.

An Increase in planning fees would lead to an expectation of a better service, so work would be done with Capita to enable the Council to generate more income and also a better quality planning service.

The Council was entitled to take 100% of business rates for renewables such as the biomass power station at Snetterton which should bring in £914,000 a year. Necton sub-station was estimated to bring in £400,000. The important message to Members was that planning policies were needed which would ensure that such applications were sited in acceptable places.

Members were advised that the Government could change the rules, so the Council should not be too reliant on income from Business Rates and renewables.

The Star Chamber process had made clear that there was a finite element to making savings. Resources needed to be managed in a better way. Some services were presently gold standard and the question was should all services be one standard? Members would need to make that decision.

There were a number of planned projects going forward to help to address budget issues including the investment fund which had already been approved. A key risk which was outside of the Council's control was the County Council and Police budgets.

The budget had a tight timeframe and officers were working hard to ensure the deadlines were met.

Councillor Oliver thought it would be helpful if both revenues and associated costs were shown, as that would help identify unprofitable services.

The Chairman thanked the Executive Member for his update.

101/17 QUARTER 2 2017-18 PERFORMANCE OVERVIEW REPORT (AGENDA ITEM 8)

The Deputy Leader and Executive Member for Strategy, Governance and Transformation presented the report which sought to address points raised previously.

The key successes were increased garden waste and a small reduction in landfill and high occupancy levels of commercial units.

The red items in the report were explained:

- The call-abandonment rate in the table had been caused by an issue with staffing levels. The figure had now dropped to 6% which was well below the target.

Greg
Pearson

Action By

- The length of the average call-wait time was due to the high volume of housing calls. The CIP team were working with the Contact Centre and the Housing team to ascertain why there were increased levels. An explanation would be provided in the next report.
- The short term investment forecast indicated as red because it had not been budgeted for. It was in fact a good news story as the Council had more money than expected.
- The HR team were monitoring the reasons for staff leaving. In some cases it was due to fixed term contracts coming to an end.

The Chairman asked why there were still 'unknowns' on page 37.

The CIP Manager explained that they referred to homelessness targets which were not listed in the report. There was a system issue which meant the information could not be uploaded at the moment. The figures were available and would be circulated to Members.

Councillor Oliver noted that staff turn-over was not only caused by the ending of short term contracts and he asked if the Commission should be worried about the reasons staff were leaving. He was advised that the HR Manager had not raised any concerns about the reasons given by those departing.

Councillor Matthews had experienced problems trying to contact staff in the Housing and Contact Centre teams. She asked if there were problems with recruitment.

The Executive Member advised that there had been two members of staff in the Contact Centre with long term sickness. They were now on a phased return to work and two other posts, which had been left vacant during the service reviews, had now been filled.

Councillor Dimoglou asked if more could have been done with the Jaeger lease. The Strategic Property Manager explained that due to the rules regarding companies in administration the best option had been to allow the lease to end otherwise the asset would have been in the hands of the administrators.

Councillor Oliver asked if temporary staff could be employed when high call volumes were expected by the Contact Centre. That had been tried in the past, but the use of temporary staff had not been successful due to the level of training they required.

The Executive Member encouraged Members to use the Direct Dial numbers they had been given for Planning and Commercial. Contact Centre calls sometimes dealt with complex issues which took longer to resolve. He suggested that Members should sit in the Call Centre to see the work they did.

The Executive Director for Strategy and Governance explained that during the Contact Centre service review it had been prudent not to put people into long term contracts but now the review was complete that would change and it should help the situation.

The Chairman thanked the Executive Member for his report. She asked

Action By

Members of the Commission to book appointments to visit the Contact Centre with the Executive Member and to copy her in on those requests.

102/17 AMENDMENTS TO CONSTITUTION (AGENDA ITEM 9)

The Executive Manager Governance, presented the report which provided additional information as requested at the last meeting.

Two minor amendments to the Constitution were explained. The two more significant changes were:

- Excluding Call-in. It was noted that this had only happened once in the last five years. When it was required it was done in an open and transparent way and reported to the next meeting of the Council. To ensure Scrutiny engagement wherever possible it was proposed to introduce pre-decision scrutiny.

Councillor Dimoglou asked why an Officer could approve the exclusion in urgent cases.

Statute required the Constitution to have a provision to exclude key decisions in certain circumstances and in those cases an officer could make that decision. Despite that provision, in actual fact the Chairman of the Commission was always consulted.

Councillor Oliver asked whether Devolution had been a key decision. It was confirmed that it had been but the exclusion provision could not be used in that case because the decision had been on the Forward Plan for more than 28 days. The Chairman waiver had been used on that occasion.

Councillor Oliver therefore considered that no amendment was needed. However, the Executive Manager said that it was always preferable to have something in the Constitution to use in case of a challenge. At the moment there was no framework for a non-key decisions and the amendment would make it more open and transparent.

RESOLVED TO RECOMMEND TO CABINET that:

- 1) The amendments detailed in Appendices A to F of the report be approved and the Constitution be amended accordingly; and
- 2) Membership of the Governance and Audit Committee at Para 3 Section D1 (Delegations to Committees), which currently refers to "6 members and 2 substitutes politically balanced" be amended to read 26 non-Cabinet members and 2 substitutes politically balanced".

103/17 INVESTMENT & COMMERCIALISATION (AGENDA ITEM 10)

The Executive Director Commercialisation gave a short presentation.

Members were advised that balances were reducing and it was necessary to be more careful with residual funds. Members might want to consider borrowing but there was a cost to that and there were rules set out in legislation for Councils that borrowed. They had to repay the principle and the interest. The DCLG were getting concerned about some Councils that were pushing the boundaries (deferring repayments). It was the Director's job as

Action By

Section 151 Officer to be prudent and conservative and take risks in a balanced and proportionate way.

The Council had converted a lot of cash into assets. If interest rates started to rise it might be better to have that money back as cash. Councils could not secure debt against an asset; a loan had to be secured against the revenue account.

The Strategic Property Manager discussed the difficult decisions about where to put money. It was important to ensure that the investment portfolio was performing well. As interest rates rose the gap between earnings from investments and what money would be realising in the bank, would get smaller. A rationalisation exercise had been carried out on the portfolio to look at how assets were performing. Any that were falling short of a particular yield would be considered for disposal and then that income could be reinvested in other assets with a higher return.

Currently the investment portfolio was realising a net yield of 7.3% which was quite good.

Thresholds had been set for the poorer performing assets. The wider factors of why they were being kept had been considered. About 15 units were failing to meet requirements and would be recommended to Cabinet for disposal. If given approval the money would be reinvested in higher yielding assets.

The Council's other assets including community, land and operational would be reviewed in the same way.

The Executive Director would not recommend taking more risks. The remaining cash flow was retracting and a lot of it was already committed. If the remaining reserves were drawn together one large, or several small investments could be made. Alternatively, the money could be used to invest in IT or revenue or purchasing vehicles for the waste contract to make revenue savings.

The money lent to Breckland Bridge at a premium was achieving an extra income. If interest rates continued to go up Members might wish to adjust the cash to asset ratio.

There were different ways to invest in green energy and the Council could stimulate the market and enable others to invest without taking the risks itself, but it would still benefit from 100% business rates.

If the Council moved to reliance on business rate income it might want to increase the General Fund balance to guard against possible appeals, etc.

The cash investment strategy was set out in regulation. Specified investments had a high level of security. Non-specified investments, such as Breckland Bridge, had much tighter controls.

The future reserve levels were shown in graph form. Investments were generally performing well.

Councillor Oliver referred to the green investment proposal and suggested that the Council should form a land formation company; buy the land (any renewable project) employ a company with that specialism, act as a conduit,

Action By

get planning permission, get someone to build on the land, then sell to a company. That would expedite green investment in the district and retain an on-going stream of income from Business Rates.

Councillor Oliver made a formal proposal which was seconded by Councillor Jermy and supported unanimously.

RESOLVED TO RECOMMEND TO CABINET that they consider options to maximise the 100% allowance on renewables in the District.

Councillor Dimoglou did not understand the public works loan board. It was there to facilitate public works. He felt that the Commission needed a presentation on that single issue to get a better idea of how to facilitate growth.

The Chairman suggested that Councillor Dimoglou should Chair a Task & Finish Group with three other Members to look at the issues. Councillor Kybird volunteered to serve on the Group. Any non-Executive Member could serve on the Group and interested Members were asked to contact Councillor Dimoglou.

The Executive Director informed Members that Treasury Management specialists would be attending the Governance & Audit Committee meeting in December to explain the regulations. The Members of the T&FG might find it useful to attend.

The Chairman thanked the Officers for their presentation.

104/17 PUBLIC TOILETS (AGENDA ITEM 11)

On hold until more information available.

105/17 TASK AND FINISH GROUPS (AGENDA ITEM 12)

Nothing to report.

106/17 OUTSIDE BODY FEEDBACK (AGENDA ITEM 13)

Councillor Wilkinson informed the Commission that the first meeting to discuss Air Quality in Swaffham had taken place on 24 October. A 20 point action plan had been drafted for discussion. Swaffham Town Council had been briefed. The next meeting would take place in November. The Minutes and action plan from the first meeting would be included on the next O&SC agenda.

The Norfolk Health Overview and Scrutiny Committee had invited the ambulance service to attend to discuss triage, etc. The CCG was looking at mental health budgets.

At present there was no progress to report on the Breckland YAB.

107/17 SCRUTINY CALL-INS (AGENDA ITEM 14)

None.

108/17 COUNCILLOR CALL FOR ACTION (AGENDA ITEM 15)

None.

109/17 WORK PROGRAMME (AGENDA ITEM 16)

The Executive Manager for Governance would attend the next meeting to discuss the Forward Plan.

The Serco presentation had been moved back to January.

The Internal Drainage Board would be invited to the next meeting.

Councillor Jermy noted that the next meeting would receive an update on the housing strategy and he suggested that the Allocations Policy should be looked at, at the same time. The Chairman agreed and asked for it to be added to the work programme.

110/17 NEXT MEETING (AGENDA ITEM 17)

The arrangements for the next meeting on 14 December 2017 at 2pm in the Anglia Room, were noted.

Action By

The meeting closed at 4.35 pm

CHAIRMAN