

# OVERVIEW AND SCRUTINY PANEL

**28 NOVEMBER 2017 - 2.30PM**



**PRESENT:** Councillor F H Yeulett (Chairman), Councillor Mrs A Hay (Vice-Chairman), Councillor M Buckton, Councillor S Clark, Councillor D Hodgson and Councillor Mrs K F Mayor

**ALSO IN ATTENDANCE:** Councillor Seaton and Councillor Murphy

**OBSERVING:** Councillor Butcher, Councillor Clark and Councillor Sutton.

**APOLOGIES:** Councillor G G R Booth, Councillor D Mason and Councillor A Pugh

**OFFICERS IN ATTENDANCE:** Jane Bailey (Member Service and Governance), Richard Cassidy (Corporate Director) (from 3.20pm), Anna Goodall (Head of Legal and Governance) and Geoff Kent (Head of Customer Services)

Councillor Yeulett stated that Councillor Mrs Davis has resigned from the Panel for personal reasons; he offered thanks, on behalf of the Panel, to Councillor Mrs Davis for her contribution to Overview and Scrutiny.

Councillor Yeulett welcomed Councillor Buckton back to the Panel.

Councillor Yeulett updated members with regards to training, he stated that there were not sufficient numbers of members available for the December training dates offered. He reassured members that we are now looking at dates in January. He confirmed that following an earlier suggestion by Councillor Mrs Hay this training will be offered to all members.

## **OSC18/17 PREVIOUS MINUTES**

The minutes of the meeting of 16 October 2017 were confirmed and signed.

## **OSC19/17 COUNCIL TAX SUPPORT - 2018 SCHEME**

Members considered the Council Tax Support - 2018 Scheme Report presented by Councillor Seaton.

Members asked questions, made comments and received responses as follows:

1. Councillor Yeulett stated that when items go to Cabinet there is a concern that as Overview and Scrutiny have seen them they are ready to go, he asked if Cabinet could get back to the Panel referring to the recommendations made to show where consideration has been made. Councillor Seaton stated that the Overview and Scrutiny Panel are there to examine the proposals put forward, Cabinet always listen to the comments and recommendations made by the panel, he agreed he would discuss this with Cabinet members and feedback to the panel on recommendations made moving forward. Councillor Yeulett stated that this arrangement would formalise the relationship between Cabinet and the Overview and Scrutiny Panel;
2. Councillor Mrs Hay asked for clarification on the proposed minor changes referred to in the report. Geoff Kent confirmed that the changes are for foreign nationals entering the Country,

bringing the Council Tax Support (CTS) in line with Housing Benefit where you do not qualify for 3 months, if claimants are in exceptional hardship during that time they can apply for discretionary council tax support. The other change is for larger families, if families have more than 2 children and they apply for CTS from 2018 they will receive less than those people in the same situation now. It is estimated that the change in their benefit will be £2 - £3 a week, and at the moment we only have 7 families in the District in that situation. There are 200 families in the District with more than 2 children receiving CTS but because they also receive Child Tax Credits they are not affected by this change. In all cases we can direct people to apply for a discretionary payment if it is required;

3. Councillor Mrs Hay referring to para 2.8 stated that it suggests that the amount of CTS will be amended on a monthly basis and asked if this feasible. Geoff Kent stated that a claimant's Universal Credit award is changing in real time, and we want to change the CTS in real time too. If the change is delayed there is a risk of an overpayment being made and their debt would increase. Councillor Seaton stated that this does increase the workload but can be incorporated without any adverse effects. Geoff Kent confirmed that the changes that come through from the DWP are quick to process and efficient to deal with;
4. Councillor Yeulett stated that Universal Credits have been highlighted in the press as there have been delays around payments and roll-out times. Councillor Seaton confirmed that the roll-out in Fenland has been put back 6 months; he stated that the Peterborough roll-out which included Whittlesey has gone smoothly. Geoff Kent stated that because it has been rolled-out in part of the District it helps us to gauge the demands and our responses. We have been able to learn from Whittlesey and will use that knowledge when Wisbech Jobcentre plus goes live next year. He added that the Government have removed the week wait before Universal Credit applies, this will mean that claimants will wait 5 weeks and not 6. The Government has committed to make claiming advance payments easier, to make the process more accessible and changing the amount of time that customers have to repay from 6 months to 12 months. If people receive Universal Credits which includes a housing element they are still eligible to apply for the discretionary housing payment which could help them to meet the shortfall in particular circumstances. The DWP say, for most people, applying for Universal Credits it is quite a smooth process, the payments are made on time and people are managing their online accounts effectively. He stated that we need to be mindful of our vulnerable customers and are prepared in the shops and hubs to help people to apply and to signpost them to where they can get help with IT. He added that we are writing to around 600 working age housing benefits claimants with help and advice about Universal Credits;
5. Councillor Yeulett stated that it is good to be able to circulate this information in plenty of time as this takes away some of the apprehension for claimants. Geoff Kent agreed stating that we are learning from other partners' experience in the ARP group, this has helped us to prepare to go live. Councillor Seaton stated that this is another benefit of being a partner in ARP, looking at the experience that we gain;
6. Councillor Yeulett asked if there is hardship, what is in place to help people. Councillor Seaton confirmed that the possibility of waiting for 5 weeks for a claim to be processed is a long time but there are various ways in which we can help people and we have the opportunity to make exceptional payments. Geoff Kent stated that we mentioned the discretionary housing payment previously, but the key in these circumstances is to sign post people to other sources of help;
7. Councillor Mrs Mayor referring to para 2.7 asked how we know that the number of people likely to be affected is small. Geoff Kent stated that by looking at the number of customers in those particular scenarios we can say that only a small number will potentially be affected;
8. Councillor Mrs Mayor stated that there is a small Citizen Advice Bureaux (CAB) facility in Whittlesey and asked if other towns have access to CAB. Geoff Kent confirmed that there is also a CAB facility in Wisbech and alternatively customers can make contact with CAB by telephone;
9. Councillor Yeulett asked about the costs involved for helplines, as the Universal Credit phone line was reported to be very expensive to call. Geoff Kent stated that the Universal

Credit helpline is currently an 0345 number and this can be expensive, however this is going to become a Freephone number by the end of November, he confirmed that if customers come into the shops or hubs we can put the call through to DWP directly;

10. Councillor Mrs Hay referring to the consultation letter that was sent to customers asked if this could be circulated to members so that they can understand the type of questions that were asked. Geoff Kent agreed to circulate the letter following the meeting;
11. Councillor Yeulett stated that the table at para 5.3 says that changes may have an adverse impact on the amount of money some people will have available to spend, he asked if this could have any effect on this Council. Geoff Kent stated that even though this will only affect a small number of claims a small number of people might be worse off financially and this could result in issues such as higher Council Tax arrears, but overall will have a very limited effect.

Councillor Yeulett thanked Councillor Seaton and Geoff Kent for their attendance today.

## **OSC20/17 ANNUAL REVIEW OF ANGLIA REVENUES PARTNERSHIP**

Members considered the Annual Review of Anglia Revenues Partnership (ARP) Report presented by Councillor Seaton.

Members asked questions, made comments and received responses as follows:

1. Councillor Mrs Hay asked for clarification with regards to efficiency targets for 2017/18 the figure of £53,000 seems out of proportion in bullet point 3 of the key issues. Geoff Kent confirmed that this is an error and should read £531,000;
2. Councillor Mrs Hay asked how the £600,000 surplus is shared out across the ARP members. Geoff Kent confirmed that this is calculated by the number of liability orders referred to the enforcement agency, so in effect is split between partners based on their recovery activity;
3. Councillor Yeulett stated that the savings identified as part of the original business case sited that FDC would receive £136,000 per year; he asked if this is going to be achieved. Councillor Seaton stated that this is guaranteed savings amount and in addition we have fees coming in from the enforcement agency, he added that depending what happens with the trading arm of ARP, which is currently being developed, that could provide additional revenue;
4. Councillor Buckton referring to the trading arm of ARP, asked if there are any plans to reinvest the additional revenue to increase the level of resource so that you can proactively seek work rather than carry out any additional work from existing capacity when resource permits. Councillor Seaton stated that there are 7 partners and it is not envisaged to widen that partnership unless there is a very good business case to do that. Councillor Buckton stated that the trading arm will be able to sell business to other authorities, not as partners, but just as customers. Councillor Seaton stated that would be a decision for the joint committee as part of the set up process for the trading arm. Geoff Kent stated that it is also a question of risk to the authority, the surplus, in the current climate, is very useful for all local authorities; and as a partnership we are talking to other authorities and therefore can see that there is not a sufficient demand yet to invest that money back into the resources. We have made some adjustments within the team so that we have capacity that we can divert to that in due course when the opportunities arise;
5. Councillor Yeulett asked what approach the bailiffs take. Councillor Seaton stated that the bailiffs take a common sense approach and this is the benefit of an in-house service, it allows us to be more flexible and caring with the people in these situations. Councillor Yeulett asked if there have been any complaints about this service. Councillor Seaton stated that there have not been any complaints and this service is well respected. Geoff Kent stated that since this arrangement began in 2014 we have not taken any goods in respect of Council Tax arrears, the enforcement agents will always make other arrangements to avoid

taking goods. The in-house service allows us to have that level of discretion and control. Councillor Seaton stated that a good indication of how well the service is operated is that other Councils pay for our enforcement services;

6. Councillor Buckton stated that this is good news, and asked if we have considered a press release to publicise this approach as it reflects well on the partnership and us as an authority. Councillor Seaton stated that we have to consider this approach as we are the enforcement agency too, but agreed that perhaps this is something that ARP would do;
7. Councillor Mason referring to the Council Tax Collection table on page 21 asked if the collection rate for 2016/17 will be higher than shown. Geoff Kent stated that we have the responsibility to collect the most Council Tax that we possibly can, and we do not stop at the end of the year, we pursue the debts and therefore will always collect a little more than the table illustrates. Councillor Seaton stated that they are good figures, we are collecting 97%;
8. Councillor Buckton referring to para 3.1 stated that the report says that the in-house team has achieved a collection rate which compares favourably with 'one' of the external providers previously used by the partnership. He asked for clarification why it is just one of the external providers and not all of them. Geoff Kent stated that we benchmark this against a number of authorities and it is comparable to them all;
9. Councillor Yeulett asked for clarification around appeals and how benefit fraud cases at FDC compare with others. Geoff Kent stated that with regards to appeals the valuation officer makes the decision and we make a provision within the budget; In terms of Benefit fraud cases, Housing benefit fraud investigation has transferred to the DWP and Council Tax fraud is dealt with by an in-house team in ARP, the objective is that they save more money than they cost, which they have done several times over. Their role is to stop fraud happening rather than to identify and take action against it;
10. Councillor Mrs Hay asked how FDC compares with the other ARP authorities with regards to benefit fraud. Geoff Kent agreed to investigate and circulate the information after the meeting;

Councillor Yeulett thanked Councillor Seaton and Geoff Kent for their attendance today.

## **OSC21/17 ENVIRONMENTAL ENFORCEMENT - PILOT SERVICE WITH KINGDOM**

Members considered the Environmental Enforcement - Pilot Service with Kingdom Report presented by Councillor Murphy.

Members asked questions, made comments and received responses as follows:

1. Councillor Yeulett stated that he met 2 operatives from Kingdom in March Town Centre; he explained that he chatted to them and told them about this meeting. He added that they gave a good impression and were very professional and asked if this feedback could be passed to Kingdom. Richard Cassidy agreed, and informed members that Kingdom have been invited to attend the All Member Seminar later in the week;
2. Councillor Yeulett stated that Kingdom have been prominent in the press and asked what Fenland's approach is to their work. Councillor Murphy confirmed that we are trying to have a soft approach to this but it cannot be too soft as it will not produce the outcomes that we need;
3. Councillor Buckton asked what the outcome is that we need. Councillor Murphy stated that the outcome is to have cleaner streets and a cleaner area which ties in with the Tidy Fenland Campaign. He added that there is a lot more that we can do with Kingdom moving forward as it is a non-profit making plan, we pay Kingdom a fixed amount for every fixed penalty notice (FPN) that they serve and we receive the fines when they are paid. He stated that the project is cleaning up the streets, cigarette ends are the main litter that is dropped in the streets, the fibre material in the end of the cigarette causes a lot of problems and we need to do our best to stop it happening. Other litter accounts for a small amount of the total litter and is easily picked up by the teams when they are cleaning the towns. We have seen

an improvement and therefore this pilot project appears to be working and allows the Street scene team more time to focus on other work;

4. Councillor Buckton asked if we have asked Kingdom to focus on cigarette ends. Councillor Murphy confirmed the initial aim of the project was to target Town Centre littering, which is predominantly cigarette ends;
5. Councillor Buckton asked for clarification that our brief to Kingdom was to focus on cigarette ends because that is the litter that we are worried about and we are happy to take care of the large pieces of litter. Councillor Murphy confirmed that Kingdom will serve an FPN if they see anybody drop any type of litter. He confirmed that the project is a 12 month pilot and that we started the focus off with Town Centre waste, including cigarette ends as this was what people were complaining about. He added that long term he would like to see Kingdom being responsible for parking enforcement too;
6. Councillor Yeulett asked for clarification that the instruction to Kingdom was to concentrate on cigarette ends. Richard Cassidy stated that before we started the enforcement patrols we asked people where they thought the litter hotspots were. The brief to Kingdom was to enforce the litter legislation, but the reality is that most of the litter being dropped in the towns tends to be cigarette related;
7. Councillor Mrs Hay asked for clarification that Kingdom operatives will challenge people that drop all types of litter but in reality most of the litter dropped is cigarette related. Richard Cassidy agreed;
8. Councillor Mrs Mayor stated that there are hotspots for cigarette ends, for example outside betting shops, and stated that prior to Kingdom the Streetscene staff were checking areas and counting cigarette ends prior to sweeping them up. She suggested that the managers of the shops and premises, where this is a problem, should be approached and spoken to and they could put a bucket of sand outside their door for their customers to use to solve the problem. Richard Cassidy outlined the related broader - Tidy Fenland Campaign to support the enforcement which included giving educational messages out, visiting schools and working with businesses. We are approaching businesses and asking them to sign a pledge, part of which is around educating their customers and agreeing to take care of the front of their own premises, so they start to take responsibility for this. He confirmed that some businesses are more responsive to this than others and in the new year we are planning to do some publicity around the businesses that are co-operating so they can be marketed as being responsible businesses;
9. Councillor Yeulett stated that during discussions the panel were more concerned with litter as a whole but it seems that Kingdom are more focused on cigarette ends. Richard Cassidy confirmed that we have not instructed Kingdom to specifically focus on cigarette ends but they have found that it is the most common litter dropped in the hotspot areas that we have asked them to enforce. This is releasing capacity for Streetscene officers to deal with other types of litter such as dog fouling and fly tipping;
10. Councillor Mrs Hay stated that it appears that Kingdom operatives work between 9am and 5pm, but food waste tends to be a problem in the evening and asked if there is any flexibility in the hours worked to enable Kingdom to stagger the patrols earlier in the morning and later into the evening. Councillor Murphy stated that this is a 12 month pilot, if the contract is renewed we can ask for this type of flexibility and can make changes to the patrol times;
11. Councillor Mrs Hay asked if there is an option for offenders to take part in an organised litter-pick by way of re-educating them rather than paying a fine. Councillor Murphy stated that to organise this would take a lot of resources. He added that this arrangement costs us nothing, Kingdom to carry out this work and we get cleaner streets. Richard Cassidy stated that under the agreement we still have to pay the £46.50 for each FPN served, so if we did not get any income back from that we would have to fund the scheme, and although this is something members could consider, the arrangement we have been asked to look at by Cabinet is a self-funding scheme;
12. Councillor Buckton asked if the enforcement officers are given targets. Richard Cassidy confirmed that we do not give them any targets. Councillor Buckton asked if we are aware how Kingdom operates as they will want to make a profit and that will depend on the

number of FPN issued. Richard Cassidy agreed that Kingdom will need to cover their costs, we have daily contact with them to ensure that they are tasked with the things that we want them to do. Staff are not paid per FPN, they are salaried staff and will have their own performance management framework to look at the performance of their staff;

13. Councillor Buckton asked how do we know if this arrangement is working for Fenland. Councillor Murphy confirmed that we monitor the litter on the streets and there is less litter;
14. Councillor Buckton asked if we are confident that the incidents of litter are reducing. Councillor Murphy confirmed this;
15. Councillor Yeulett asked if other Councils target cigarette ends. Councillor Murphy stated that they are all different, for example, Peterborough wanted to stop people riding through a walk through area on bicycles and confirmed that this has now stopped;
16. Councillor Yeulett asked if Kingdom are successful in reducing the cigarette end problem what will be the next issue to look at. Richard Cassidy stated that the way we have approached this is to engage with Town Councils to focus on hotspot issues. An area that has been raised is to support the alcohol bans in some park areas in Wisbech. This is something that we are in discussions with Kingdom about. There are also issues relating to spitting on the streets, this is associated with street drinking, so as we move forward there are other priority areas to focus on;
17. Councillor Mrs Hay asked what engagement is there with schools to educate young people about the problems that littering can cause. Councillor Murphy stated that as a part of the Tidy Fenland Campaign we are visiting the schools and have are being supported by the head teachers;
18. Councillor Hodgson stated that the report says that each town has seen an improvement in a number of areas and he thanked everybody involved. He asked if the hotspots identified are the only areas of focus. Richard Cassidy confirmed that these are the areas that were identified by the community and the Town Councils as hotspot areas, these areas were surveyed prior to Kingdom patrols and we continue to benchmark against those surveys. The Officers are working in other parts of the towns but these were the hotspot areas where measurements of litter were taken to give us an idea of the impact of the project;
19. Councillor Hodgson asked if members are able to suggest other areas. Richard Cassidy confirmed that this is a dynamic plan and we appreciate all input moving forward;
20. Councillor Hodgson stated on behalf of Councillor Mrs Bucknor, if we can reduce the cost of littering it is a good thing and suggested that all food takeaway premises should be approached and should understand their responsibilities as part of the campaign. Richard Cassidy confirmed that working with businesses is key to the Tidy Fenland Campaign;
21. Councillor Mrs Mayor asked if Kingdom have been successful with regards to fly tipping. Richard Cassidy stated that this pilot has enabled us to release the capacity of Street scene officers and they have been able to spend more time looking at issues such as fly tipping. He confirmed that we have seen 6 prosecutions this year which is far more than usual, and staff have been able to spend more time looking at other issues in rural areas;
22. Councillor Yeulett stated that he appreciates the improvements that have been made with regards to cigarette ends and asked what other improvements have we seen. Councillor Murphy confirmed that cigarette ends have been the biggest area of enforcement so far but Kingdom focus on all types of litter. Richard Cassidy stated that the other areas of improvement have been more rural enforcement, working with businesses, education and the Street scene service has improved by having the additional capacity;
23. Councillor Yeulett asked if moving forward Kingdom enforcement officers could enforce other issues such as street drinking. Councillor Murphy confirmed that this is a possibility moving forward, the pilot is looking at litter, but if members agree to extend the contract further other areas of enforcement can be considered.

Councillor Yeulett thanked Richard Cassidy and Councillor Murphy for attending the meeting today stating that he looks forward to hearing more about the Tidy Fenland Campaign moving forward.

## **OSC22/17 FUTURE WORK PROGRAMME**

Members considered the Future Work Programme 2017/18 for the Overview and Scrutiny Panel.

Councillor Yeulett stated that he is keen to have feedback and input from all members and welcomes comments and suggestions on items being discussed at Overview and Scrutiny Meetings.

**Members agreed to the Future Work Programme 2017/18 for the Overview and Scrutiny Panel.**

3.57pm

Chairman