

# OVERVIEW AND SCRUTINY PANEL

MONDAY, 13 SEPTEMBER 2021 - 1.30 PM



**PRESENT:** Councillor D Mason (Chairman), Councillor A Miscandlon (Vice-Chairman), Councillor G Booth, Councillor D Connor, Councillor S Count, Councillor A Hay, Councillor M Humphrey, Councillor M Purser, Councillor R Skoulding and Councillor R Wicks

**APOLOGIES:** Councillor M Cornwell, Councillor D Topgood and Councillor F Yeulett

**OFFICERS IN ATTENDANCE:** Peter Catchpole (Corporate Director and Chief Finance Officer), Anna Goodall (Head of Transformation, Customer Services & Democracy), Niall Jackson (Member Services, GDPR & Governance Officer), Mark Saunders (Chief Accountant) and Amy Brown (Chief Solicitor and Deputy Monitoring Officer)

**GUEST:** Adrian Mills, Anglia Revenue Partnership

**ALSO IN ATTENDANCE:** Councillor C Boden, Councillor J French and Councillor S Tierney

## **OSC8/21    PREVIOUS MINUTES.**

The minutes of the meeting of 12 July 2021 were confirmed and signed subject to the following comments:

- Councillor Booth raised that he had enquired about information regarding apprenticeships and was yet to receive an update. He asked for this to be added to action list going forward.

## **OSC9/21    UPDATE ON PREVIOUS ACTIONS.**

Members considered the update on previous actions and made the following comments:

- Councillor Booth confirmed that items one and two should remain on the action plan at the present time.
- Anna Goodall noted that she had received an update from Councillor Benney regarding the updated skillset and that this would be circulated to all members of the Panel. Councillor Booth reiterated that he was still awaiting specific information regarding Cambridgeshire as the previous report had only referenced nationwide schemes.
- Councillor Tierney provided an update on the possibility of a newsletter for residents. Councillor Mason suggested that the ideas around the newsletter could be circulated to members to which Councillor Tierney agreed. Councillor Booth posed whether important items could be pinned to the top of the newsletter to prevent them leaving the newsletter too quickly. Councillor Miscandlon suggested that a hard copy of the newsletter could be distributed to Councillors in order to target residents without internet access.
- Councillor Booth expressed his disappointment that the vehicle accident stats provided could not be broken down into more concise categories. It was resolved that the Council should contact Break and enquire as to whether they could provide more concise statistics.
- Councillor Miscandlon noted that the Panel was yet to receive a response regarding noisy vehicle exhausts and that speeding problems persisted across the Fenland area.

## **OSC10/21 COUNCIL TAX SUPPORT - 2022/23 SCHEME**

Members considered the Council Tax Support 2022/23 scheme presented by Adrian Mills.

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

- Councillor Booth asked for clarification that the new threshold for the Capital Assessment Loan meant that those with more than £10,000 in capital would no longer be eligible. Adrian Mills confirmed this and noted that individuals would be able to claim once their capital dropped below the £10,000 threshold.
- Councillor Boden clarified that the adjustment to the Capital Assessment Loan was only a single part of a two-part recommendation and that there was also going to be an abolition of tariff income calculations alongside this. He noted that based on last year's figures as many residents will gain from this alteration as will lose. He raised that the reason behind this change were to simplify the process for both administrators and claimants and not to generate more money for the Council.
- Councillor Mason asked for further clarification on non-passported aspects and the effect it will have on claimants. Adrian Mills answered that the Fenland scheme requires working age customers to contribute a minimum of 20% towards their Council Tax. When they are on a passported benefit which includes Income Support, Job Seekers Allowance, and Income Support Allowance they will have the full 80% rebated on their Council Tax but will still have to contribute the 20%. Customers who are deemed to be non-passported will have a means-tested assessment against that 80%.
- Councillor Booth further enquired whether the new £10,000 threshold was in line with DWP's thresholds. Adrian Mills clarified that the DWP still maintain a £16,000 threshold however many schemes across the country had also chosen to reduce the threshold. He noted that the DWP data share does not inform the Council about customers capital and customers can forget to report capital changes to the Council in certain cases.
- Councillor Booth questioned whether the difference in thresholds was more likely to cause confusion. Adrian Mills suggested that it would not create confusion.
- Councillor Booth asked whether the non-dependent reduction would have an adverse effect on a household with multiple non-dependents. Adrian Mills answered that potentially in a band A property with multiple non-dependent workers they may be expected to contribute towards household bills which would be taken as income. This could have a detrimental impact on the amount of Council Tax support provided.
- Councillor Boden clarified that the only proposal so far is the fixed non-dependent deduction being set at £7.40 and that almost twice as many households would benefit as opposed to being harmed by the change.
- Councillor Boden noted that the averaging provisions introduced previously had resulted in no hardship intervention so far. He noted that it had been suggested to increase the tolerance from £65 to £100 a month to streamline and simplify the process further.
- Councillor Booth queried maintaining the contribution rate at 20% as the Council are also receiving a government grant. He noted that the grant was not attached to Council tax and expressed a concern that this money may be used in other areas across the Council. Councillor Boden explained that the money would not be distributed across the Council. He noted that all funds made available previously were fully utilised and provided to the claimants and that any future schemes would be treated similarly. He noted that the Council was not prepared to make any changes to the contribution rate at this moment due to the short time period and novel situation that the previous change took place in. He stated that he was pleasantly surprised with how well the scheme had gone so far.
- Councillor Booth asked for clarification on whether the grant received last year was predominantly used for hardship cases. Councillor Boden replied that the grant was applied across the board as a pro rata scheme which was made equal for everyone. Councillor Booth further enquired as to the percentage of the reduction to which Councillor Boden

replied that this varied from applicant to applicant with some having to pay no Council Tax in the end. Peter Catchpole confirmed that the reduction was a maximum of £150 and that no one was reduced beyond zero pounds.

- Adrian Mills noted that the residual balance at the end of the previous financial year was taken over into this financial year and used to provide further discounts. He stated that the current residual finances were being distributed on a claims basis with an aim to exhaust the supply by the end of the year.
- Councillor Connor asked what the current percentage rate successfully collected was for 2021-22 so far. Adrian Mills replied that he did not currently have this information but that he would be happy to supply it when he did.
- Councillor Miscandlon questioned whether there would be issues at the end of the year if scheme was not extended. Adrian Mills replied that there may be an underspend of the current finances and that this could be used to help those most in need at the beginning of the next financial year. He noted that the scheme completed on the 31<sup>st</sup> March 2021 and it was only on an exceptional basis that the Council could carry this over to the current financial year.
- Councillor Booth noted that due to the grant scheme individuals had not been paying the 20% this year. Therefore, the Council would not be able to understand the impact of the rise until the next financial year when the funding runs out. Councillor Boden confirmed this and further noted that changes in the labour market may affect this.
- Councillor Booth commented that the changes in the labour market is likely to move people away from needing extra support but that there will still be a proportion of individuals.
- Councillor Booth put forward an amendment that the basic contribution rate should be dropped back down to 14%. Councillor Boden noted that recommendations for change to the contribution rate need to be made before July due to the extended consultation period required. The amendment failed.

#### **The Overview and Scrutiny Panel AGREED to recommend Cabinet:**

- 1. To reduce the capital threshold to £10,000 and abolish tariff income**
- 2. To introduce a fixed rate deduction of £7.40 for non-passported non-dependents**
- 3. To streamline the claim process**
- 4. To increase the tolerance for Universal Credit data reassessments.**

#### **OSC11/21 ANNUAL OMBUDSMAN LETTER AND 3CS PROCESS**

Member considered the draft Overview & Scrutiny Annual Report for 2020-21.

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

- Councillor Hay noted that the statistics provided in the 3C's report around stage one, stage two and stage three complaints did not match the overall number of complaints. Peter Catchpole confirmed that the overall number of complaints were correct however the statistics regarding the different stages were incorrect.
- Councillor Booth stated that he would like to see a trend analysis of the complaints to identify whether there is a reoccurring pattern. Councillor Tierney confirmed that this was being undertaken with the statistics for the current year and that the trend analysis would be made available when the report is next taken to Overview and Scrutiny Panel.
- Councillor Boden expressed his pleasure that no complaints had been found against the Council by the Ombudsman in the previous two years and credited officers and the 3C's process for this. He noted that in the event of a complaint being filed he would expect to see in-depth detail of why it happened, what went wrong, what measures had been taken to correct it and how the Council planned on preventing it from happening again. He noted that of the 11 complaints submitted, four were against planning and four involved benefits. He argued that due to the small sample size of complaints made it was difficult to find trends in the data. He noted that the figures can be heavily skewed by issues that generate a high

volume of complaints.

- Councillor Miscandlon asked whether any analysis had been undertaken on the complaints received and the reasons behind their submission. Councillor Boden confirmed that root cause analysis was undertaken and that there was a robust feedback system to prevent issues reoccurring where possible. Councillor Miscandlon suggested that it may be useful to share what went wrong with other Councillors to prevent issues reoccurring across different wards. Councillor Boden replied that resolving issues with officers was sufficient in preventing the same issues happening in other wards.
- Councillor Tierney noted that complaints do not always escalate to stage one as some are dealt with by Councillors on the resident's behalf and that trends can also be seen through these dealings.
- Peter Catchpole noted that the 3C's reports are not only produced periodically and that the Council's management team receive a report monthly. He also noted that not all complaints are due to process failings. Councillor Boden furthered this stating that receiving complaints was not necessarily a negative as this shows the Council has sufficient processes in place to deal with complaints and that the Council clearly take the issues of Fenland residents seriously.
- Councillor Booth expressed that he was pleased to hear that the Council were already undertaking trend analysis despite this not being shared more widely with Councillors at the current time. He noted that mistakes are inevitable and that it is important to uphold these complaints where appropriate.
- Councillor Mason noted that complaints have fallen by 21% from the previous year and thanked Ward Councillors for their perseverance in helping deal with issues before they could be raised as complaints.
- Councillor Connor commented that planning can be very emotive which may be a cause behind the level of complaints from both applicants and objectors.

**The Overview and Scrutiny Panel AGREED to note the draft Overview & Scrutiny Annual Report for 2020-21.**

### **OSC12/21 FUTURE WORK PROGRAMME**

Members considered the Future Work Programme.

- Councillor Booth requested that the situation surrounding Cadent and the recent gas leaks be added to the future work programme. He advocated an urgent response and that an invitation to a future meeting should be requested. Councillor Mason agreed to add this to the future work programme.
- Councillor Hay requested that for the December review of Clarion the Council should write to local Town and Parish Councils to ascertain whether they have any concerns that they would like the Panel to raise. She requested a further explanation around the criteria they use to allocate housing and how they ensure the current safety of residents when they attend the December meeting. It was resolved that this would be added as an agenda item in advance to the December meeting to ensure that the information is provided.
- Councillor Connor commented that Dan Horn was best placed to assist with any concerns and applauded the work he undertakes in providing a link between the Council and Clarion.
- Councillor Miscandlon stated that Anglian Water will also be present at the next meeting and that it would be prudent to contact all Councillors including Parish and Town Councillors to obtain their views on Anglian Water's work.

### **OSC13/21 ITEMS WHICH THE CHAIRMAN HAS UNDER ITEM 3 DEEMED URGENT**

Councillor Mason proposed that the Panel request Cabinet to investigate Cadent Gas prior to the November meeting of Overview and Scrutiny

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

- Councillor Boden asked for clarification of the request to Cabinet and whether the request was specific to the recent issues in March or the wider Fenland area.
- Councillor Miscandlon clarified that the request was specific to the recent infrastructure failure in March. He outlined that the Panel wished to know the expected lifespan of the infrastructure and any action that will be taken to correct the issues. He also requested a wider overview of the infrastructure across Fenland and invited an examination of the age of the infrastructure and Cadent's future programme for replacing the infrastructure.
- Councillor Connor agreed with Councillor Miscandlon and remarked that the pipes do corrode regularly and are replaced as and when needed.
- Councillor Wicks also asked for clarification around Cadent's policy for the ongoing renewal of the infrastructure across Fenland due to the age of their assets.
- Councillor Miscandlon noted that the work should be undertaken before the March Highstreet funds were utilised.

**The Overview and Scrutiny Panel AGREED to request Cabinet to investigate Cadent Gas.**

2:53pm

Chairman