



Borough of Tamworth

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CORPORATE SCRUTINY COMMITTEE

5 March 2019

Dear Councillor

A Meeting of the Corporate Scrutiny Committee will be held in **Committee Room 1 - Marmion House on Wednesday, 13th March, 2019 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of stylized initials and a long horizontal line extending to the right.

Chief Executive

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 12)**
- 3 Declarations of Interest**

To receive any declarations of Members' interests (personal and/or personal and prejudicial) in any matters which are to be considered at this meeting.

When Members are declaring a personal interest or personal and prejudicial interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a personal and prejudicial interest in respect of which they do not have a dispensation.

4 Chair's Update

Actions from 7th February 2019 Corporate Scrutiny Meeting:

- *Design SPD Consultation update*

5 Responses to Reports of the Corporate Scrutiny Committee

Update on responses received to Reports of the Corporate Scrutiny Committee:

- *Member Support Working Group (induction sub-group)*

6 Consideration of Matters referred to the Corporate Scrutiny Committee from Cabinet

(Discussion item)

7 2018/19 Forward Plan

(Discussion item – link to Forward Plan is attached)

<http://democracy.tamworth.gov.uk/mgListPlanItems.aspx?PlanId=221&RP=120>

8 Housing Team update (Pages 13 - 18)

(Update from and a Report of the Assistant Director – Neighbourhoods)

9 Constitution Review Discussion

(Discussion item)

10 Working Group Updates

a Support for Members Working Group

(Updates from the remaining two sub-groups:

- *IT*
- *Ongoing)*

b Webcasting Council Meetings Working Group

(Update from Working Group)

11 Corporate Scrutiny Committee Work Plan (Pages 19 - 20)

(Update and discussion on the Corporate Scrutiny Committee Work Plan)

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: J Oates, M Summers, C Cooke, R Ford, S Goodall, T Jay, Dr S People,
B Price and P Standen

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**MINUTES OF A MEETING OF THE
CORPORATE SCRUTINY COMMITTEE
HELD ON 7th FEBRUARY 2019**

PRESENT: Councillor J Oates (Chair), Councillors M Summers, C Cooke, R Ford, S Goodall, Dr S Peale and B Price

CABINET: Councillors D Cook and R Pritchard

The following officers were present: Stefan Garner (Executive Director Finance), Matthew Bowers (Assistant Director Growth & Regeneration), John Day (Corporate Performance Officer) and Jo Hutchison (Democratic and Elections Officer)

50 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor T Jay and Councillor P Standen

51 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 14th November 2018 were approved and signed as a correct record.

(Moved by Councillor S Peale and seconded by Councillor M Summers)

52 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

RESOLVED under Procedure Rule 9.1.3 that the agenda item on the Quarter 3 Performance Report 2018/19 be brought forward to item 53.

(Moved by Councillor J Oates and seconded by Councillor Dr S Peale).

53 QUARTER 3 PERFORMANCE REPORT 2018/19

The Leader of the Council provided the Corporate Scrutiny Committee with a performance and financial health-check. The report would be considered by

Cabinet on 21st February 2019. The Leader invited questions from the Committee.

The Committee discussed the following areas and requested further clarifications as set out below:

- The underspend recorded in the General Fund in respect of the Assistant Director Finance and Assistant Director Assets. It was reported that work continued regularly in all areas to identify underspends and non-budgeted income and in order to address clarifications sought on the Q2 Quarterly Performance Report an additional table had been introduced to the Q3 Report to record significant variances. This table highlighted that non-budgeted income derived from additional lease income, fees and charges income, grant income, GBSLEP returned levy, and additional interest.
- Corporate Scrutiny Committee noted that changes had been made to the report to reflect previous comments raised by the Committee and thanked the Knowledge and Performance Manager;
- Clarification be circulated to members of the Committee on the reasons for the housing evictions recorded in the Q3 Report;
- The impact of Universal Credit on the rent arrears figures for Council tenants and the costs of the transition arrangements implemented to support the transition and the extent to which any arrears would impact the Council's funds to maintain its housing stock;
- Clarification to be circulated to members of the Committee on how the Discretionary Housing Payments were being utilised, and whether there was any linkage to size and occupation of housing stock;

RESOLVED that

Corporate Scrutiny Committee endorsed the Q3 Performance Report for 2018/19 and its presentation to Cabinet;

The Leader of the Council and the Knowledge and Performance Manager left the meeting.

54 CHAIR'S UPDATE

The Chair reported and the Committee agreed that members of the Committee had received written updates on the following matters which were raised at the 14 November 2018 meeting:

- the Customer Portal;
- Quarter 2 Performance Report 2018/19.

55 RESPONSES TO REPORTS OF THE CORPORATE SCRUTINY COMMITTEE

The Chair reported to the Committee on the recommendations of this Committee which were made to Cabinet at its meeting on 29 November 2018:

- Festive Ward Grants Scheme – Cabinet considered and agreed the Committee's recommendations, in particular to ensure that there was sufficient flexibility in the scheme to enable small groups to access grants. It was further reported that a briefing note from the Partnership Funding

Officer on the outcome of the 2018 scheme would be circulated to members for information;

- Private Sector Housing Enforcement Policy – Cabinet agreed to investigate the establishment of a self-financing inspection scheme to regulate HMOs.

56 CONSIDERATION OF MATTERS REFERRED TO THE CORPORATE SCRUTINY COMMITTEE FROM CABINET

None.

57 2018/19 FORWARD PLAN

The Committee considered the Forward Plan for 2018/19.

58 TOWN CENTRE UPDATE

The Chair introduced the Assistant Director, Growth and Regeneration and the Portfolio Holder for Assets and Finance who had been invited to attend the meeting to provide an update on the Town Centre Strategy and on Town Centre Assets.

The Assistant Director Growth and Regeneration reported that in November 2018 Cabinet approved the production of a Town Centre Strategy and a programme management approach to the delivery of town centre activities and projects and a budget associated with that.

It was reported that certain projects were already underway, such as in the Enterprise Quarter with the Tamworth Assembly Rooms and at the Castle. It was further reported that new projects were starting to go through the project management approach, with Executive Leadership Team management and Scrutiny Committee oversight.

The Assistant Director, Growth and Regeneration reported that consultation was underway on a Design Supplementary Planning Document. This document would provide design guidance to those who would be considering activity which would result in physical change within the built environment.

Engagement activity on the development of the town centre had started with a video from the Leader of the Council which had reached more than 15000 people on Facebook.

Councillor Ford joined the meeting.

The Committee discussed and sought clarifications in the following areas:

- In terms of the consultation on the town centre regeneration, as well as promotion via Facebook there activity on other social media platforms, and there was also an article in the Tamworth Herald. The intention was to direct consultation traffic to the Tamworth Borough website and the area where members of the public could share their ideas;
- The level of engagement on the more technical consultation on the Design Supplementary Planning Document;

- It was reported that currently desktop work only was underway on the Gungate project and the Council was not yet ready to consult externally on this project. It was expected that a report on progress made with the desktop assessment, and what the opportunities could be, would be available in June 2019.

The Committee thanked the Assistant Director, Regeneration and Growth for his update, who then left the meeting.

The Portfolio Holder for Assets and Finance provided an update on the Council's assets in the town centre and the asset management strategy and the financial capital asset strategy. It was reported that currently work was underway to assess the Council owned assets in the town centre and how these related to our wider financial strategies. At the moment work in this area was in development and at a planning phase, and it would not be until later in the year that there would be sufficient information available on which to make some decisions.

It was reported that work would be undertaken to look at all Council owned assets individually, and as a wider overall picture for the authority. Some work had already been undertaken on vacant properties and options. Once there was an overall picture of the state of all assets and the opportunities available for all properties and costs associated, it would be possible to consider the best solution for the authority. This would then be looked at in terms of the wider town centre strategy. It was clarified that the asset management strategy would be looking at all Council owned assets and not just those within the immediate town centre.

Further clarity was sought on the criteria which would be applied in making decisions on the future of such Council assets. It was reported that once there was clarity on the condition of all assets, the opportunities and a complete set of information available on all the assets, the criteria could be established. It was further reported that the broader government agenda on town centres had also developed and any decisions would be undertaken in this different environment.

The Portfolio Holder for Assets and Finance reported that he expected that the review of assets would be completed by December 2019, and according the Committee requested a further update from the Portfolio Holder at that time.

The Committee thanked the Portfolio Holder for his update.

59 PROGRESS UPDATE ON TAMWORTH ASSEMBLY ROOMS

The Report of the Executive Director, Organisation and Assistant Director, Operations and Leisure in respect of the Assembly Rooms project was considered by the Committee.

The Portfolio Holder for Assets and Finance left the meeting.

60 WORKING GROUP UPDATES

60.1 Support for Members Working Group

The Chair tabled a report on the Member Support Working Group which included recommendations from one of the three sub-groups which comprised this Working Group.

It was reported that the member induction sub-group had concluded its work and that it proposed that the following recommendations be made to Cabinet:

1. At signing of the declaration newly elected and returning members will receive an up dated list of officers and details of their responsibilities.
2. At the earliest opportunity post local election existing members will receive an up dated list of officers and details of their responsibilities
3. At signing of the declaration newly elected and returning members will receive "First point" of contact details
4. At the earliest opportunity post local election existing members will receive "First point" of contact details
5. Contact details of officers and information how and who to escalate issues with will be circulated to all members in full at the start of the municipal year.
6. Updates from cabinet members and senior officers highlighting key projects of the year, risks and challenges against their corporate plans will be presented to all members at the earliest opportunity post the Council's AGM
7. Where scrutiny receives reports, papers must be updated with the latest information. Including cabinet papers as appendices.
8. the supply of paper to members be removed from the constitution and printed copies of reports to be administered on a case by case assessment.

It was reported that the remaining two sub-groups; on ICT support to members and Information exchange with members were ongoing.

RESOLVED that the following recommendations from Corporate Scrutiny Committee be made to Cabinet:

1. At signing of the declaration newly elected and returning members would receive an up dated list of officers and details of their responsibilities.
2. At the earliest opportunity post local election existing members would receive an up dated list of officers and details of their responsibilities.
3. At signing of the declaration newly elected and returning members would receive "First point" of contact details.
4. At the earliest opportunity post local election existing members would receive "First point" of contact details.
5. Contact details of officers and information how and who to escalate issues with would be circulated to all members in full at the start of the municipal year.
6. Updates from cabinet members and senior officers highlighting key projects of the year, risks and challenges against their corporate plans would be presented to all members at the earliest opportunity post the Council's AGM.
7. Where scrutiny receives reports, papers must be updated with the latest information. Including cabinet papers as appendices.

8. the supply of paper to members be removed from the constitution and printed copies of reports to be administered on a case by case assessment.

(Moved by Councillor J Oates and seconded by Councillor Dr S Peaple)

60.2 Webcasting Council Meetings Working Group

The Chair reported that work remained ongoing within this Working Group. It was reported that the working group did not consider that live webcasting would be supported on a financial basis.

61 CORPORATE SCRUTINY COMMITTEE WORK PLAN

The Committee considered the Work Plan and agreed the amended Work Plan as follows:

Corporate Scrutiny Work Plan

| Work Plan 2018 - 2019 | |
|---|---|
| DATE | SUBJECT |
| Quarter 4 - TBC | Quarterly Performance Reports; |
| 13th March | Update from Housing Team on items in Perf Report, including: <ul style="list-style-type: none"> • Impact on lettings policy • Discretionary Housing Payments • Hardship Grant and Hardship Fund • Disabled Facilities Grant position |
| Ongoing / 13th March? | Tenants Consultancy Group – Ongoing Updates after any meeting. |
| 13th March | Constitution Review |
| 13th March | Live Streaming/Webcasting Council Meetings – Working Group (JO, MS, PS, CC, RF, SP) |
| 13th March | Support for Members – Working Group – 2 remaining sub-groups (JO, MS, PS, CC, RF, SP, TJ, SG, BP) |
| TBC / mid 2019 | Garage Sites |
| June 2019 | Festive Ward Grants – review of 2018 scheme |
| June 2019 | Customer Portal – update on progress |
| June 2019 | Town Centre Strategy update |
| TBC | Gungate Site – Working Group (JO, RF, SG, CC (provisional) and Labour Group to nominate two attendees). |
| TBC | Isolation – Working Group (TJ, JF and RB from H&W Scrutiny and JO, SP and CC from Corporate Scrutiny) |
| TBC | Review of senior management restructuring |
| November 2019 | Private Sector Housing Enforcement Policy – 12 month update |
| December 2019 | Asset Management Review update (including town centre) – Councillor R Pritchard to be invited |
| TBC | Corporate investment strategy |
| | |

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|---|
| Upcoming Corporate Scrutiny Committee Meetings |
| |
| Wednesday 13 th March 2019 |

Chair

DRAFT

Corporate Scrutiny – Wednesday 13th March 2019

Arrears and Universal Credit:

Scrutiny have requested specific information in relation to Universal Credit (UC) and rental payments.

Summary information provided below explains numbers in receipt of Universal Credit:

| | Q1 | Q2 | Q3 |
|---|-----|---------|---------|
| Number of Council Tenants on Universal Credit | 445 | 523 | 589 |
| Number of Council Tenants on Universal Credit in Rent Arrears | - | 441/84% | 473/80% |
| Number of Council Tenants on Universal Credit not in Rent Arrears | - | 82/16% | 116/20% |
| Number of Alternative Successful Payment Arrangements set up (UC) | 112 | 148 | 196 |

Increase in housing rent arrears and the impact of Universal credit payments:

| | 2018/19 Q1 Arrears | 2018/19 Q2 Arrears | 2018/19 Q3 Arrears |
|---------------------------------------|---|---|---|
| Arrears @ 1 April 2018/19 £455,508 | £639,907 | £677,472 | £655,787 |
| | 2017/18 Q1 Arrears | 2017/18 Q2 Arrears | 2017/18 Q13 Arrears |
| Arrears @ 1 April 2017/18 £396,963 | £540,987 | £542,466 | £527,497 |
| Increase between 2017/18 – 2018/19 | £98,920 | £135,006 | £128,290 |
| UC claimants | 445 | 523 | 589 |
| 10 weeks for UC payment | 10 weeks x £85 (average rent) x 445 claimants = £378,250 | 10 weeks x £85 (average rent) x 523 claimants = £444,550 | 10 weeks x £85 (average rent) x 589 claimants = £500,650 |
| 5 weeks for UC payment | 5 weeks x £85 (average rent) x | 5 weeks x £85 (average rent) x | 5 weeks x £85 (average rent) x |

| | | | |
|--|-----------------------------|-----------------------------|-----------------------------|
| | 445 claimants = £189,125 | 523 claimants = £222,275 | 589 claimants = £250,325 |
|--|-----------------------------|-----------------------------|-----------------------------|

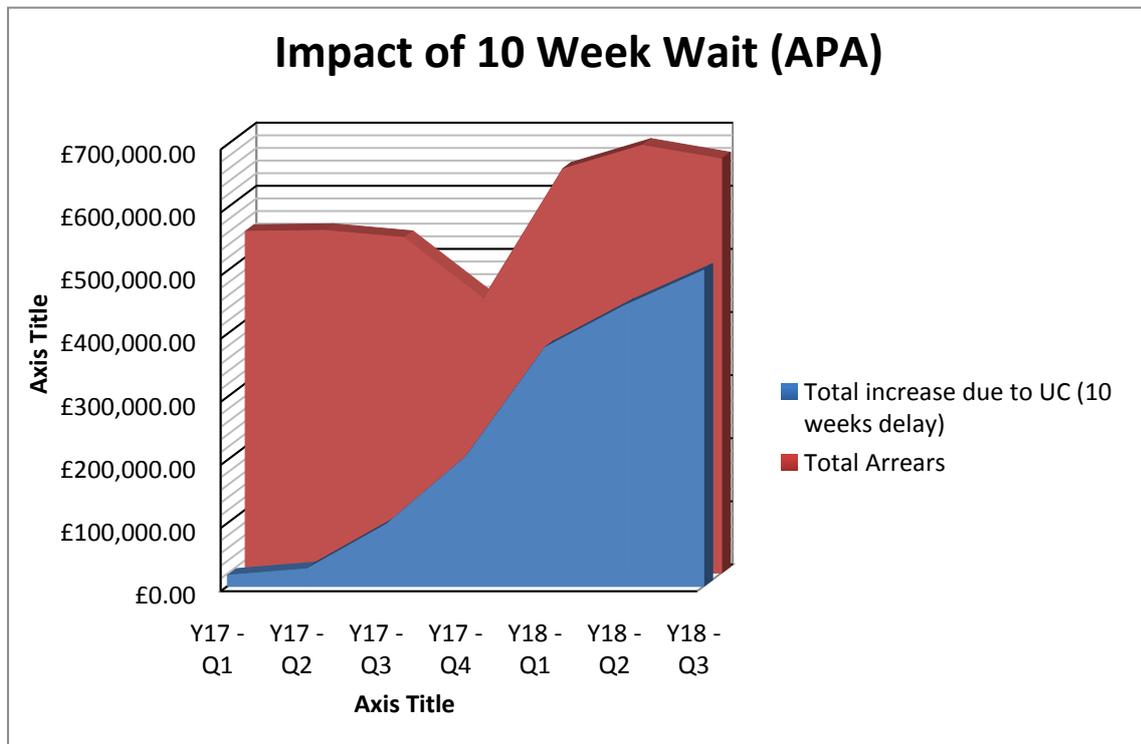
The above clearly shows that there are 589 UC Claimants each with an average debt of £425 per claimant as at 31 December 2018. $589 \times £425 = £250,325$ (based on £85 per week average rent x 5 weeks minimum wait for UC payment) plus arrears of £527,497.01 as at 31 December 2017 = £777,822.01 This is £122,034.67 higher than our current arrears as at 31 December 2018 which is £655,787.34

Every Universal Credit claimant is currently waiting a minimum of 5 weeks and on average 10 weeks for payment. Every case where a claimant is waiting 10 weeks, this is costing the Council on average £855.20 (£85.52 average rent x 10 weeks).

There is currently, on average, 20 new UC cases per month and based on the average debt of 10 weeks this is an approximate increase of £17k per month. If this trend continues on a month by month basis we can confidently say that we expect to see arrears increase by £204k per year.

Current arrears as at the end of quarter 3 (October – December 2018) are £655,787.34. Based on UC claimants waiting time for payment, between £250k and £500k of these arrears is attributable to UC. This suggest that whilst arrears overall are decreasing the overall increase is primarily as a direct result of UC.

An example of arrears compared to UC claims:



Please note that in some cases the Council can wait up to a maximum of 12 weeks for payment and in some instances this has been even longer. In addition, the waiting time for a Court Order is an average of 6-8 weeks and warrant applications can be anything up to 12 weeks. There is now an ongoing demand on the Courts.

Officers did predict (in line with UC pilot authorities) that rent arrears would increase as a result of Universal credit as typically:

- UC payments can take up to 5 weeks minimum and 10 weeks on average to process and in the majority of cases are paid direct to the recipient inclusive of the housing element. This is paid monthly to the tenant 4 weeks in arrears
- Alternative payment arrangements (APA'S) agreed between the landlord and claimant has on some occasions taken the DWP up to 12 weeks to process. In these circumstances intelligence has shown that in the majority of cases the claimant has not provided or submitted required or relevant information.
- Strict data sharing rules means that although the Council is a trusted partner for the DWP, tenants' are still required to give explicit consent for specific issues – which can delay payment details

Typical issues currently faced by the UC claimant, Landlord and DWP are as follows:

Issues faced by UC claimant:

- Reluctance from customers to apply for UC. Customers are aware that it takes a minimum of 5 weeks from initial application to receipt of the first payment of UC
- Totally online benefit and those customers with poor computer literacy find it challenging to apply
- Benefit Claimants are still confused on which benefit they should be claiming for
- Tenants have received letters asking them to be claiming JSA – where in fact it should be Universal Credit
- Joint tenants still have the odd issue with some only getting half the rent paid
- Customers can now apply for an advanced payment within the first week of initial application for UC but it has to be repaid to the DWP over a maximum period of 12 months by deductions from their monthly UC payments.
- Customers have to learn to budget on a monthly rather than weekly basis
- There are complex and changing rules as to who has to apply for UC and who remains on legacy benefits leading to understandable confusion by customers as to what benefit they should apply for

Issues faced by Landlord (Tamworth Borough Council):

- UC payments are administered by the DWP not the Council so our knowledge of what is happening is more limited
- If rent arrears are more than 2 months' rent TBC can apply for UC payments to be paid directly to TBC but this takes 10 / 12 weeks before we receive the first payment and in some cases longer
- Moving to UC, which is paid monthly in arrears rather than weekly, has inevitably increased total rent arrears
- Tenants not informing DWP of changes to their rent charged
- The majority of registered social landlords, Councils or Housing Associations, where UC has been introduced have seen an increase in total rent arrears.
- Whilst TBC is now a trusted partner this has speeded up some administrative tasks undertake between TBC and the DWP but this does not provide us with any details of what a customer on UC is receiving

- Can take up to 45 minutes to get through to UC and even then we are only permitted to discuss a limited number of queries
- Change in regional leads at DWP
- When payments are made directly to the Council via an APA (alternative payment arrangement) we receive payments every 4 weeks whereas customers get their UC payments monthly. This creates confusion with our customers and makes it very difficult to agree terms for a suspended possession court order
- Change in regional leads

Issues faced by DWP (Department for Work and Pensions):

- The introduction of UC has been and continues to be delayed by the sheer complexity of UC replacing 6 other benefits which has led to IT issues.
- Having to train staff in a new complex benefit.
- TBC has provided good quality support to customers to apply for UC and to learn to budget. The same level of quality support has not been provided by all registered social landlords so the DWP has decided nationally to hand over this support to the CAB as from the 1st April 2019.

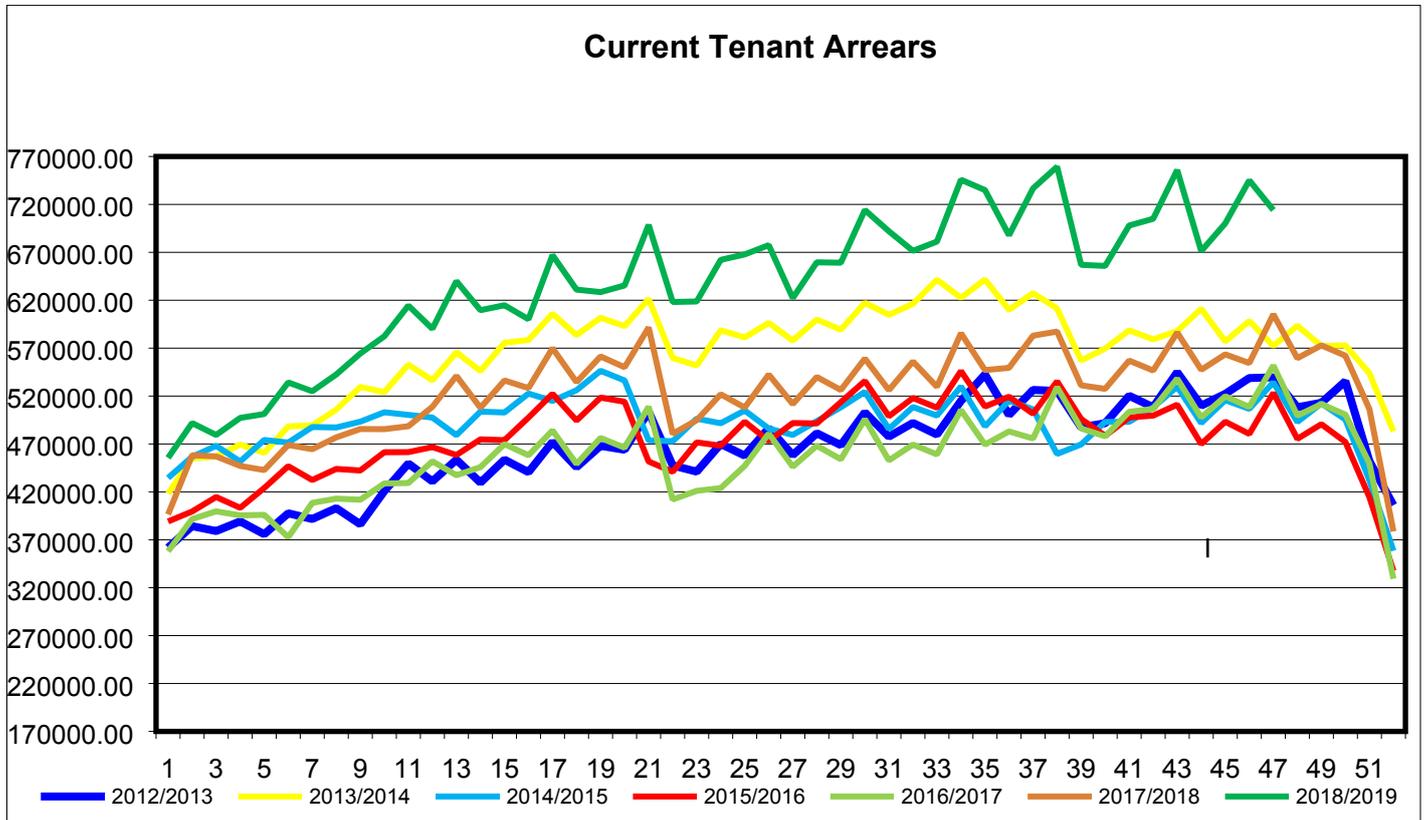
As part of the Councils response to welfare reform, in particular UC, a corporate project group has been re-set to collaborate, understand and take actions to mitigate the impact. This group is due to refresh its scope and objectives and will assess the business risks – using intelligence and data to promote agile and flexible solutions. The corporate project group includes staff and partners from across the organisation. There remains organisational commitment to:-

- Delivering quality services through enhanced digitisation and customer access to DWP and UC as well as wider welfare benefits
- Developing neighbourhood resilience through tackling illegal and high cost lending and fuel poverty
- Supporting economic and job prospects through tackling worklessness.
- Preventing homelessness through early help aimed at avoiding eviction across all tenures
- Supporting the development of a Corporate Debt Strategy

Key principles of robust income collection include:

- Independent assessment by Rent Income Excellence Network (part of HQN a national benchmarking group for landlord rent collection) endorsing the approach to prevention, education and enforcement around income collection
- Introduction of Rent Income Analytics tool within orchard to prioritise non-payment and highlight bad debtors
- Investment in third and voluntary sector of up to £30k. Including the Tamworth Advice Centre for debt advice and income maximisation support and Brighter futures to support tenants with complex and mental health needs
- Close working with the DWP (as a trusted partner accessing portal) and job centre to collaborate on information sharing – ongoing work with regional lead

- Supporting 'rent first' campaigns and educational material via a range of tenant groups
- Officers closely monitoring rent collection levels as well as comparing historic patterns and trends to assess unusual spikes in debt. The graph below shows, that whilst arrears are higher, the payment pattern is in fact following the same trend as in previous years.



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Upcoming Corporate Scrutiny Committee Meetings

Wednesday 13th March 2019

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