



MINUTES OF A MEETING OF THE CORPORATE SCRUTINY COMMITTEE HELD ON 13th AUGUST 2024

PRESENT: Councillor S Smith (Chair), Councillors M Couchman, H Hadley, T Jay, K Norchi, B Price, M Summers and A Wells

CABINET Councillor Carol Dean
Councillor Ben Clarke

The following officers were present: Rob Barnes (Executive Director Communities), Rebecca Smeathers (Executive Director Finance (S151)), Paul Weston (Assistant Director Assets), Zoe Wolicki (Assistant Director People), Christie Tims (Corporate Project Co-ordinator), Leanne Costello (Senior Scrutiny and Democratic Services Officer) and Laura Sandland (Democratic and Executive Support Officer)

14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor G Coates and Councillor N Arkney (Portfolio Holder for Infrastructure, Heritage and Local Economy).

15 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 25th June 2024 were approved as a correct record.

(Moved by Councillor M Couchman and seconded by Councillor A Wells)

16 DECLARATIONS OF INTEREST

Councillor H Hadley declared an interest in item 9, and that she would not participate or take part in the vote on this matter.

17 CHAIR'S UPDATE

The chair provided the following update in respect of the recommendations from the Committee that went to Cabinet on the 25th January 2024.

Recommendation 1 –

To add additional resource to TBC repairs team; when a MLDINS code is inputted for a property a manual lookback at the history of repairs for that property be conducted to identify if this Damp and/or Mold has been a previous issue at the property, or for the tenant at a previous property.

A Business Case has been approved for the creation of a new administrative post for an initial period of 12 months within the Housing Repairs Team.

Amongst other duties linked to compliance and complaints will assist in reviewing property data and identifying trends in Damp & Mould at a property level.

Recommendation 2 –

That the Damp & Mould inspection process become part of the repairs policy.

A new, separate Damp & Mould policy has been produced that sets out the Council's approach to dealing with Damp & Mould. This is in line with the requirements of the Housing Ombudsman as set out in their Spotlight Reports. This includes the process and timescales regarding inspection and therefore sets out the commitments on rapid inspection and prioritisation of works. The main Housing Repairs Policy will reference the separate Damp & Mould Policy so that the Council's approach to damp and mould forms an integral part of the Council's overall Repairs Policy.

Recommendation 3

To ensure that vulnerable residents are prioritised when there are damp and mould issues within the home.

The new Damp & Mould policy makes specific reference to addressing reports by vulnerable tenants. The policy reflects the requirements set out by Government in Awaab's Law in terms of timescales for inspections and the production of reports.

18 RESPONSES TO REPORTS OF THE CORPORATE SCRUTINY COMMITTEE

There were none.

19 CONSIDERATION OF MATTERS REFERRED TO THE CORPORATE SCRUTINY COMMITTEE FROM CABINET / COUNCIL

There were none.

A motion was moved under rule 9.1.3 to change the order of business for the meeting so that the Update on the Strategic Leasehold Review could be discussed first.

(Moved by Councillor S Smith and seconded by Councillor A Wells)

20 UPDATE ON STRATEGIC LEASEHOLD REVIEW

The Portfolio Holder for Housing, Homelessness and Planning / Executive Director Communities introduced the report to provide an update on the review of Leaseholder charging undertaken by Campbell Tickel in response to concerns raised about the Council's approach to leaseholder charging, thanking Campbell Tickell(CT) for their report and acknowledging the work carried out by all those involved in this piece of work before handing over to the Executive Director, Communities and Assistant Director, Assets.

The Committee made the following comments/observations and asked the following questions:

1. Whether the Officers and Portfolio Holder endorse the recommendations from the CT report, whether there were any areas that they did not endorse, whether the recommendations refer to the findings within the original CT report and were there and proposed deviations to the finding in the report?

Officers confirmed that they broadly endorse the findings of the report and that the report summarises/paraphrases the finding of the CT report, which was also attached as an Appendix. It was highlighted that completing a repair on a property does not make the larger problem go away but just defers the matter.

It was highlighted from a finance point of view the Council they have not taken on board the full recommendations of the report such as offering a discount for early payment, as the Council would not be able to recover the full cost and this would fall upon HRA tenants, they were also not considering offering a loan scheme as there was no allowance for this within the corporate credit policy previous agreed, however anyone struggling to make payments could contact the Council to look at making a payment arrangement.

2. Highlighted that the report suggests that communications had been poor in the past which has been stressful to those affected and that an apology was called for. It was highlighted that there was a recommendation some years ago that council review all communications, and do we use the plain English crystal mark in our communications?

It was confirmed that there was a new suite of letters from CT which still meet the legal requirements of the council but in a more customer friendly manner. There would also be better quality information available to those using the right to buy process and the website would be updated in a more customer friendly fashion. Future engagement would also be looked at as part of the policy alongside work on wider tenant engagement, but there would be resource implications to consider.

It was highlighted by the Committee that new suite of letters was still not customer friendly enough.

3. What are the cost implications moving forward?

It was confirmed that there were hours remaining within the TC contract which should enable work to continue to produce a policy (aiming for April 2025). In terms of internal resources, they would be looking at priorities and existing commitments to meet this from the resource they currently have.

4. What is the benefit to the Council keeping the leaseholds and whether they could consider getting rid of them?

It was confirmed that in most cases the leaseholds cover a mixture of council tenants and private housing and so they could not dispose of them.

5. Clarification around how the first-tier tribunal test case would work and why this was being considered when there was currently no need to renew the roofs?

The officers confirmed that questions were raised by leaseholders as to whether the lease allows for renewals as opposed to repairs. The Council are of the opinion that this is permitted within the lease, and it is on the

recommendation of TC the Council would take a test case to court in consultation with leaseholders to establish whether this is the case to inform future planning. It was highlighted that Council does not have the option to not collect monies for the work under the lease as it has a responsibility to collect monies where it is fiscally possible.

The Committee expressed concern at a current leaseholder being used for this test case and suggested that it should not be anyone who has been affected up to this point.

6. The Committee highlighted that in the private sector a goodwill gesture would be made to those affected by the process and whether this was something the Council could consider?

Officers confirmed that this is something they would need to look into.

7. What comes next and why does the Council report talk about a service improvement plan, but the TC report does not?

Officers confirmed that there is still work to be done, the report recommends a policy which is still ongoing, and that this is not the final report. In order to respond to the findings of the report, it was felt that a service improvement plan was needed moving forward.

8. Clarification around the stock survey and why the roof survey was not an appendix to the report?

The findings of the roof survey were included within the report so it was not thought it was necessary to attach the technical document to the report but that this could be circulated to Members. A full stock survey (which historically is carried out every five years) is currently being conducted which will look at every property and provide a notional lifespan. CT have asked that this information be made available to leaseholders as soon as possible.

The Committee suggested that it would be useful for leaseholders to receive a short-, medium- and long-term plan of works required to enable planning.

9. Clarification around the difference between the Officer report which suggests the roof life was 7-10 years with average investment of £5000 per block whereas the CT report says that they have 10 years left and there was no need to replace and why the Council were still considering renewal as an option over remedial works when the CT report states that there is no need for renewal at this stage.

The Officer confirmed that the estimate of 7-10 years had come from discussions with a technical advisor at CT and the £5000 was an average cost as for some blocks works were coming in at around £2000 whereas others it was £8000.

It was highlighted that in future the Committee would like to see all the detail as to how information within the report was obtained and asked the Portfolio Holder to go away and check this information.

10. Why the report was still a draft?

Officers confirmed that this was the report provided by CT and that expected this to be the final report.

11. Whether in regards to next steps there had been any internal changes made within the organisation yet?

Officers confirmed that no specific changes had been made yet, however this would be looked at as part of the service improvement plan, but that improvements were being made through the social housing regulations

which would be echoed in engagement with leaseholders, it was highlighted that they had not had the requirement to issue any further section 20 notices but that ground work had been done in relation to the Council's overall engagement with customers.

12. It was highlighted that this subject needed to move forward on a positive path for all involved.
13. With regards to recommendation one the Committee raised concern at endorsing the findings of the CT report where there were areas that the Officers were not taking on board.

Resolved that the committee amended recommendation one to be made to cabinet to:

1. Strongly recommended that Cabinet adopt the recommendations of the report produced by Campbell Tickell.

Resolved that the committee

2. Endorsed the content of the Section 20 notices produced by Campbell Tickell and approves submitting them to Cabinet for consideration for use in future consultations. [Appendix 2]
3. Approved recommending to Cabinet that consultation commences in relation to the remedial works identified in the Campbell Tickell report. [Appendix 2]
4. Recommended to Cabinet the approach to undertaking remedial works as opposed to full roofing renewals
5. Supported the continuation of the working arrangements with Campbell Tickell to produce a formal "Leaseholder Policy".
6. Supported the instruction of legal services to commence amendments to future leases to include for a management charge and to clarify the position in relation to major works and renewals with any amendments to be approved by Cabinet before implementation

(Moved on block by councillor T Jay and seconded by Councillor B Price)

The Committee moved an amended recommendation to be made to cabinet that:

8. This Council further develops a Service Improvement Plan, and this come back to the Corporate Scrutiny Committee.

(moved by Councillor T Jay and seconded by Councillor B Price)

A further two recommendations were made by the Committee that:

The Portfolio Holder and Officers devise an appropriate goodwill payment using industry standards as a small gesture from this Council to these residents in light of the inconvenience and worry caused during this period and seek approval from this Scrutiny Committee for this.

(Moved by Councillor T Jay and seconded by Councillor M Summers)

That Cabinet consider the adoption of a plain English crystal mark or similar alternative across the board for all Tamworth Borough Council communications.

(Moved by Councillor M Summers and seconded by councillor TJay)

Recommendation seven from the report was not moved.

21 QUARTER ONE 2024-25 PERFORMANCE REPORT

The Chair welcomed the Assistant Director, People and the Leader of the Council to introduce the report to provide the Committee with an overview of Council performance for the first quarter of the 2024-25 financial year (April to June 2024). It reported the council's position in relation to progress with strategic corporate plan projects and updates on the financial position, corporate risks, audits, information governance and complaints. Cabinet will consider the report on 29 August 2024. The Leader confirmed that the report looked different as work had been done to make the document more user-friendly.

The Committee made the following comments/observations and asked the following questions:

1. Within the highlights, it was great to see attendance on St Georges Day at 12000 and with reference to the £21000 increase in tickets sales, was this being tracked to see where we were against previous performance and where we could go in the future?
This relates to the tickets being sold though the tourist information centre who have had some training on upselling techniques, and this is being tracked.
2. Whether works on the Castle bridge would affect the fireworks?
It was confirmed that the works would not interfere with the display.
3. Clarification around why Assembly Room performers costs were more than the budgeted costs (page 21)?
The Officers confirmed that they did not have the answer to this but would take this away and provide feedback to Members.
4. Why the number of press releases for this quarter was lower at 40 and whether communications would remain a priority?
The Leader of the Council confirmed that communication was important and that they were having regular meetings with the Head of Communications and that they would look at why this had fallen and what can be done about this.

5. There appears to be a shortfall in assembly room ticket bookings. Who is responsible for booking acts and making decisions around shows, and whether these were selling out?

The theatre manager works in conjunction with their team to monitor sales and look at past trends for ticket sales and what kinds of acts are successful. A piece of work is also being done by the Assistant Director to take stock of the shows and look at any recommendations for improvements.

6. More information around ICT/audio visual technology particularly in the town hall and why this is still being used when Marmion House is more convenient/disabled friend/public friendly and has better parking?

It was confirmed that an item was going to be coming to the next Committee meeting to look at the reopening of Marmion House and moving committee meetings.

7. Concerns around the number of Council tenants on Universal Credit and in rent arrears, what was being done to get these down, and why there was a disparity between rent and council tax arrears? How many of the tenants on universal credit are in 4 weeks of arrears which might be as a result of their universal credit payments being made and in arrears and how many are in substantially more arrears? A greater narrative was requested around the reason for arrears and what is being done.

Officers confirmed that there is always a drop in arrears in quarter four due to tenants using the rent-free weeks to make up some of their arrears. As universal credit is paid directly to the tenant, unlike housing benefit they are not always prioritising paying their rent. The Council makes early contact with tenants falling into arrears and will seek to make a reasonable agreement to recover these as well as providing other support, such as use of hardship funds and referrals to Tamworth Advice Centre. Specific figures on arrears levels were not available but that this could be provided for Members.

It was highlighted that the jump in the numbers of universal credit may be down to the fact that there has been an increase in the number of claimants being transferred over from other benefits.

With regards to council tax, the council tax reduction scheme does offer someone on Universal credit a significant reduction in the amount of council tax they need to pay which may account for the disparity.

The committee highlighted that in the past the Council had run campaigns to encourage residents to prioritise their rent and that education was key.

Resolved that committee:

Endorsed the content of this report for consideration by Cabinet.

(Moved by Councillor A Wells and seconded by Councillor M Couchman)

The Chair handed over to the Leader of the Council to introduce their reports advising members of the developing vision and corporate plan and update progress from the ongoing programme of consultation before handing over to the Corporate Project Director.

It was highlighted that –

- The consultation plan is still evolving as more group and stakeholders are identified and will be ongoing until the end of August.
- Casual staff from the Assembly Rooms have been supporting the Corporate Project Co-ordinator in undertaking public consultations and have met and engaged with over 200 people to date.
- Following suggestions from Members consultations are taking place in the evenings.
- As well as hard copies of the survey being available in the Assembly Rooms, hard copies have also been provided to local charity groups and organisations to make sure that have access to hard copies
- It was anticipated that draft results will be available in early September.
- There is still some engagement with key stakeholders including some social landlords outstanding.
- There will also be engagement with Support Staffordshire, the Community Safety Partnership, Chamber of Commerce and the TCG in the autumn.
- Some of the topics being seen are around social housing availability, particularly for young people, policing, potholes and road congestion.

The Committee made the following comments/observations and asked the following questions:

1. Clarification as at the last Committee meeting it was mentioned that a fully developed consultation would go to Cabinet.
Only an outline timeline went to Cabinet as they had still not confirmed everybody that they were going to be engaging with, and even now, new groups and representatives referred to them.
2. The committee highlighted that terminology was inconsistent within the reports and suggested that this was address to make the process easier to follow.
3. With regards to the Members workshop, was this always intended as this was not on the original timeline?
It was confirmed that this was always the intention, however that dates had not been confirmed. It was also noted that Member who had not been able to attend would be invited to a one-to-one.
4. In the last meeting it was said that it was hoped that there would be about 700 responses from residents, where is that at?
It was confirmed that there have been about 100 hard copy responses, 30 one-to-one discussions and about 100 online response (last week) and that they were expecting those figures to have doubled. It was anticipated that they would be close to the figures expected at the end of the process.

The Committee acknowledge that they had considered the report in line with the recommendations.

A motion was moved under procedure rule 9.1.13 to extend the meeting until 8:45.

(Moved by Councillor M Summers and seconded by Councillor A Wells)

A motion was moved to adjourn the last two agenda items (14 and 15) to the next meeting.

(Moved by Councillor M Summers and seconded by Councillor T Jay)

23 WORKING GROUP UPDATES

There were no updates.

24 FORWARD PLAN

There were no items requested from the Forward plan.

25 CORPORATE SCRUTINY COMMITTEE WORK PLAN

The Committee expressed concern at the amount of substantial items on the agenda and that they did not allow the Committee give each item the attention they deserve.

The Chair confirmed that the Committee were expecting the ICT Strategy update and the item that was to be added to the Forward plan around the front desk/committee meetings on the 5th September 2024

26 EXCLUSION OF THE PRESS AND PUBLIC

This matter was not dealt with due to the motion to adjourn items 14 and 15 on the agenda.

27 UPDATE ON COMMERCIAL LEASE NEGOTIATIONS

This matter was adjourned.

28 UPDATE ON COMMERCIAL LEASE

This matter was adjourned.

Chair