



## **MINUTES OF A MEETING OF THE CORPORATE SCRUTINY COMMITTEE HELD ON 19th NOVEMBER 2024**

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

**CABINET** Councillor Carol Dean  
Councillor Ben Clarke

The following officers were present: Anica Goodwin (Executive Director Organisation), Joanne Goodfellow (Interim Executive Director Finance and Deputy Section 151 Officer), Nicola Hesketh (Monitoring Officer), Tina Mustafa (Assistant Director Neighbourhoods), Pardeep Kataria, Leanne Costello (Senior Scrutiny and Democratic Services Officer) and Laura Sandland (Democratic and Executive Support Officer)

### **55 APOLOGIES FOR ABSENCE**

Apologies for Absence were received from Councillor J Wadrup.

### **56 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meetings held on 5<sup>th</sup> September and 9<sup>th</sup> October 2024 were approved as a correct record. The minutes were approved on block.

*(Moved by Councillor M Couchman and seconded by Councillor M Summers)*

### **57 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **58 CHAIR'S UPDATE**

There was no update.

## **59 RESPONSES TO REPORTS OF THE CORPORATE SCRUTINY COMMITTEE**

The Chair updated the Committee that further to the meeting on the 9<sup>th</sup> October 2024, they attended Cabinet on the 19<sup>th</sup> October 2024 to present the Committees recommendations on the Strategic Leasehold Review item. The Chair confirmed read out the recommendations and confirmed that they were not carried. The Chair confirmed that that the meeting could be viewed on You Tube.

## **60 CONSIDERATION OF MATTERS REFERRED TO THE CORPORATE SCRUTINY COMMITTEE FROM CABINET / COUNCIL**

There were none.

## **61 QUARTER 2 2024-25 PERFORMANCE REPORT**

The Chair welcomed the Leader of the Council and Officers to introduce the report of the Leader of the Council to provide the Committee with an overview of Council performance for the second quarter of the 2024/25 financial year (July to September 2024). It reports the council's position in relation to progress with strategic corporate plan projects and updates on the financial position, corporate risks, audits, information governance, compliments, comments, complaints and health & safety. Cabinet will consider the report on 12 December 2024.

The Leader of the Council introduced the report highlighting the following on the dashboard before inviting questions –

- Tamworth Castle had been awarded a Welcome Accolade
- The Council had been awarded the Silver Armed Forces Employer Recognition Award
- Beauchamp Park had been updated
- The animal licensing services had achieved the RSPCE Bronze award for animal welfare

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

1. The Committee were pleased to see funeral directors in Tamworth were compliant however would welcome a national register where they would to be regulated and licensed.
2. Page 26 - Clarification around how market traders and shopkeepers were being kept updated around the ongoing works around St Edithas Square. It was confirmed by the Leader that signage had been due to go up today, but this has been delayed until tomorrow due to the snow. Officers were going out and speaking to traders and shopkeepers and it was hoped that the contractors would also be doing this. The Portfolio Holder and Members were also talking to them when in the town. The Leader was using their weekly piece in the Herald to highlight that the shops are open as usual.

3. Page 28 - In relation to unfavourable variances, when we are employing temporary/agency staff do we employ them directly or do with go through an agency which can increase costs?

It was confirmed that sometimes temporary staff were employed directly and sometimes through an agency, however the Council always try to negotiate the best deal and better exit payments if the person were taken on permanently. Where they can they do try and recruit themselves however for cleaners, specialised roles, bespoke pieces of work or where the roles are only for a certain amount of time they would look at the best avenue and value for money.

4. Page 28 –With regards to the unfavourable variance what specific strategies are we implementing to address these income shortfalls and overspending and how are we adjusting our financial plans to ensure we meet our year and targets while maintaining the quality of our services?

Officers confirmed that where budgets are overspent managers are being asked to look at compensatory savings or to try and mitigate the overspends. A piece of work is being undertaken around the Assembly Rooms to look at how more income could be generated, review the budget and ensure that targets are realistic. A meeting is scheduled with the accountant at Lichfield District Council around the Joint Waste Service to understand the additional costs and action can be taken to improve the position moving forward.

5. Considering the projected reduction of balances by £360,000 and the re-profiling of £4.778 million in capital expenditures into 2025/26,

Are there opportunities to optimise underperforming revenue streams, such as exploring new initiatives to boost car park usage or revitalising events to increase ticket and catering sales?

Officers confirmed that these were on the radar and were being looked at in terms of the current year budget and the budget process moving forward. It was confirmed that a number of pieces of work were going on to look at starting from a zero-base budget and how we build up from their around current projects and work was being done to look at how the Council balance the MTFs.

The Committee expressed concerns over the figures for the general fund variance and the increase in the outturn and balances and in particular the impact of the Assembly Rooms and Joint Waste Service.

6. Whether the Assembly rooms was meant to be a self-funding enterprise or that the expectation was that the Council would always support this?

It was acknowledged that the Council has always provided a large subsidy for the Assembly Rooms and if that vision is going to change then it would need to be run in a very different way. Officers confirmed that a piece of work was being undertaken to look at the Assembly rooms which is a non-statutory service. The Council are now able to identify what is spent on every single event as they understand the questions and challenges in this area. The ongoing reports would look at a range of options, costs and delivery models.

The committee acknowledged that to be profitable the business would need to be privatised but expressed concern at losing the building from the public sector. The Council needed to be clear about what its ambitions were for the building, which may be for it to break even whilst providing a service to Tamworth residents but needed to be careful before investing

large amounts of money in to it. To look at how they can better improve and utilize the building to make it more profitable. It was important that they see the loss reducing year on year,

A motion was moved that an update on the recovery proposals for the key items that we need budgetary control over are brought to the next Scrutiny meeting.

7. Page 56 - The Committee expressed concerns in the upward trend in rent arrears and asked what specific strategy is are we implementing to effectively reduce the rising total rent arrears particularly focusing on higher value arrears and long-term debts, and how are we balancing enforcement actions with support for tenants facing financial difficulties to ensure both the financial sustainability of our housing services and the well-being of our residents?

Officers confirmed that there are trends in terms of recovery and the Council is following those trends and overall the Council was showing a positive trend and this was just not reflected in the current quarter. Overall rents arrears balances are being reduced annually with a focus on prevention supported by the figure of two evictions in the last period which is only taken as a last resort. Investment is made in Tamworth Advice Centre to provide welfare support.

8. Page 67 – Referring to page 67 and the fact that the local government Association expects one in four councils to apply for an emergency bailout in the next two years, in light of the ongoing deferral of funding reforms and the difficulty in planning beyond a one-year horizon, how does the Council's Financial Stability Plan and Productivity Plan specifically address the identified risks—such as potential income shortfalls from reduced Council Tax and Housing Rent collections, increased demand for services like homelessness support due to the cost of living crisis, rising supply costs, and the possibility of decreased revenue from attractions and events—to ensure we achieve our target risk score and maintain financial sustainability over the next three years?

Officers highlighted that the Budget and medium-term financial strategy (MTFS) process for the next five years had started with a report going to Cabinet on the 21<sup>st</sup> which touches on these issues. It is recognised that there is uncertainty around the local government settlement with an expectation of a one year settlement for 25/26 hoping that a three year settlement will follow to aid with financial planning. The Council does face a significant shortfall with the general fund balances supporting the MTFS but this will run out and therefore significant savings do need to be made which is being looked at.

9. Page 76 – It was noted that the risk appears to have got worse in this area so what detail do we have about concrete strategies that the council are implementing that engages with our diverse Communities and most vulnerable and marginalized to understand their unique issues and needs? How are we measuring the effectiveness of these efforts in strengthening community cohesion and resilience? And how are we collaborating with Key agencies to ensure a coordinated approach to address the challenges?

The Leader of the Council confirmed that this was a priority area for the Council and they had been successful in securing £660k funding from

Government to help fund recovery from the events of August 4<sup>th</sup>. The Council have commissioned the Belong Network who will be engaging with residents over the next few months to understand their concerns as a starting point for a piece of work in this area. It was confirmed that physical meetings were being held with Police and Faith Groups and the Tamworth Strategic Partnership was running again and an element of this was looking at Community Cohesion.

10. Page 89 – With increased resources including the new Climate Change Officer have what measurable progress is there on this issue? What specific, actionable measures are we implementing to enhance our borough's resilience against flooding, and are we addressing potential challenges such as staff training gaps, infrastructure development, and financial challenges in this area?

Whilst Officers did not have any specific information it was confirmed that the action plan was being work on and highlight by Members that this was being considered at IS&G Scrutiny in December.

The Leader of the Council confirmed that work was being undertaken with the Environment agency who they were in discussions with about flood defences and where they need to be which is a large piece of work.

Modelling has been done by the environment agency around where they think work should be done before looking at how these would be funded. It was not expected to involve too much work on the Council employees.

11. Page 99 - Know that Cyber security is a risk what specific additional strategies are we implementing to enhance our resilience against emerging cyber threats—such as sophisticated phishing attacks, insider threats from staff, and vulnerabilities with our cloud suppliers—to safeguard our sensitive data and ensure uninterrupted service delivery? The importance of testing was highlighted.

The Leader confirmed that this is a new risk on the matrix and would always be a risk that they would get a full response provided in writing. Officers confirmed that a pen test had recently been carried out and the they would be feeding back on that.

12. Page 104 - A question was asked around the increase in personal data breaches and the Council failure to report these within the 72 hours statutory requirement. It was clarified that the figure appears to be a typing error and that all reports were made within the required 72 hours.

13. Page 103 - There is a backlog of outstanding Audit recommendations – are these being taken seriously?

Officers confirmed that recommendations were taken seriously and that the report that was presented to the Audit and Governance contained more details and that in most cases although they may not be complete action had been taken to address the recommendation. Officers in these areas were being asked to attend future Audit and Governance meetings to advise Members of their plans and details of any actions being undertaken.

14. Page 104 - Given the significant delays in responding to Stage 1 housing complaints—with only 27% addressed within the statutory 10 working days in Quarter 2—what immediate and specific measures are we implementing to enhance our complaint handling processes, ensure compliance with statutory requirements, and restore trust in our commitment to timely and effective resolution of residents' concerns?

Officers confirmed that the Council have recognised a need for improvement following these response times and this being address by reviewing internal processes, increasing communication and collaboration with other departments and contractors including regular meetings to understand where the issues lie and how they can be addressed moving forward.

**Resolved** that the Committee

1. endorsed the contents of this report for consideration by Cabinet.

*(Moved by M Couchman and seconded by Councillor G Coates)*

The Committee moved a recommendation that:

2. An update on the recovery proposals for the key items that we need budgetary control over are bought to the next Scrutiny meeting.

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

## 62 COUNCIL HOUSING - TENANCY MANAGEMENT POLICY

The Chair welcome the Portfolio Holder for Housing, Homelessness and Planning and the Assistant Director, Neighbourhoods to introduce the report which was going on to Cabinet to request approval for the adoption of the Tenancy Management Policy 2024, setting out the Council's approach to offering tenancies as well as how we will manage and sustain tenancies.

The Portfolio Holder introduced the report before handing over the Assistant Director who highlighted that the report was a requirement of the social housing regulator tenancy standard. There was a summary of changes at the beginning of the report and the Policy aimed to bring the policy in line with current regulation and to make it simpler to read. In addition to the policy, Cabinet were being asked to approve a full consultation on tenancy types.

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

1. Confirmation that the rights of succession had changed in 2012 and whether the children of deceased parents still get succession rights?  
It was confirmed that the legislation had been updated. It was clarified that the law only allows for one succession, so if the property had been under a joint tenancy and one partner was deceased then they would have the success so there would be no further line off succession, however the

Council do take a common sense approach in these circumstances, and look at the best arrangements for supporting any individuals following a death as well as considering the best use of stock. It was clarified that the legislation describes the succession as applying to spouse or civil partner i.e. husband, wife or common law partner and dependents with a time scale in place to avoid people moving in and benefitting from succession rights when this has not been their principle home, however where succession was not relevant the Council would work with people to find an onward solution.

2. In relation to fixed term tenancies which would be due to be terminated due to property size, do we support the tenant to move on to a suitable property and they are not just 'kicked out'?

The Officer confirmed that no one is made homeless as a result of this and that very few tenancies have been terminated due to under occupancy, however conversations would be started in the fourth or final year of the tenancy about the best use of stock and they have worked with some households to support them into alternative suitable accommodation.

3. As Universal Credit is paid in arrears, how do the Council work with tenants to ensure that this does not hold them back from moving?

The Officer confirmed that they support tenants to ensure they are getting all of the benefits they are entitled to and to stabilise their income from the outset and where household have entered an agreed management plan then this would not hold hinder them from moving particularly where incentive to move is relevant (it was highlighted that a report was coming to Cabinet around this in the future).

4. Should engagement in illegal activity be automatic eviction?

Officers confirmed that tenancy agreements set out clearly the rights and obligations of the tenant and the landlord and whilst this is grounds for possession, the courts expect eviction/repossession to be considered as a last resort and require landlords to work with residents to support them to try and avoid possession but there are circumstances of mandatory grounds.

5. Thanks to the Officers for making the document easier to read but commented that the work should continue to make documents accessible to all.

6. With regards to the tenancy review what is the reasoning behind the consideration of the tenancy changes and how will they benefit tenants and the Council?

The Officer confirmed that if they are going to change tenancies then there is a statutory requirement for consultation. There has been national debate around tenancy types and consumer standards requires the Council to offer the most suitable tenancy. The Council adopted fixed term tenancies 10 years ago to enable the Council to move people on quickly to make best use of stock, however there had been small numbers of this with a large administration burden. There is debate around the reintroduction of lifetime tenancy to create stable communities and this process would put tenants of that process through the Housing and Homelessness Advisory board.

7. Whether there were any significant changes in rent arrears with the introduction of the fixed term tenancies?

Officers confirmed that a piece of work would need to be done to answer that in detail however they did not see an increase as a direct consequence due to the changes in tenancy types.

8. Feedback on the estate management training completed with Anthony Collins solicitors and what benefit there was to the team?

It was confirmed that the whole team attended the training and went through the procedures arising from the new policy subject to its approval.

9. How would the Council ensure the adoption of the policy was cost effective and what impact it may have on the services?

The Officer confirmed that the Impact Assessment was attached which should address this, but the team would be happy to come back at a later date to look at this in more detail if required

**Resolved** that the Committee endorse the following recommendations for cabinet consideration:

1. Approved the draft Tenancy Management Policy set out at Appendix A and subsequent publication on the Council's website
2. Delegated authority to the Executive Director Communities in consultation with the Portfolio Holder for Social Housing, Homelessness & Planning to make the final amendments to the Tenancy Management Policy (Appendix A).
3. Approved the completion of a full review and consultation on the types of tenancies the Council grant and report back separately to Cabinet during the Summer of 2025/26.

*(Moved by Councillor B Price and seconded by Councillor M Couchman)*

## **63 WORKING GROUP UPDATES**

The Committee does not currently have any working groups.

## **64 FORWARD PLAN**

There were no items identified from the Forward Plan.

## **65 CORPORATE SCRUTINY COMMITTEE WORK PLAN**



The Chair advised the Committee that in line with the Constitution moving Forward where a Member wishes to add an item to the Work Plan, a completed work planning proposal form will need to be completed and submitted to the Chair and Democratic Services before the meeting. The Committee will then consider this at the next meeting and decide whether it is a suitable item to be added to the work plan and a date for the item to be considered will be decided.

A copy of the form would be circulated and added to the agenda in future.

The Chair confirmed that the next meeting of the Committee would be on the 6<sup>th</sup> February 2025 where they were expecting the quarter 3 performance report. For this meeting if there were any items that the Committee wished to be added to the plan then could they complete a Work Planning Proposal form and email it to the Chair and Democratic Services by the 6<sup>th</sup> December then we can put an informal meeting on this occasion during the week of the 9<sup>th</sup> December to consider any items for the next meeting and then moving forward we will use the new process.

The Chair thanked everyone for attending the meeting and closed the meeting at 7:26pm.

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Chair

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