

MINUTES of a meeting of the POLICY DEVELOPMENT GROUP held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 6 FEBRUARY 2019

Present: Councillor M Specht (Chairman)

Councillors R Ashman, N Clarke, T Eynon, G Hault, P Purver, V Richichi, A C Saffell and S Sheahan

In Attendance: Councillors J G Coxon, R Johnson and J Legrys

Portfolio Holders: Councillors R D Bayliss

Officers: Mr G Jones, Mr C Lambert, Mr M Murphy, Mr D Scruton, Mr L Sebastian and Mrs R Wallace

47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor N Smith.

48. DECLARATION OF INTERESTS

There were no declarations of interest.

49. PUBLIC QUESTION AND ANSWER SESSION

None.

50. MINUTES

Consideration was given to the minutes of the meeting held on 9 January 2019.

It was moved by Councillor V Richichi, seconded by Councillor M Specht and

RESOLVED THAT:

The minutes of the meeting held on 9 January 2019 be approved and signed by the Chairman as a correct record.

51. USE OF BAILIFFS REVIEW

The Strategic Director of Housing and Customer Services presented the report to Members.

Councillor V Richichi asked if income was lost regularly due to the arrears of vulnerable customers. The Strategic Director of Housing and Customer Services reported that the collection rate was approximately 97.5 percent, which indicated that the vast majority of customers did pay their council tax. Each case that involved a vulnerable customer in arrears would be assessed to determine the best plan of action. Vulnerable customers in this situation were often given longer timeframes to make repayments before any further action was taken. He assured Members that enforcement agencies were only used as a last resort in all cases.

Councillor A C Saffell entered the meeting at this point in the discussions.

Chairman's initials

Councillor T Eynon raised concerns regarding recommendation 2 of the report. She felt it was difficult to agree that the council's use of enforcement agents was proportionate and reasonable without any accompanying data. She asked for the following information:

- The percentage of people in arrears that were classed as vulnerable.
- The percentage of people that were in arrears with no further action taken as yet, who had been assessed for vulnerability.
- The percentage of people in arrears that received Universal Credit.

Councillor T Eynon was also aware of other authorities that allowed arrears to be carried forward into the new financial year, and instead of using enforcement to collect money owed, they put rigid payment plans in place for a longer period. The Strategic Director of Housing and Customer Services responded that he was happy to look into this method of dealing with arrears and would provide the information requested to Councillor T Eynon outside of the meeting. He informed Members that the Council's current working practises were not out of balance with what other authorities did. Councillor T Eynon requested that the report be brought back to the committee to include further details, plus the information that was provided to the Revenues and Benefits Joint Committee in January regarding the Money Advice Service Creditor Toolkit.

The Chairman proposed that the Strategic Director of Housing and Customer Services provide the information as requested outside of the meeting and if Councillor T Eynon still felt that it should be brought back for consideration at Committee, then arrangements could be made for it to go onto the work programme. Councillor T Eynon did not agree as she felt the whole committee should consider the information for effective scrutiny. The Strategic Director of Housing and Customer Services did not feel that any further data would add value to the report, especially as the initial issue with the (incorrect) comparison with Chesterfield Borough Council had been clarified. Regarding the report coming back to committee, the Strategic Director of Housing and Customer Services explained that ultimately it was a decision for the Members when considering the current heavy work programme.

Councillor N Clarke raised concerns regarding the fees added to the debt once it was passed to the enforcement agents. He felt that if the customers were already struggling to pay what was owed, the addition of fees would make matters worse. The Strategic Director of Housing and Customer Services agreed to look at the issue further and report to Councillor N Clarke outside of the meeting.

In reference to the 'six steps for local authorities' recommendations from the Money Advice Trust, Councillor S Sheahan felt that the actions being taken by NWL were very woolly and he would like to see a public commitment made. He asked for clarity on what was actually being done so that the groups could have a political impact.

The Strategic Director of Housing and Customer Services went through each step and clarified the authority's' position.

1. Make a clear public commitment to reduce bailiffs over time – it was clarified that this was not something that would be committed to at this time, as it was important that the Council had all collection enforcement options at their disposal, and fulfil their statutory duty to maximise collection rates.
2. Review signposting to free debt advice, including phone/online channels – it was clarified that this was something that was done already and was detailed within the report.
3. Adopt the Financial Statement to objectively assess affordability – it was agreed that this step did need some further investigation and clarification.

4. Put in place a formal policy covering residents in vulnerable circumstances – it was clarified that there was already a policy in place and it was applied.
5. Exempt council tax support recipients from bailiff action - a commitment was not being made now, as there was a duty to maximise collections. In addition, there was always a danger of having one rule for one and not for others.
6. Sign the Council Tax Protocol and examine the Money Advice Service toolkit for working with debt advice agencies – It was clarified that there was an intention to sign the protocol.

Councillor S Sheahan agreed that it was important to protect the income but he believed there needed to be a more humane way to collect it. He felt strongly that the Council should commit to reducing the use of bailiffs in the future as the process should be improved enough to not need them. He did not believe that enough was being done to commit to the public. The Strategic Director of Housing and Customer Services reiterated that there was no plan to make the commitment at the moment as it was a necessary part of the collection process and without it, there could be a detrimental impact on collection rates. If collection rates were to fall then there would be an impact on services elsewhere.

Councillor V Richichi felt that taking a softer approach as suggested might end up costing the council more money due to officer time. He felt strongly that as a statutory authority with a duty to collect council tax, bailiffs should be used as part of the process if required.

Councillor S Sheahan clarified that he was not implying that the income should not be collected. He wanted the high collection rates to be maintained but wanted other options to be explored.

The Chairman reminded Members that as detailed within the report, enforcement agencies were only used as a last resort. Councillor S Sheahan felt that it would be helpful if a public statement was made to reflect this.

Councillor R Ashman felt that it would be a mistake to dismiss the use of enforcement agencies when it was necessary and therefore would not support a total exemption. He understood that they were used in a small minority of cases and he believed it was important to have this enforcement option available.

It was moved by Councillor M Specht, seconded by Councillor V Richichi and

RESOLVED THAT:

- a) The Revenues and Benefits Partnership's response to the recommendations made by the Money Advice Service in respect of the use of enforcement agent services for the non-payment of council tax and business rates be noted.
- b) The assurances from the Head of Customer Services that the Council's use of enforcement agents is proportionate and reasonable be noted.

52. HOMELESSNESS PREVENTION AND ROUGH SLEEPING STRATEGY 2018 - 2022

The Housing Strategy and Systems Team Manager presented the report to Members.

The Chairman asked how many cases of Homelessness there was currently in the district. The Housing Strategy and Systems Team Manager reported that the service dealt with approximately 200 cases per year and the levels were relatively low compared to neighbouring authorities. As he did not have the information at hand, it was agreed to provide the current number of cases outside of the meeting.

Chairman's initials

Councillor R Ashman felt that homelessness was being dealt with well in the area and he was aware of the support being provided by the Salvation Army. He thanked officers for a good comprehensive report that covered all types of homelessness.

In response to a question from Councillor V Richichi regarding rough sleepers, the Housing Strategy and Systems Team Manager explained that there was an annual check undertaken in association with other authorities and support services to assess the number of rough sleepers in the district. He confirmed that there was one case identified last year and that person had since been found a home. He explained that the service was very proactive in identifying vulnerable people in the district but circumstances did change on a daily basis, therefore he was constantly trying to develop new ways to work with those at risk of homelessness and that was the aim of the strategy.

Councillor V Richichi asked if parish councils were aware of the support available. The Housing Strategy and Systems Team Manager stated that all organisations, including Parish Councils that worked with vulnerable people were aware of what support was available and the team worked proactively with them.

In relation to the authority gaining the bronze homelessness standard in 2017, the Chairman asked for the figures for the different categories for a clearer understanding. The Housing Strategy and Systems Team Manager agreed to provide the information outside of the meeting.

Councillor S Sheahan commented on the recent increase in rough sleeping nationally in the cities due to people traveling in from smaller towns. He asked if information was shared between authorities to try to stop people going into the cities. The Housing Strategy and Systems Team Manager confirmed that there were links between authorities and rough sleepers were referred back to their home towns wherever possible. He added that the team did everything they could to stop people moving towards the cities but if they did leave the area, they were ready to accept them back when required. Councillor S Sheahan felt it would be useful to have a log for these cases so that rough sleepers' movements could be monitored. The Housing Strategy and Systems Team Manager reported that the authority had signed up to an agreement to contribute to a national database to track people's movements and therefore a better provision of support.

Councillor T Eynon was aware that local landlords were unwilling to accept tenants in receipt of benefits and one of the reasons for this was the difficulty in obtaining insurance policies. She asked if the council was willing to look into insurance indemnity options to support landlords when accepting tenants in receipt of benefits. The Head of Housing and Property reported that there was a rent deposit scheme available for private landlords and officers would continue to promote it. He agreed to look into insurance options for private landlords.

In response to a request from Councillor G Hoult, the Housing Strategy and Systems Team Manager gave an overview of the legislation surrounding the prevention of homelessness and outlined the council's timeline for dealing with people who were homeless.

It was moved by Councillor M Specht, seconded by Councillor G Hoult and

RESOLVED THAT:

Comments made by the Committee be presented to Cabinet when considering the report at its meeting on 5 March 2019.

Chairman's initials

53. EQUALITY AND DIVERSITY POLICY

The Head of Human Resources and Organisation Development presented the report to Members and thanked the Equalities Officer for the work undertaken on developing the policy. He drew attention to the action plan within the report and informed Members that the actions for February would be changed to March due to the Cabinet meeting timelines.

Councillor S Sheahan commented that it was essential to be a leader on this subject within the community and it was important to put out the right message as part of the next steps.

Councillor T Eynon concurred with Councillor S Sheahan and believed it was a great policy, but only the beginning of a long process. She asked that regular updates, which would be supported by the Equality and Access Group, be provided to the community.

It was moved by Councillor T Eynon, seconded by Councillor S Sheahan and

RESOLVED THAT:

- a) The report be noted.
- b) Comments made by the Committee be presented to Cabinet when considering the report at its meeting on 6 March 2019.

54. REVIEW OF THE COUNCIL'S CONSTITUTION

The Legal Services Team Manager presented the report. He informed Members of an amendment from the External Auditor regarding the authority to award contracts up to the value of £9,999, this should include Team Managers as well as Heads of Service and the report would be updated when presented to Council. He also informed members that social media guidance for members was being developed to tie in with the Members Code of Conduct and that this would be put before the Audit and Governance Committee in due course as the committee that monitors ethical standards.

Councillor T Eynon was pleased with the proposals for Policy Development Group; she felt it was sensible due to the increasing workload. However, she felt that one of the Scrutiny Committees should be chaired by the opposition group as some other authorities do. She asked if this was something that could be written into the constitution. The Strategic Director of Housing and Customer Services explained that the current proposal was to elect the chairman of the scrutiny committees either at the first meeting or the Annual Council meeting to align with the other council committees, but the comments would be taken on board.

Councillor S Sheahan was also pleased with the proposals for the scrutiny function and felt the split between the two committees was logical. He concurred with Councillor T Eynon in relation to the proposal for an opposition chairman and understood that it would be down to the political groups to come to some sort of agreement.

Councillor A C Saffell commented that the constitution had seen many changes over the years and he felt that it was now quite lengthy and difficult to understand. He suggested that the document be fully reviewed in the near future to eliminate the many duplications that caused confusion.

In relation to the proposal of an opposition group chairman for one of the scrutiny committees, Councillor R Ashman believed it could work as long as the aim continued to be to scrutinise and to not use the meetings as a political arena.

Chairman's initials

It was moved by Councillor R Ashman, seconded by Councillor G Hault and

RECOMMENDED THAT:

Council adopt the amendments to the Council's Constitution as set out in the report.

55. ITEMS FOR INCLUSION IN THE FUTURE WORK PROGRAMME

RESOVLED THAT:

The work programme be noted.

56. EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

57. UPDATE ON PROPOSALS FOR NWLDC SITE IN COALVILLE

The Strategic Director of Housing and Customer Services presented the report to Members.

RESOLVED THAT:

The project update be noted.

RECOMMENDED THAT:

When considering the report, Cabinet adhere to the Council's Local Plan and the amount of affordable housing required by it.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.25 pm