

OVERVIEW SELECT COMMITTEE

26 July 2016 at 6.00 p.m.

Present: - Councillors Elkins (Chairman), English (Vice-Chairman), Ballard, Mrs Bence, Blampied, Mrs Harrison-Horn, Hitchins, Hughes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik and Warren.

Councillors Bence, Bower, L. Brown, Chapman, Dendle, Dingemans, Wensley and Wotherspoon were also present for part of the meeting.

156. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Daniells and Dr Walsh.

157. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the Government’s example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions on the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a “Prejudicial Interest”, this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

There were no declarations of interest made.

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158. MINUTES

The Minutes of the Committee meeting held on 7 June 2016 were approved by the Committee as a correct record and signed by the Chairman.

159. FEEDBACK FROM WEST SUSSEX COUNTY COUNCIL'S JOINT SCRUTINY GROUP'S JOINT SCRUTINY REVIEW ON HOUSING PROVISION FOR CARE LEAVERS

The Chairman welcomed Councillor Dingemans to the meeting as he was in attendance to present this report.

The report set out the findings of the West Sussex Joint Scrutiny Review of Housing Provision for Care Leavers which had been undertaken by a Task and Finish Group set up by the West Sussex Joint Scrutiny Steering Group and whose terms of reference were:-

- To review the housing provision for young people leaving local authority care to ensure the accommodation needs and associated support in the community for young people leaving care are identified and procedures put in place to ensure that agencies work in partnership to achieve it. This part of the review should also include reviewing the Joint Working Protocol which has recently been created.
- To review the proposed changes to the allocation of Housing Benefit/Universal Credit to assess any potential impact on young people under the age of 21 years who are leaving the care of the Local Authority.

The proposed outcomes to be achieved from the review were:-

- To ensure that the Joint Working Protocol was working effectively to enable housing providers to provide an adequate range of accommodation to meet the assessed needs of young people as they leave care and to give care leavers the best start in the transition to independent adulthood.
- To obtain clarification from the government on whether or not young people aged under 21 years of age are to lose their entitlement to housing benefit until they reach 21 years.
- To recommend any further changes if appropriate and necessary.

Councillor Dingemans highlighted a number of issues that the review had picked up on and which informed the recommendations that all the Borough and District Councils in West Sussex were being requested to endorse.

Firstly, it was felt that the Joint Working Protocol was not being applied effectively and that, certainly, Arun officers had not been invited by WSCC to any of the Pathway Planning meetings, which was seen as an essential part of the process to ensure that care leavers and children in need received targeted, high quality supported accommodation.

Secondly, following comments from care leavers themselves, steps should be taken to ensure that the accommodation being allocated to the young person was not in an area where evidence indicated that specific young care leavers could be at risk or there could be a negative impact on their wellbeing. As a consequence, the ‘local connection’ requirement within Councils’ housing allocations criteria should be more flexible and apply to the County as a whole rather than the local area for the care leaver.

It was proposed that the County Council be requested to amend its Care Leavers Policy in West Sussex to enable care leavers accommodation in the County to be provided to those in need up to the age of 21, rather than 18, as it was considered that this would give more flexibility and ensure that those who needed more support would be assisted into independent living for longer. It was recognised that the statutory requirement only applied to age 18 but it was felt that representations should be made for the statutory duty to be extended to apply up until 21. In addition, it was felt there was a need for the Service to start working with care leavers from the younger age of 16, rather than 18, as the earlier start in support would help in the transition to independent living and, in the long term, with housing service provision. Again, that would require a policy change at County level.

Councillor Dingemans pointed out that the County Council had overall responsibility for providing continued involvement in supporting young people as they left care and moved into independent living until the age of 21. The District Council was the Housing Authority and therefore, through pathway planning, had responsibility for finding suitable accommodation for care leavers. It was hoped that, by supporting the recommendations, pressure could be put on the County Council to ensure that this Council would be involved in the pathway planning process.

Councillor Bence, as Cabinet Member for Housing, was invited by the Chairman to contribute to the debate. Councillor Bence highlighted that, when allocating accommodation for care leavers, their needs had to be assessed in order to make the right decision and an essential part of that process was to take account of the history of the individual - that information was not always easy to obtain from West Sussex County Council. Both sides had to work together to ensure the right decisions were made.

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Members participated in some general discussion on the detail of the review findings and acknowledged that the principles and direction of travel were positive but that the practicalities of implementing all the measures might prove challenging.

In turning to the recommendations, comment was made that recommendation (2) was ambiguous and needed rewording to make it clear that an area might be unsuitable for an individual care leaver rather than that area being unsuitable per se. Following consideration, it was agreed that the recommendation be amended to read “That when placing Care Leavers into accommodation, officers in the District and Borough Councils should ensure that they are aware that certain areas are not suitable for housing of **particular** Care Leavers....”

With regard to recommendation (8) the view was expressed that there “must” be a universal Care Leavers Policy approach and it was agreed that “should” would be replaced with “must”.

The Committee then

RECOMMEND TO CABINET

That the following actions with regard to Care Leavers be approved:-

A common and flexible policy across the County to be introduced regarding “local connection”

(1) Taking into account the evidence provided during the review and the subsequent guidance on allocation policies across the County provided by the West Sussex Strategic Housing Group, the Task and Finish Group considers that there is sufficient scope within allocation policies across the County to facilitate care leavers securing accommodation in suitable locations for them which in the long term will help them settle quicker and make the transition into independent living easier. This may be within another local authority area. Districts and Boroughs across the County should be proactive in using the scope provided by existing flexibilities within their housing allocation schemes to this end in the spirit of the Joint Protocol launched in November 2015.

(2) That when placing Care Leavers into accommodation, Officers in the District and Borough Councils should ensure that they are aware that certain areas are not suitable for

housing of particular Care Leavers. Avoiding those areas will help Care Leavers make that transition into independent living much easier.

Providing Good quality and Consistent support throughout time in Care and sometimes beyond the end of Care

(3) The Task and Finish Group considers that Officers should be encouraged to provide good quality and consistent help and support from an early age and ensure that the same support worker is allocated to a young person in care even if they are moved to a different area.

(4) The Task and Finish Group also considers that Care assessment should be based on need rather than age based, realising that some young people need support for much longer than others - Care should not just come to a stop at 18.

Care Leavers - Policy in West Sussex

(5) That representations be made to the Government requesting that the statutory duty to provide accommodation for Care Leavers by a County Council should be extended to age 21 rather than 18 to provide more flexibility and support for care Leavers and help them in their move to independent living.

(6) That West Sussex County Council and the District and Borough Councils work with accommodation providers to provide more communal type living accommodation in West Sussex to help Care leavers into independent living.

(7) That West Sussex County Council be requested to amend its Young People’s Service provision for Care Leavers to provide support via the Young People’s Service from age 16 rather than 18.

8) That there must be a universal Care leavers Policy approach across all Councils in West Sussex to assist with co-ordination etc.

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Joint Protocol on Housing Provision for Care Leavers

(9) That Officers from West Sussex County Council ensure that the Joint Protocol is fully implemented as soon as possible and that all Councils are involved in the Pathway Planning meetings and other discussions.

(10) To help in the implementation of the Protocol it is suggested that all Districts and Borough Councils should have a named Link Officer responsible for Care leavers in their area, making communication easier and clearer.

Future Monitoring of Housing Provision for Care Leavers

(11) That the Task and Finish Group be retained to meet on a quarterly basis as a Countywide group to oversee the process of housing provision for care leavers and ensure that improvements are being undertaken to the process. If it is not possible to do this via the Joint Scrutiny process then it should be referred through the West Sussex Corporate Parenting Panel.

Housing Benefit/Universal Credit - Potential Impact on Young People under the age of 21 years who leave Local Authority Care

(12) That Officers continue to monitor the situation and undertake further lobbying if it subsequently proves that young people leaving Local Authority

The Chairman thanked Councillor Dingemans for his presentation of an important and interesting report.

160. CORPORATE PLAN AND SERVICE DELIVERY PLAN 2013-2017 PERFORMANCE OUTTURN YEAR END REPORT FOR THE PERIOD APRIL 2015 TO MARCH 2016

The Committee received a report from the Executive Assistant to the Chief Executive which provided the detail of the year end performance outturn for Corporate Plan and Service Delivery Plan indicators for the period 1 April 2015 to 31 March 2016, which had previously been considered by Cabinet at its meeting on 27 June 2016.

The Executive Assistant to the Chief Executive highlighted the new indicator regarding number of properties to be brought back into use by

legitimate tenants and was pleased to advise that, since the appointment in January 2016 of the Housing Fraud Investigator, 9 properties had been brought back into use, which was excellent news.

A question was asked relating to deletion of indicator DCN008, Satisfaction with Arun Antisocial Behaviour Team, and how that would be monitored in the future. A response was given that the feedback provided by Sussex Police was extremely positive and that the team was helping to reduce low level anti-social behaviour.

Councillor Warren had asked two questions prior to the meeting with regard to customer satisfaction with Council services and staff sickness absence and it was agreed that the written responses he had been provided with would be circulated to all Members of the Committee.

The Committee then

**RESOLVED**

That the year end performance outturn for Corporate Plan and Service Delivery Plan indicators for the period 1 April 2015 to 31 March 2016, as presented to Cabinet at its meeting on 27 June 2016, be noted; and

**RECOMMEND TO FULL COUNCIL – That**

(1) the existing three Council Priorities be reconfirmed for the period 2017-2021, i.e.

- Your Council Services – delivering you the best we can afford
- Supporting you if you need help
- Your future

(2) with the exception of the Corporate Plan Indicator DCN041 (target set by WSCC) and the Service Delivery Plan Indicators summarised in the table below, the performance indicators remain unchanged for 2016/17; and

<b>Indicator</b>	<b>Changes for 2016/17</b>	<b>Reason for Change</b>
CSB020 No of Benefit Fraud Sanctions	Delete	This Council no longer has responsibility for this function

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CSH042 Average void turnaround time (excludes long term voids)	Reduce number of days to 20 (from 28)	In line with current performance
CSH043 No. of council properties without a valid gas safety certificate	Amend wording to 'No. of council properties <i>with</i> a valid gas safety certificate (target 100%)	To clarify performance requirements
CSR002 %age of non-domestic rates collected	Increase target to 99%	In line with current performance
DCN001 No of most serious violent crimes per 1,000 population (context)	Delete	No influence over target, incidents reported to police. Retain as Operational Indicators in case information is required
DCN002 No if incidents of public place violent crime per 1,000 of population (context)	Delete	
DCN004 Reduce overall crime	Delete	
DCN005 Reduce criminal damage (context)	Delete	
DCN008 Satisfaction with Arun Anti-social Behaviour Team	Delete	Delete this indicator due to deleted post in team. No resources available to issue satisfaction surveys or to collate and report on them.
ESC031 No of inspections undertaken to ensure businesses complying with waste removal duty of care	Change description to "No of enforcement actions taken in relation to persistent non-compliance with waste removal	More relevant to activities undertaken.
ESC110 Deliver Annual Health & Safety Action Plan	Change description to "Deliver Annual Corporate Health & Safety Action Plan"	Clarification of corporate responsibility



ESG031 Progress Memorial Safety Inspections at Littlehampton & Bognor Regis	Change description to "Progress memorial safety inspections in line with 5 year rota, 2012-2017"	Not all cemeteries are in Littlehampton and Bognor Regis and wording of original indicator doesn't clarify that. This is a rolling 5 year programme of inspections.
PEP030 % of customers satisfied with Planning Service	Amend to annually reporting (currently quarterly)	In line with other indicators
<b>New Indicator</b> – Number of properties to be brought back into use by legitimate tenants	Target of 10 properties per annum	Housing Fraud Investigator post now filled and Officer actively progressing investigations.
<b>New indicator</b> – % of rent collected	99% collection	Requested by Head of Housing

(3)the current suite of performance indicators be retained for one further reporting year, with a proposal to review in Autumn 2017 for implementation in April 2018.

#### 161. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN - UPDATE

The Director of Customer Services advised the Committee that the HRA Business Plan review could not be undertaken until clear Government guidance on initiatives announced by the previous Chancellor had been published. It was anticipated that there would be draft regulations this summer, with the final version being published in November 2016, for implementation from April 2017.

Members were particularly informed on the High Value Asset Levy which required the most expensive homes to be identified and they be sold, when vacant, to make a payment to the Government. In reality this was likely to be a levy based on the value of the most expensive houses within the Council's stock, whether sold or not. It would be a notional figure based on a formula using local property values and would likely be based on turnover of social housing properties.

The High Income Social Tenant Policy was a requirement on the Council to charge above social rents where the income in the household was in excess of £31k. Any additional rent would be paid to the Government. A

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taper of 15% would be built in to ensure that rent rises were affordable and did not create a disincentive to work and would result in such households paying an extra 15 pence in rent for every pound of additional income.

The definition of “household” would be tenants, joint tenants and their spouses, partners and civil partners. Non-dependent children living at home but not on the tenancy would not be included. The Council would not have access to HMRC systems and would have to ask tenants how much they earned to be able to make an assessment of rent. Further detail was given by the Director of Customer Services, who also highlighted that, should clarity be received by November 2016, it would leave a very tight lead in time to implement by April 2017.

The Chairman thanked the Director of Customer Services for the update.

#### 162. CABINET MEMBER QUESTIONS AND UPDATES

The Cabinet Member for Environmental Services, Councillor Chapman, advised the Committee on the following:-

(i) The issue of the Riverside Autos flood gap had still not been resolved.

(ii) He provided an update on the flood defence situation at Pagham – he had had talks with the Parish Council and the Flood Defence Steering Group and would be attending a meeting with Nick Gibb MP later this week.

(iii) A number of issues were being pursued on behalf of mobile home owners with regard to the Mobile Homes Act 2013. It was a highly complex situation and all three local MPs were also engaged in the process.

(iv) he was pleased to inform Members that the Norfolk Gardens Café had been well renovated and that the Littlehampton Miniature Railway train was now operating.

The Deputy Leader and Cabinet Member for Corporate Governance, Councillor Wensley, advised the Committee that the new high speed black and white copier had now been delivered at a cost of around £35,000, £25,000 of which would be borne by Chichester District Council. The new equipment would provide the Council with a saving of £9,000 per annum. He also informed Members that the Leader had received a letter from the Mayor of London with regard to the current poor performance of Southern Rail. Mr Khan had been in touch with the Secretary of State for Transport indicating that Transport for London would be prepared to assist temporarily with managing the service and Councillor Mrs Brown had responded to his letter by expressing support for a workable solution that improved the current

appalling and unreliable service Southern Rail was delivering to residents and businesses of the Arun District.

163. FEEDBACK FROM THE MEETING OF WEST SUSSEX COUNTY COUNCIL'S HEALTH AND OVERVIEW SELECT COMMITTEE (HASC) HELD ON 10 & 30 JUNE 2016

The Committee received and noted feedback reports from Councillor Blampied following his attendance at meetings of the West Sussex County Council's Health and Adult Social Care Committee (HASC) held on 10 and 30 June 2016.

At the instigation of the Cabinet Member for Planning, Councillor Bower, some discussion took place with regard to the problems being experienced in Littlehampton with the East Arun Medical Group following news that the East Street Surgery would be closing. It was agreed that a request would be made to WSCC that this matter be added to the agenda of the next meeting of HASC on 2 September 2016. The Cabinet Member for Community Services, Councillor Wotherspoon, advised that he had also written to the CCG on 22 July 2016 and had requested a response by 6 September 2016.

164. FEEDBACK FROM THE MEETING OF THE WEST SUSSEX POLICE AND CRIME PANEL HELD ON 4 JULY 2016

The Cabinet Member for Community Services, Councillor Wotherspoon, presented his feedback report on the meeting of the West Sussex Police & Crime Panel held on 4 July 2016 and highlighted 2 recommendations that needed to be put forward to the Constitutional Review Task & Finish Working Party regarding replacing the existing version of the Panel's terms of reference in the Council's Constitution. This was a purely procedural matter as the Council's Constitution had to be amended as a consequence of the changes.

Comment was made with regard to the reduction in PCSOs and the disparity of information being given locally and by the Police & Crime Commissioner and what, if any, impact these changes were having on crime rates. Councillor Wotherspoon undertook to provide a briefing to members of the Committee

The Committee noted the report and

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**RECOMMEND TO THE CONSTITUTIONAL REVIEW TASK  
& FINISH WORKING PARTY - That**

(1) the new version of the Panel’s Constitution replaces Arun’s existing version for the Sussex Police and Crime Panel at pages 87 to 92 in this Council’s Constitution at Part 3 – Responsibility for Functions – Paragraph 10.0 – Sussex Police and Crime Panel; and

(2) the Head of Legal and Administration be authorised to make any further consequential amendments.

**165. WORK PROGRAMME 2016/17**

The Head of Democratic Services advised the Committee that, due to long term sickness and prioritising of work on the 2020 Vision, the Council’s Filming /Photographic Policy due to be considered at the meeting on 27 September would not now be going to that meeting. She was therefore suggesting that the matter to be deferred to a future meeting. Furthermore, she requested that, due to the revised timetable for the Local Plan resulting in Full Council not considering the matter until 14 December 2016 and the resultant consultation not taking place until the new year, the review of the Local Plan be deferred from January 2017 to post May 2017.

In discussing the matter, Members agreed to deferral of both items. As the agenda for the meeting on 27 September 2016 would be light, the Head of Democratic Services requested members to consider cancellation of that meeting. The overall view was the meeting should not be cancelled at this time. Suggestions for items to be considered were put forward regarding property and concessions income and the recently taken decision by the Development Control Committee regarding delegation of decision making in respect of householder applications. However, the Resources Director and Deputy Chief Executive gave advice that no work could be done on concessions and property income at the present time due to the serious understaffing of the Property & Estates Service – their work priorities, as set by Full Council, lay elsewhere. With regard to the Development Control matter, the Head of Democratic Services advised that it would be for that Committee to monitor the results of the changes to the Scheme of Delegation to ensure that the service residents wanted was being delivered.

The consensus of opinion was that it would be preferable that the meeting on 27 September should not be cancelled and it was therefore proposed that suggestions for items for the meeting would be circulated to members for their feedback. A final decision would then be taken in

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consultation with the Chairman, Vice-Chairman and the Head of Democratic Services and members informed accordingly.

(The meeting concluded at 7.52 pm.)