

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

RESOURCES OVERVIEW & SCRUTINY PANEL MEETING

Minutes

WEDNESDAY, 17 NOVEMBER 2021

PRESENT: Councillor G Heath (Chair)

Councillors C J S Atkins, M Bowen, E Fallows, M Gledhill, T Hall,
A Hart, N Hawkins, T Holmes, K Hoptroff, K J Jackson, J T Jones,
L A Malyon, T Riley and N Yates

IN ATTENDANCE:	S Hampton	Member & Community Services Officer
	P Trafford	Member & Community Services Officer
	A Stokes	Chief Executive Officer
	V Higgins	Information Business Partner
	T Cooper	Head of Organisational Development and Transformation
	K Pointon	Head of Finance
	J Betts	Interim Executive Director Finance and Revenues & Benefits

APOLOGIES: Councillors B A Hughes, S E Ralphs and P Wilkinson

22 **NOTIFICATION OF SUBSTITUTE MEMBERS, IF ANY**

There were no substitute members.

23 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting of the Resources Overview & Scrutiny Panel held on 22 September 2021 be **APPROVED** as a correct record and signed by the Chair.

24 **URGENT ITEMS OF BUSINESS, IF ANY (24 HOURS NOTICE TO BE PROVIDED TO THE CHAIRMAN)**

There were no urgent items.

25 **DECLARATION OF INTERESTS:**

There were no declarations of interest.

26 **WORK PROGRAMME**

Members requested that an appraisal be carried out to establish staffing levels across the Alliance and the officer time allocated to each individual Council following instances of slow response to enquiries.

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The 'To be confirmed' category needed to be reduced in size by allocating some items to specific meeting dates.

Cllr. Malyon requested a list of Covid-associated grants that had been administered, with numbers and amounts of grants issued in each category.

Cllr. Holmes advised that the officer to be allocated to the Dementia item was Ms. V. Ellis.

RESOLVED – That, with the amendments referred to above, the Work Programme for the remainder of 2021/22 be **AGREED**.

27 QUESTIONS TO PORTFOLIO HOLDERS, IF ANY

Question received from Councillor Atkins:-

What proportion of housing within the Staffordshire Moorlands is privately rented? What resources does SMDC allocate to enable it to carry out its powers under the Tenants Fees Act 2019 and the Housing Health and Safety Rating System? Does SMDC plan to operate a licensing scheme for private landlords?

Response from Councillor Bowen, Portfolio Holder for Communities:-

"Please see below 2019 estimate information (from ONS subnational estimates of dwelling by tenure 2012 – 2019)

Tenure	Estimated number	% stock
Private Rented	5,380	12.05
Social Rented	3,859	8.64
Owner Occupied	35,408	79.31
Total	44,647	100

The Tenants Fees Act is enforced by Trading Standards at the County Council. In terms of the Housing Health and Safety Rating System, the Council has 1 FTE Officer dealing with all private sector housing enforcement as part of a multi-responsive post that also includes drainage and public health enforcement. The Officer is supported by 0.3 FTE Senior Officer.

There are no current plans to introduce any additional or selective licensing schemes in the district at the present time. There are set criteria for determining whether an area warrants the introduction of a licensing scheme other than the mandatory HMO Licensing scheme, and to date we have not identified any significant clusters of problematic private rented properties or any evidence of widespread property blight or significant disrepair associated with the private rented sector. We keep matters under review and where the evidence supports it, we would bring a report to committee outlining the reasons why an additional or selective licensing scheme should be considered.

By way of supplementary questions, Councillor Atkins asked:-

1. How had the Council established the condition of private rented stock?
2. The most vulnerable groups of tenants were at greatest risk, occupying properties rated below 'E' in energy efficiency. Could use be made of the

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Disabled Facilities Grant in some cases to make improvements, given the onset of harsh winter weather?

Surveys were done from time to time and there were plans to refresh the Council's approach. Housing complaints were dealt with as and when received and the Landlord Accreditation Scheme was administered.

A more detailed response would be issued in due course, given the depth of information involved.

28 2ND QUARTER FINANCIAL, PROCUREMENT & PERFORMANCE REVIEW 2021/22

Head of Finance – Keith Pointon – presented members with the Council's overall Performance, Financial and Procurement position at the end of the 2nd Quarter 2021/22 (30 September 2021) with headlines as follows:-

Subject	Headline	Reference
Finance	<p>The Finance headlines for the Second Quarter were:</p> <p><i>Performance against Budget</i></p> <ul style="list-style-type: none"> • At the Second Quarter stage the General Fund projected outturn for 2021/22 was an underspend of £1,719,820 including £1.5m in Section 31 grants, which would need to be placed into reserves at year-end for distribution via the Collection Fund in future years. <p><i>Efficiency Programme</i></p> <ul style="list-style-type: none"> • At Quarter Two £633,000 in savings had been taken against the 2021/22 general fund efficiency target of £830,430. It was anticipated that there would be a £167,000 shortfall in the year. <p><i>Capital Programme</i></p> <ul style="list-style-type: none"> • The revised Capital Programme budget for 2021/22 was £4.83 million including the carry forward of capital underspends from 2020/21. The projected outturn for the year at Quarter Two was £4.71million; an underspend of £0.12million. <p><i>Treasury Management</i></p> <ul style="list-style-type: none"> • Cash investments held at 30 September 2021 totalled £21.7 million. The Ascent loan and debenture currently stood at £19 million; • Council borrowing at 30 September 2021 totalled £12 million (relating to the Ascent loan); • The Council's net interest income receipts for the year was forecast to exceed the budget by £4,000 at the Quarter Two stage. <p><i>Revenue Collection</i></p> <ul style="list-style-type: none"> • 55.88% of Council Tax was collected by 30 September 2021 compared to 55.60% for the same period last year (56.34% in 2019/20); 	Appendix A

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	<ul style="list-style-type: none"> • 44.95% of Business Rates was collected by 30 September 2021 compared to 50.32% for the same period last year (55.57% in 2019/20); • At the end of the Second Quarter debt that was over 60 days old was £53,157 which compared with £101,700 at 30 September 2020. 	
Procurement	<p>The Procurement headlines for the Second Quarter were:</p> <ul style="list-style-type: none"> • 18 procurement activities were completed; • The Procurement forward plan included 36 procurement activities for completion in 2021/22 (either SMDC only or joint); • At the 30 September 2021, 51% of procurement activity undertaken was on the forward plan. 	Appendix B
Performance	<p>The Performance headlines for the Second Quarter were:</p> <ul style="list-style-type: none"> • 80% of the key performance indicators on track (34% were better than the previous year); • The Council received 36 complaints, 102 comments and 28 compliments; • Priority Actions - 15 green, 2 amber, 1 completed, 15 grey. 	Appendix C

Member enquiries were as follows (*responses in brackets*):-

- Where in the report were consultancy fees shown? (*consultancy costs would be reflected in overall services costs – they were not separately identified in these monitoring reports*);
- Was there a safety net for struggling businesses to pay their outstanding Business Rates? (*Arrangements were available for businesses to renegotiate payment profiles within the current financial year.*);
- Were Business Rate Discounts for Nurseries restricted to those within the 3 main towns? (*No, the discount was available district-wide.*);
- Would the £230k underspend on Leisure Services be re-invested in Leisure? (*This had resulted partly in SMDC not having to financially support Parkwood as much as was originally planned. A decision would be taken at the end of the year where the money would be allocated.*);
- Was there any budget for the tree-planting scheme? (*This was contained in the ‘Communities’ budget, for delivery by AES. Regular meetings were being held regarding resources available / required.*);
- Was the Business Rates Collection Rate likely to catch up to the previous year level by the end of the financial year and were other authorities in the same position? (*Payment deferrals relating to Covid had created a different profile to collection rates, compared with previous years. The rate was likely to recover by year end. Other authorities had indicated they were in a similar position.*);
- The Sports & Physical Activity Strategy (Priority Action) had not yet been issued but showed as “within the next month” from September? (*An Information Digest was to be issued imminently.*);
- Did the Council have any further powers to stop people blocking the Wharf Road Masterplan?
- Annex A contained completed procurement activities which had not been seen by members. Was there no need for member involvement? (*The Procedure Rules on procurement contained a Delegations process with value thresholds below which member involvement was not necessary and the procurement plan was reported to Members.*);

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- What was the procurement procedure followed to arrive at the award to Nottinghamshire County Council for the Energy Consultancy – Public Buildings? (*A detailed response would be issued directly as soon as possible.*);
- Under “Influencing Actions – Buse services”, 3 buses would not be enough to cover all moorlands villages. (*The Chair was able to confirm that 4 ‘hubs’ were being created for launch in January 2022 so that residents would be able to ring for a home pick up. There had been a delay due to a land ownership-related legal query. Member concerns would be fed back to SCC.*).

RESOLVED – That the Panel **NOTE** the second Quarter 2021/22 financial, procurement and performance position detailed in Appendices A, B and C and summarised at 3.3 of the covering report.

29 **ANNUAL REPORT 2020/2021**

This core document was presented to Members by Vanessa Higgins – Information Business Partner – and compared Staffordshire Moorlands’ performance and costs with councils in the West Midlands region and nationally, highlighting where further action was needed.

The analysis was built around the Corporate Plan priorities and provided a small refocus of Priority Actions for the next 12 months, which were identified as:-

- Deliver a successful Corporate Peer Challenge visit from the LGA in January 2022 to shape further improvement activity;
- Develop a Joint Venture Company with Norse to deliver facilities management;
- Publish Part 2 of the Climate Change Action Plan and commence delivery of the priorities contained within Part 1.

A request was made in respect of the 3rd point above not to ignore the priorities in Part 2 and it was agreed to amend the wording to reflect that point.

RESOLVED – That the Panel **NOTED** the findings of the benchmarking exercises and the additional priority actions of the Corporate Plan suggested for the following 12 months, subject to the amendment referred to above.

30 **ANNUAL HEALTH & SAFETY REPORT 2020/2021**

The report was presented to Members by David Owen – Corporate Health & Safety Advisor – to recognise the Council’s obligations under health & safety legislation. The report was divided into 13 different aspects and included information on training, accidents, progress against the annual action plan, agile working policy and mental health.

Members noted that, with 95% of staff working from home throughout the Covid period, the workload had increased for all, though there was a corresponding reduction in accidents due to less staff being at their normal workplaces.

David advised that the ‘Reinstatement of Services Group’ (ROSG) met on a regular basis to consider when staff would be encouraged back into work, though at this stage no date could be given. This was a matter for national guidance and, given the current statistical situation with regard to Covid cases, it was unlikely to be in the near future.

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Andrew Stokes confirmed that there had been a 3-fold increase in Covid cases amongst staff in the 6 weeks prior to this meeting. A staff survey had been completed in late 2020 which showed a large proportion of staff were in favour of working from home in some form on a permanent basis. This formed part of the positive Covid legacy, with increased productivity and reduced travel. The Agile Working Policy was being developed to achieve a happy medium.

RESOLVED – That the 2020/21 Annual Health and Safety Report be **NOTED**.

31 **USE OF ENFORCEMENT AGENTS**

Following a request at the previous meeting of the Panel, John Betts – Interim Executive Director of Finance, Revenues & Benefits – presented the report clarifying the Council's use of Enforcement Agents (EAs) to undertake enforcement action after a liability order had been obtained from the Magistrates' Court.

The EAs worked to a set of principles agreed with the Council and in keeping with the Taking Control of Goods Regulations of 2013 and 2014. The Council had also agreed with the EAs a set of principles when seeking recovery of debts from those who may be considered vulnerable. Management within the Revenue & Benefits service had regular monitoring meetings with enforcement liaison officers, including reviewing performance against Service Level Agreements set by the Council.

RESOLVED – That the report be **NOTED**.

32 **WELCOME BACK FUND UPDATE**

Also requested at the previous meeting of the Panel, John Betts updated Members on the Council's use of the Government's Welcome Back Fund.

The Council had been awarded a Welcome Back Grant of £87,090 and was using this grant, alongside underspend from Re-opening High Streets Safely Fund Grant, to support activities to safely re-open local economies.

Service Level Agreements had been agreed with Leek, Cheadle and Biddulph Town Councils to delegate funding to support local activity.

Funding was also being used to support distribution of Staffordshire Moorlands Christmas gift guide (funded using Additional Resources Grant) to promote local shops and town centres.

The balance of funding was currently held as a contingency to use in response to further lockdowns, but with plans under development for its use in early 2022, should this not be required.

Members felt that the fund had been concentrated on the 3 main towns to the exclusion of villages and asked that all Town and Parish Councils be contacted to be advised if there were any remaining funds available up until 31 March 2022.

RESOLVED – That the report be **NOTED**.

33 **SCRUTINY REVIEW - DISCUSSION ITEM**

Following on from the Centre for Governance and Scrutiny's (CfGS) review of scrutiny at SMDC and their subsequent all member workshop in September, Andrew Stokes highlighted the outline proposals in the report. The proposal were open to member input and, once the consultation process was completed, a full report would be presented to Full Council.

Appendix C to the report gave suggested responses to CfGS recommendations, to which members were agreeable.

RESOLVED – That the report be **NOTED** and that the suggested responses to the recommendations set out in Appendix C be **AGREED**.

34 **EXCLUSION OF THE PRESS AND PUBLIC**

DECIDED:-

That pursuant to Section 100A (2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or nature of the proceedings whereby it is likely that exempt information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the paragraphs indicated.

35 **ASCENT HOUSING UPDATE**

Members were updated on the current situation with regard to Ascent Housing LLP.

36 **2ND QUARTER 2021/22 FINANCE, PROCUREMENT & PERFORMANCE REVIEW - APPENDIX D**

Members considered a schedule of balances which were deemed non recoverable for write off.

The meeting closed at 12.30 pm

_____ Chairman _____ Date