

MINUTES

HOUSING AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE

NOVEMBER 13 2013

Present:

Councillors:

Adeleke	N Hollinghurst
Adshead	Killen
Bassadone	Mahmood (Vice-Chairman)
Conway	Marshall (Chairman)
Douris	McLean
Flint	

Co-opted Members:

S Parker	Tenants & Leaseholders Committee
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Also Attended:

Councillor Griffiths	Portfolio Holder for Housing
D Simper	Tenants & Leaseholders Committee

Officers:

Elliott Brooks	Assistant Director (Housing)
James Deane	Assistant Director (Finance and Resources)
Julie Still	Group Manager (Resident Services)
Chris Troy	Group Manager (Regulatory Services)
Andy Vincent	Group Manager (Tenants & Leaseholders)
Julia Hedger	Group Manager (Strategic Housing)
Natasha Brathwaite	Team Leader (Housing Advice & Homelessness)
Jack Burnham	Team Leader (Strategy & Development)
Isabel Connolly	Team Leader (Strategy & Private Sector Housing)
Clare Thorley	Member Support Officer (Democratic Services)

The meeting began at 7:30 pm

OS/229/13 MINUTES

The Part 1 minutes of the meeting held on 16 October 2013 were agreed by the Members present and signed by the Chairman.

OS/230/13 APOLOGIES FOR ABSENCE

Apologies were received for Cllr Harden. Cllr Organ was absent.

OS/231/13 DECLARATIONS OF INTEREST

There were no declarations of interest.

OS/232/13 PUBLIC PARTICIPATION

Chairman:

There was no public participation.

OS/233/13 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO A CALL-IN

There were no matters referred to the committee in relation to a call-in.

The Chairman began by welcoming D Simper to the Housing & Community Overview & Scrutiny Meeting. The Chairman explained that this was the first Housing & Community OSC that D Simper was attending and that potentially he would be replacing S Parker as the representative for the Tenants & Leaseholders Committee.

The Chairman briefly mentioned that following the last committee meeting she had forwarded the link for the government consultation, regarding the new National Rent Policy, on to members and that a response was due by Christmas Eve. The Chairman suggested that members discuss Dacorum Borough Council's response as a committee on the 12 December 2013. E Brooks added that the Housing team would be meeting with the Tenants & Leaseholders Committee prior to the 12 December to discuss this also.

OS/234/13 QUARTER 2 PERFORMANCE REPORT – RESIDENT SERVICES

J Still introduced the report and said that overall crime figures had gone down. In addition J Still highlighted the success of the 'Love Your Neighbourhood' day and the National Play Day. J Still also commented that Israr Ali, a CCTV operator, was nominated for the Pride of Dacorum awards following outstanding work that led to the prosecution of an individual targeting a young woman.

Councillor Adeleke referenced point 6.1 regarding crime figures within the borough. He commented that he had been at a meeting in Bourne End with the police and it had transpired that not all crime was being recorded properly. Councillor Adeleke asked if there were two sets of figures; one for reported crime and one for crime not included in the figures provided to the Council. J Still said that she would look into this for Councillor Adeleke and get back to him.

Councillor Killen said that she was pleased that there was an overall crime reduction in the Borough. Councillor Killen asked if there was a breakdown of crime figures for each area, specifically the difference between rural and non-rural areas. J Still said that the police looked at crime rates in specific areas but that the Resident Services team compiled the statistics differently for the purposes of this report. Councillor Killen asked that perhaps a greater police presence could be provided in the rural areas as the focus seemed to be predominantly on the towns. J Still replied that the police, as did the Dacorum Community Safety Partnership, look at Dacorum as a whole and that currently the police were looking at providing mounted Special Constables in the rural areas in order to patrol more effectively and increase their visible presence in this area. J Still added that she would be happy to get more details on the rural crime figures to Councillor Killen.

Councillor Douris commented that crime and the preventative measures that were taken in Dacorum were often discussed in more detail at the Dacorum Community Safety Partnership meeting. He said that often Councillor attendance at this meeting was very low and so he encouraged Councillors to attend as it was a very useful and informative meeting.

Councillor McLean commented that there was not a huge amount of crime in Kings Langley but that there were the occasional instances of anti-social behaviour. Councillor McLean asked if it is possible for N Bryant (Team Leader, Anti-Social Behaviour) to visit and discuss preventative initiatives with Kings Langley Parish Council.

Chairman:

Councillor Adshead asked if the 'Your Place' scheme, run by G Goacher (Strategic Housing) is still in place. E Brooks replied that it is going ahead. E Brooks explained that during the consultation period interest was specifically shown in a small area in Summer Court and that as a result some work had been done there. E Brooks said that G Goacher and R Lang (Home Energy Officer, Assets) would be attending the Tenants & Leaseholders Committee soon to provide an update on this. Councillor Adshead said that he would appreciate it if he and Councillor McKay could receive updates on this as they were interested in the scheme.

Councillor Mahmood commented that the Resident Services team had carried out some wonderful work with young people and that this laid good foundations for the future. Councillor Mahmood added that he was pleased to see increased numbers of attendance at the Old Town Hall.

Councillor Mahmood queried point 18.2 in regards to implementing a new code of practice for CCTV. Councillor Mahmood asked how this new code of practice would be different. J Still commented that essentially nothing would be different in how the CCTV operated but that CCTV was now being nationally regulated and that this new code of practice would just firm up what the CCTV team at Dacorum had already been doing. J Still explained that the code of practice was about making CCTV use proportionate, transparent and accountable to the general public.

Councillor Mahmood said that he found the operational risk register confusing and that there did not appear to be clarity around what the risk actually was, the controls, and the consequences of potential risk. J Still said that the neighbourhood delivery service was a cross service function and so due to the varied input the risk registers could be difficult to interpret but that the team were looking at how to refresh the register in order to make it more legible.

Councillor Douris finally added that he wished for J Still to pass on the Committees thanks and recognition to Israr Ali.

Outcome:

The report was noted.

Actions:

- J Still to provide Councillor Adeleke information on how reported crime and unreported crime are logged.
- J Still to provide Councillor Killen with rural-specific crime figures if possible.
- N Bryant to liaise with Councillor McLean in regards to meeting with Kings Langley Parish Council.
- E Brooks to update Councillor Adshead and Councillor McKay on developments with the 'Your Place' scheme when appropriate.

OS/235/13 QUARTER 2 PERFORMANCE REPORT – REGULATORY SERVICES

C Troy introduced the report and said that there had been only been two areas of slippage in quarter 2. C Troy drew attention to the abandoned vehicle performance indicator and explained that as there was only 2 cases of abandoned cars in this quarter it looked like a 50 % success rate whereas in reality Regulatory Services did respond to both cases but in the second case the car was not removed as promptly by the removal contractor as expected and this led to downward trend on the performance indicator.

C Troy also highlighted that Regulatory Services had prosecuted a Hemel Hempstead resident for animal cruelty and seized noise equipment from another resident after witnessing statutory noise nuisance. C Troy highlighted that Regulatory Services had closed a food premises because of a pest infestation and breaches of food hygiene legislation and

Chairman:

also taken action in response to fly tipping. A number of formal notices have been served following health and safety concerns at a variety of premises.

C Troy also mentioned that Regulatory Services are planning to expand the Council's pest control service and would be taking over some Hertfordshire County Council contracts.

C Troy said that Regulatory Services had updated the Food Hygiene page on the Dacorum Borough Council website and there was now an app that could be downloaded to provide information on high rated food vendors.

Councillor Adshead commented that he had recently been in a local restaurant, which appeared to have a level 5 health & safety rating but the customers' toilets were in a very poor state of cleanliness. When he had visited the website he had struggled to find an appropriate place to raise the issue and asked if it would be worth modifying the website so that it became easier to report issues not only with the food but the establishments in which it was being served. C Troy responded by saying that the new app available on the website should provide enough information for this type of issue but only the food handling and staff toilets were inspected, not the customer toilets. However, under Health & Safety laws, it would be possible to examine customer toilets if necessary. He said he would see if officers can include customer toilets but it would be dependent on resources as this is not a statutory function.

Councillor Hollinghurst said most incidents of noise nuisance occurred on a Friday or Saturday night and it could prove difficult to alert officers to problems at these times. C Troy said that although some authorities have an out of hours noise service, Dacorum did not and the amount of noise nuisance incidents in the borough did not necessitate this system being in place. C Troy pointed out that to be classed as a statutory noise nuisance the noise would generally not be a one off event but a recurring problem that very frequently affects neighbours. As such there is a formal procedure where diary sheets are filled out by the complainant to establish the regular times when the problem occurs so that officers can establish the best time to visit to witness the noise nuisance (on occasion this may necessitate an out of hours visit)

Councillor Mahmood said that it was encouraging to see that action was being taken against people where necessary and that the Regulatory Services should do their utmost to publicise the good work they were doing.

Councillor Griffiths entered the meeting at 7.54pm

Councillor Mahmood asked what action was being taken in regards to the Empty Homes Strategy since it had been approved at Cabinet. C Troy explained that the initial stages of the Empty Homes Strategy was underway but that officers are focusing on ensuring that they were working collaboratively with home-owners and that enforcement action would be the last resort. Councillor Mahmood asked if there was any effort being made to match prospective house hunters in Dacorum to the empty homes involved in the strategy. C Troy explained that this was not something that the strategy included as it would be extremely resource intensive.

Councillor McLean commented that he had used the Council's dog warden recently when reporting a stray and he found her to be excellent, commenting that she provided a very high level of service.

Councillor McLean asked if the expansion around the pest control services would encompass wasps and glis-glis together with clean-up services concerning road-kill carcasses. C Troy said that it would be difficult to say at the moment and they would have to see how they cope with the new contracts, particularly with the new Herts County Council

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(HCC) Contract. However, he hoped they would be able to accommodate new areas of control in the future. C Troy explained they were taking over some of HCC's biggest contracts including County Hall, Apsley 1&2 and Farnham House. He also indicated that they were considering having a nominal charge for rats to cover costs and hoped members would support this.

Councillor Flint drew attention to point number 11 in the report concerning Public Health and commented that there were a number of voluntary sector organisations in the area that were involved in this issue and that the Regulatory Services team should seek to include them where appropriate.

Councillor Douris asked what provision was being made for stray dogs in the area following the Civic Centre decant. C Troy replied that provisions for the dogs would be made at Cupid Green. A specification for a new facility was being drawn up.

The Chairman thanked C Troy for his report.

Outcome:

The report was noted

Actions:

None

OS/236/13 QUARTER 2 PERFORMANCE REPORT – HOUSING LANDLORD

E Brooks presented the report which updated the committee on the performance of the Housing Service and the Housing Service plan and provided information on the status of the current Housing Service Risk Register. The Councillors had no further questions.

Outcome:

The report was noted.

Actions:

None.

OS/237/13 QUARTER 2 PERFORMANCE REPORT – QUARTER 2 OUTTURN REPORT

J Deane introduced the report which provided details of the forecast outturn position for the end of quarter 2.

Councillor Mahmood asked why there was such a high cost associated with the Highbarns Land Stabilisation Project as detailed in Appendix C. J Deane explained that Dacorum Borough Council would be receiving a grant from the government to help cover this cost.

Councillor Adeleke asked what was being done to bring the spending associated with responsive repairs under control. E Brooks explained that under the Council is obliged to carry out repairs to council properties where needed. E Brooks explained that currently the housing team had doubled their repairs programme and to a certain extent they were playing catch-up with repairs. E Brooks acknowledged that the cost could not continue to rise at its current rate and the maintenance teams would be meeting with Finance to ensure the costs were being managed appropriately. E Brooks said that going forward some repairs would be incorporated into the Planned Repairs Programme.

Chairman:

Councillor Adeleke asked how the Housing team dealt with incidences of wilful damage or neglect. E Brooks replied that there was a recharge policy in place but that it could be difficult to get money back. E Brooks also pointed out that Housing used a system that logged and tracked repairs which would alert the team if problems in the same location became recurring which could perhaps indicate wilful damage or neglect.

Councillor Douris asked if the Housing team were unsuccessful with applying the recharge policy. did it result in bad debt? J Deane said that it did but that this had been examined by external auditors and they were happy with the strategy currently in place to deal with this.

S Parker then asked if the new process of dealing with repairs meant that some tenants would be waiting longer than usual to have necessary repairs to their property carried out. E Brooks said that the new strategy would seek to differentiate between emergency, urgent and non-urgent repairs and respond to those appropriately. E Brooks explained that repairs would still be carried out but that the delivery of repairs would change. S Parker asked E Brookes if he thought this new approach could result in a decrease in tenant satisfaction. E Brooks said that he hoped it would not but that communicating the process to tenants would be crucial to ensure people were satisfied with the response they were getting. E Brookes also pointed out that emergency and urgent repairs would still be subject to strict response times but that it could be the non-urgent repairs that would be included in the planned maintenance programme – so the answer to a tenant would not be “no” but “later”.

Outcome:

The report was noted

Action:

None

OS/238/13 GET INVOLVED STRATEGY 2012-2015 UPDATE

A Vincent introduced the update and commented that the performance indicators showed a significant increase in tenant involvement in year 2 of the Get Involved Strategy. A Vincent commented that, through the strategy, officers are continuing to support the 3 top-level committees of tenants and leaseholders, namely the Housing Maintenance and Environment Committee (HMEC), the Tenant & Leaseholder Scrutiny Panel (TLSP) and the Tenants and Leaseholders Committee (TLC). In addition, several successful tenant involvement-led events had occurred in relation to the programme.

The Chairman commented that the updates in Appendix 1 of the report appeared to stop in Spring. The Chairman asked if A Vincent could give updates on how many more people were now involved and over what period of time they had become involved. A Vincent said that he would circulate an updated version but that he believed there were 842 people now involved in the strategy. The Chairman said that 842 may have responded to a consultation but that did not mean they were necessarily ‘involved’, the Chairman expressed concerns over the use of the word “involvement” as she thought it might indicate a greater involvement than there actually was.

A Vincent acknowledged that the performance indicators were not very well defined as they measured any involvement and not the extent of individual involvement. E Brookes commented that caution should be taken when quantifying involvement as any involvement, no matter how small, was still of value. The Chairman commented that she was not dismissing those who were only slightly involved but that she would appreciate some clarity as to how many were involved at the higher levels and perhaps directly involved with the committees.

Chairman:

Councillor Hollinghurst commented that he thought that things were improving because when he first joined the Council there was no tenant involvement at all. Councillor Hollinghurst commended the work of the Get Involved Strategy and said that he looked forward to hearing of their further progress.

Councillor McLean then asked S Parker and D Simper if, in their opinion, they felt that the strategy was working. S Parker said yes but he felt that lessons could be learnt and that the Council should try and use the tenant resources and make more effort to get volunteers involved in activities like inspections for example. D Simper commented that he felt that the Tenants & Leaseholders Committee needed to be promoted more within the community as many people were unaware of its existence. D Simper said that it would be beneficial to provide people with a singular focal point of contact so that if they wished to communicate with the Council or get involved in the scheme it would be easier to do so. He added that people needed to know what they could do.

Councillor Griffiths said that while she noted the improvements regarding greater tenant involvement she felt there was still a lot of work to be done in building up the trust between the Council and tenants. Councillor Griffiths said that in her opinion some tenants were still testing the water to see if the Council did take their views on board and that because of this it was important to properly use the time that people were offering and make them feel valued.

Officers were asked by the Committee to ensure that their graphs and highlighted text could be read in black and white copies, as, in a number of instances, it was illegible in the agenda.

Outcome:

The report was noted

Action:

A Vincent to circulate an updated 'Get Involved Strategy' status report.

OS/239/13 STAR SURVEY UPDATE REPORT

A Vincent introduced the Star Survey Update report and explained that so far, following the survey, improvements had been made to parking, cleaning, planted areas and general maintenance. A Vincent also explained that there is to be a further survey conducted on January 14 2014. A Vincent explained that generally there were high levels of customer feedback but those areas that were identified as needing significant improvement would become part of the Housing Service Improvement plan.

D Simper commented that he had received several complaints relating to the cutting of the grass in council maintained areas. D Simper pointed out that cut grass was going onto the pathways and people were walking it into their homes. In addition D Simper said that often when council workers were clearing fallen leaves they would collect them into large piles but then not clear the piles away. A Vincent said that this maintenance was part of Clean, Safe & Green's remit but that the Housing team would work with them to ensure that there was clear service level agreement in place regarding these particular issues.

Outcome:

The report was noted

Action:

None

Chairman:

OS/240/13 HOUSING DEVELOPMENT STRATEGY 2013-2020

I Connolly introduced the report and explained that the report recommended the adoption of “Building for the Future – Dacorum Borough Council’s Strategy for new Council Homes 2013-20” scheme. I Connolly also explained that the working group of officers within Dacorum Borough Council who would be responsible for the new builds going forward would be referred to as the ‘New Build Project Board’.

Councillor Mahmood asked how the New Build Project board decided on the size of homes to be included within the developments as there appeared to be a large quantity of 1 and 2 bed apartments and not very many larger houses. I Connolly replied by saying that they did recognize a need for a mix of house sizes on every site however the inclusion of apartments meant that more individual living units could be provided within the development space. I Connolly also pointed out that decision on house size was taken both by Cabinet and the New Build Project Group. J Burnham added that the New Build Project group did recognise the need for houses and the decision on house sizes was made on a site-by site basis.

Councillor Mahmood pointed out that the developments needed to uphold a sense of community by including services like shops and having the right infrastructure for the area. J Burnham said that considerations for this were made in Dacorum Borough Council’s Core Strategy and that the locations for the developments were carefully selected to ensure that sustainable communities were being created.

D Simper added that as far as he could tell there were only 1 or 2 bedroom flats in the plans and not 1 or 2 bedroom houses. D Simper said the older population prefer small houses, not flats. I Connolly said that the Older Persons Strategy would be looking at the issue of suitable and desirable housing for the elderly in the area. J Hedger said that she recognised D Simper’s point but that Dacorum Borough Council had to balance need with viability and, as there was currently a vast need for housing, apartments provided the largest number of individual homes in which to house people.

Councillor Griffiths said in relation to Councillor Mahmood’s question about building sustainable communities that there were rural possibilities for development with a view to sustaining the villages in Dacorum. J Burnham explained in this case the infrastructure would already be present. Councillor Flint agreed with this and said that villages in the area did need to be sustained and appropriate development could help with this. J Burnham said that there was some scope to relax planning rules in order to achieve this.

Councillor Adeleke asked if the number of sales under the ‘Right To Buy’ was in line with the Housing services’ expectations. E Brooks responded by saying that there had been more applications to buy under this scheme than expected. Originally the estimate had been around 20-35 but that in total 62 properties had been bought under the scheme. E Brooks said that this increase was probably a result of the Government recently changing the rules in relation to the ‘Right to Buy’ scheme.

Councillor Adeleke then asked if, in comparison to other authorities, the New Build Development Strategy was moving as quickly as expected. J Hedger said that as far as she was aware Dacorum was ahead of other authorities and this was largely due to the success of the Housing team and the hard work they had put in.

D Simper left the meeting at 9.20 pm.

Councillor Mahmood added that he thought the ‘Building for the Future’ document was very good but that it perhaps needed a bit more marketing towards younger people too. J Burnham said this was something that was being looked at and would be changed.

Chairman:

Outcome:

The report was noted and the committee approved the "Building for the Future – Dacorum Borough Council's Strategy for New Council Homes 2013-20" scheme and recognised the New Build Project Board as the working group responsible for monitoring the progress of the Council's development programme.

Actions:

None

Councillor Adshead left the meeting at 9.25pm.

OS/241/13 NEW BUILD UPDATE

J Burnham introduced the report and updated the Councillors on the progress of the new builds in Dacorum. J Burnham drew attention to the revised size of the Elms Homeless Hostel explaining that hostel would now have 41 beds due to the extra storey that had been recently added to the plans. J Burnham said that the developments were all on target and meeting the key dates outlined in the report.

Councillor Adeleke commented that he thought it was a very impressive programme and that he hoped S Parker would join him in congratulating the Housing team on this. S Parker agreed but enquired if there would be sufficient parking provisions at the Elms Homeless Hostel. J Burnham said that provisions had only been made for staff at the hostel but that there was a Council car park behind the development that had the facility to store cars if necessary.

Councillor Douris commended the Housing team and said that the new builds indicated that Dacorum Borough Council was doing a lot of good work.

Outcome:

The report was noted.

Action:

None.

Councillor McLean left the meeting at 9.30 pm.

OS/242/13 HOMELESSNESS STRATEGY & SERVICE REVIEW 2013-2018

J Hedger introduced the report and explained that the draft Homelessness Strategy had come to the Housing & Community OSC in July. Following that, the strategy had been subject to public consultation, the comments from which were contained in the report. J Hedger explained that the strategy would need constant review to ensure the best service was being given.

In addition J Hedger said that the team had now split, with one team focusing on the people aspect of homelessness and the other focusing on the property aspect. J Hedger said that more preventative work was being done with people before they lost their homes and that £10,000 had been spent on training the team involved and there was a renewed focus on providing very high levels of customer service within the team.

Chairman:

Councillor Mahmood referenced the rise in homelessness mentioned in the report and asked how the system was accommodating this and intervention work being done prior to people becoming homeless. J Hedger said that there had been an increase in homelessness due to various factors; such as domestic abuse, young people becoming parents and welfare reforms. J Hedger said that there were provisions for temporary accommodation in the hostel in Berkhamsted and properties that were not currently in permanent occupation and, in addition, the Homelessness team had a business account with Travelodge. J Hedger also stated that the team were working very hard to ensure as much preventative work was being done with people prior to them losing their homes.

Councillor Douris then commented in relation to point 4 that he did not agree with the proposal to stop member involvement in the housing appeals process. Councillor Douris felt that the current method was democratic and fair and that, while he acknowledged a member led appeals process may not be the common appeals process format amongst local authorities, he felt that Dacorum's member involvement in this matter was unique and should be valued. DBC is in a minority in building to the Passivhaus standard. We therefore should not be overly concerned that we are in a minority concerning the conduct of housing appeals. Councillor Conway concurred, adding that she strongly disagreed with point 4.13 about the hearing by councillors creating an 'intimidating' atmosphere.

J Hedger explained that Dacorum Borough Council was one of only three local authorities to still utilise a member panel appeals process and that one of those are currently reviewing that process for reasons similar to those outlined in the report. J Hedger said that in some cases appeals meetings had been cancelled because, due to new information coming to light at the last minute, she could not risk some decisions going to appeal and then being overturned.

Councillor Douris said he understood that but he did think that potential cross-examination by the panel provided more assurance.

I Connolly said that Arkright Solicitors had advised the Housing team to move away from a Member led process as it was felt that an officer led process would be better as the current one was seen as being too adversarial and too 'court-like' with many unnecessary questions being asked during the process.

N Brathwaite added that the Housing team had recently been in receipt of a County Court appeal related to a housing appeals case where an applicant was actually appealing the process due to not having visibility of the decision making process. N Brathwaite commented that the issue was therefore not related necessarily to the decisions made by the Council but with the appeals process itself.

J Hedger also responded to Councillor Conway's earlier point and said that whilst she understood Councillor Conway's view, her team often received feedback from applicants that the process was both adversarial and formal and in addition the process was not necessarily aligned to the legislation regarding appeals.

J Hedger also added that the Housing team had developed a huge amount from the time when the member led appeals committee was initially devised and that with this in mind there appeared to be no additional benefit to customers to have member involvement in the appeals process.

Councillor Bassadone said that she did not see how the officer led process would be fairer and more transparent than the member led one. J Hedger replied by saying that currently the decision was made by members behind closed doors with no record of this decision making process being made. The process the officers would carry out would be more informal and provide the customer more access to all parts of the decision making process.

Chairman:

Councillor Bassadone then asked if the officers felt under pressure from Arkrights solicitors to make amendments to the process. J Hedger said that this was not the case and that the officers had independently begun considering changes to the process prior to Arkrights involvement. I Connolly added that both Arkrights and Shelter did not see value in the current process of having councillors determining appeals.

Councillor Killen commented that with the potential suit that was upcoming at County Court surely it would be better to wait until this case had occurred to see if there was a learning opportunity from it before moving ahead with abolishing the member led process.

J Hedger said that the Housing service had been looking at this issue for 6-12 months and that the impending case was a recent development that had no bearing on the inclusion of the recommendation in the report currently before members of the OSC. Councillor Killen acknowledged this but added that in her opinion there seemed to be a problem not with the process but with the style of the process, that maybe the 'adversarial' style be changed to an investigative one and if so surely that could alleviate some of the issues. Councillor Killen said if the issue was around the transparency of the decision, could the decision making process not be minuted? J Hedger said it was not aspects of the process but rather the whole process which was the problem.

The Chairman said she found the report astounding to read. She could not see how suggesting what is perceived is a lack of transparency could be solved by going from a member led process to an officer led process. The Chairman said that the members were provided with all the relevant paperwork before the meeting and were given advice throughout the process by Dacorum Borough Council's legal team. The Chairman asked that, if the Councillors were provided with all of that information, why the officers are of the opinion that the Councillors were somehow less informed and thus unable to make the correct decision. The Chairman also pointed out that all members of the housing appeals committee receive training on housing appeals. Further, the basis of the Panel's decision was given at the time of the hearing and explained in detail in the subsequent decision letter. The Chairman commented that she found the suggestion that moving away from a member led panel somehow would provide a higher level of customer care difficult to comprehend.

J Hedger said that she noted the Chairman's comments but that she had to reiterate that the members panel was a very small part of the housing appeals process and that she personally made a number of significant decisions in this area regularly in line with Council policy and her decisions were visible to the Corporate Management team and the Portfolio Holder for Housing.

Councillor Hollinghurst said he completely disagreed with the suggestion made to remove the member led panel from the appeals process. Councillor Hollinghurst felt that Arkrights solicitors should not have any input into this matter as they had a commercial interest in the appeals process. Councillor Hollinghurst said that the decisions made during the appeals process were extremely important and decisions of that magnitude should not be taken by officers whose actions would not be subject to scrutiny from democratically elected members. Councillor Hollinghurst added that if the primary issue with the existing process was transparency then this could be rectified and that he recalled that this issue was brought before the Housing & Community OSC before and members had expressed their strong opposition to it then.

J Hedger responded to this by saying that officers' actions would be scrutinised if the new process was adopted as quarterly reports on the process would be brought to Overview & Scrutiny meetings and the officers involved in the process had weekly meetings with Councillor Griffiths.

Chairman:

Councillor Hollinghurst said that would not be equivalent to the current level of scrutiny as members would not receive documents on an individual case by case basis.

I Connolly stated that there would be no officer bias involved in the assessment of cases and that all of the decisions were made on the balance of probability. I Connolly also referred to other important decisions that were made in the Council without member involvement.

Councillor Adeleke said that, although he personally had no involvement in the appeals process, he did not think that member involvement should be viewed as a potential obstacle to the transparency of the process.

Councillor Adeleke then asked if the predicted monetary value saved if members were no longer involved in the process would really have that much of an impact. J Hedger said that a £300 cost would be incurred for every appeals session so cumulatively the savings would have a great impact on her budget. J Hedger again reiterated it was the decision making process, conducted behind closed doors, that was leading to issues of transparency and not members themselves.

Councillor Douris then asked for Councillor Griffiths opinion on the matter given her role as Portfolio Holder.

Councillor Griffiths said that the external consensus was that member involvement in the appeals process was not best practice. Councillor Griffiths pointed out that the Council had evolved a lot over the years with processes and policy's changing but that this appeals process was the only process still in place that did not appear to have moved on.

Councillor Griffiths stated that members had to trust the judgement of officers pointing out that they often made key decisions in the areas of evictions and housing allocations without member intervention. Councillor Griffiths agreed with the report and said that more often than not applicants found the member led appeals process a stressful experience. Councillor Griffiths said that from her point of view she did not see what value it added and that officers did keep her very informed of their casework in this area at the weekly meetings J Hedger mentioned.

The Chairman responded to Councillor Griffiths and said that the issue was not about trusting the officers but that member involvement in the appeals process did add value and aid transparency. Furthermore, the decision to evict is not taken by officers but by the Courts.

Councillor Flint then added that she would have to agree with Councillor Griffiths concerning the point about the hearing being intimidating as she had previously accompanied an applicant to the appeals process and found it to be an unpleasant experience for the applicant.

S Parker asked if the applicants had been consulted.

Councillor Douris and Councillor Killen both recommended that the Cabinet be asked to defer making a decision on abolishing the Member Panel until this Scrutiny Committee has had the opportunity of considering the advice being sought from a barrister about the recently received appeal. The committee agreed to this unanimously.

Outcome:

The new Homelessness Strategy 2013-2018 was noted and supported.

Chairman:

However, the Housing & Community Overview & Scrutiny Committee recommend that Cabinet does not make a decision regarding the abolition of the member led appeals panel until the Housing & Community Overview & Scrutiny Committee consider the matter further on taking into account the legal advice awaited in respect of the recently received appeal.

Actions:

None

OS/243/13 WORK PROGRAMME 2013/14

The Chairman added an update/discussion around the consultation for the New Rent Policy to the Overview & Scrutiny meeting on the 12 December.

In addition the Quarter 3 Performance reports would be put back to the OSC meeting on the 5 February 2013

The meeting ended at 10.35 pm.

Chairman: