



Haverling

LONDON BOROUGH

VALUE OVERVIEW & SCRUTINY COMMITTEE AGENDA

7.30 pm	Thursday 11 July 2013	Town Hall, Main Road, Romford
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Members 6: Quorum 3

COUNCILLORS:

**Conservative Group
(4)**

Robby Misir (Chairman)
Ted Eden
Billy Taylor
Damian White

**Residents' Group
(2)**

Ray Morgon (Vice-Chair)
Clarence Barrett

**For information about the meeting please contact:
Richard Cursons (01708 432430)
richard.cursons@haverling.gov.uk**

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 4)

To approve as a correct record the minutes of the meeting held on 10 April 2013 and authorise the Chairman to sign them.

5 IT ISSUES FOR HAVERING

Committee members are asked to receive a presentation.

6 CORPORATE PERFORMANCE INFORMATION

Committee members are asked to discuss with officers how performance information is compiled for the Council.

7 VALUE OSC ANNUAL REPORT (Pages 5 - 28)

Report attached.

8 WORK PROGRAMME 2013/14

Members are asked to discuss the Committee's work programme for the forthcoming year.

9 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specific in the minutes that the item should be considered at the meeting as a matter of urgency.

**Andrew Beesley
Committee Administration
Manager**

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**MINUTES OF A MEETING OF THE
VALUE OVERVIEW & SCRUTINY COMMITTEE
Town Hall, Main Road, Romford
10 April 2013 (7.30 - 8.45 pm)**

Present:

Councillors Robby Misir (Chairman), Ray Morgon (Vice-Chair), +Clarence Barrett, +Wendy Brice-Thompson, +Garry Pain and +Frederick Thompson.

+Substitute members

Apologies for absence were received from Councillor Ted Eden, Councillor Ron Ower, Councillor Billy Taylor and Councillor Damian White.

28 MINUTES

The minutes of the meetings held on 24 January and 14 February 2013 were agreed as a correct record and signed by the Chairman.

29 WEBCASTING OF COUNCIL MEETINGS

Members of the Committee received a presentation on the webcasting of council meetings.

Members were advised that the Council used webcasting to encourage increased engagement with local people in decision making and to provide additional accountability.

Members noted that webcasting of council meetings had been introduced in July 2009 and was used to broadcast both Council and Cabinet meetings.

The webcasts were available to the public direct from the Council's website and could be watched live or at a later date as all webcasts were archived for six months.

Webcasts were promoted using social media including the Council's website, Twitter and Facebook.

The webcast service was provided by a company called Public-I, who provided a similar service across many local authorities throughout the country.

The service cost approximately £15,000 a year to run which provided the Council with 120 hours of coverage, webcast equipment and a high level support service.

A total of 12,216 viewings had been made of 64 webcasts. 10% of these had been watched live with the other 90% having been watched using the archiving service.

Each meeting had attracted between 100 and 250 views with Cabinet meetings attracting higher viewings than Council meetings.

The Council had a commitment to finding alternative ways of engaging people in local government decision-making and the webcasts were watched by more people than attend the committee meetings in person.

Members were advised that consideration was being given to possibly webcasting meetings of the Regulatory Services Committee.

During the debate members asked whether a survey could be placed on the site to gather information as to who was watching the webcasts and to perhaps advertising forthcoming webcasts in the Council's "*Living*" magazine.

Members also discussed the possibility of benchmarking with other local authorities to ascertain their viewing figures and patterns.

30 **COUNCIL TAX UPDATE**

Members received an update on the current position regarding the reclaiming of outstanding Council Tax arrears.

The report to the Council Tax topic group in February 2013, detailed the arrears position at the time, totalling £15,056,341.13

Following a subsequent request for additional information, additional details were provided which established the age of the debt.

Where a customer had multiple debts they would be counted in each year.

With the closing of year end accounts the current arrears were being assessed and would shortly be available through the Council Tax Year End Summary.

However, recovery action and account maintenance had been on-going and as requested by the Committee a detailed breakdown of the arrears was provided.

There were now a total of 52 cases with action being taken against them. Unfortunately as the majority of these accounts sat at deductions from on-

going benefit and the weekly deduction was less than £3.50 per week these would take some time to clear.

31 **HOUSING AND COUNCIL TAX BENEFITS PRESENTATION**

Committee members received a presentation on the Council's Housing and Council Tax benefits system.

Members were advised that Housing Benefit to help individuals to pay their rent, both Council Tenants and Private Sector Tenants, was paid to over 14,000 residents at a total cost of £89,000,000 during 2012/13.

Council Tax Support was paid to over 19,000 residents at a total cost of £22,000,000 during 2012/13.

Members were given a detailed description of how new claims and changes to existing claims were processed.

Over the years the number of customers receiving HB / CTB (CTS) had increased. October 2008, saw the start of the recession and an increase in the number of customers claiming within Havering, particularly customers renting privately and claiming Housing Benefit. Between November 2008 and December 2009, Havering's Housing Benefit caseload increased by over 14%, the largest of all London Boroughs. With no improvement in the economy the caseload had continued to rise over the years as has the expenditure.

Despite the increase in caseloads over the years the number of Benefit Officers employed within the Service hadn't changed except where increased Admin (recession) funding was provided by Central Government for 2009 / 10 & 2010 / 11. During those two years, despite the recession, owing to the funding and the increased number of staff the Council recorded its best performance figures. Recession funding from the Government had since reduced and with it the number of Benefit Officers affecting performance.

The cause of the backlog in outstanding claims was due to a number of reasons. The economy wasn't improving and the number of claims being received continued to rise. In addition to the number of new claims being received there had been a significant increase in the number of records received from the DWP compared to 2011 / 12. In July 2011 the DWP started to automatically send the Council changes in customers Tax Credit entitlement ("ATLAS" records). From January 2012 the ATLAS records had increased to include changes to all state benefits and other changes the DWP have become aware of.

The end of February and throughout March were the busiest times of year due to "annual billing" as the new Council Tax Bills began to be received.

The Council have also introduced this year the new Council Tax Support scheme, replacing Council Tax Benefit and prepared for the other Welfare Reform changes including: Under occupancy rules within the Social Sector and the Benefit Cap.

Going forward funding had been secured to temporarily employ Liberata's resilience processing team to help clear the outstanding work. Existing staff would continue to prioritise new claims, urgent cases, more recent Change in Circumstances and correspondence received via the DWP. Overtime would also be provided. With the introduction of Universal Credit over the next 12 months, the Council would not recruit into vacant posts but would continue to use Serco staff as an extension of the Council's staff. New Initiatives implemented during 2012 / 13 including On line Claims and Risk Based Verification to increase the speed of processing should begin to be realised. During 2013 / 14 the Council intended on automating the assessment of the Atlas records received from the DWP.

32 CORPORATE PERFORMANCE INFORMATION

The report before members set out the performance of the Council's Corporate Performance Indicators for the third quarter (October-December 2012), against the five Living Ambition Goals of the Corporate Plan.

Members expressed concern that the four indicators that were viewed by the Committee were all in decline.

The earlier Housing/Council Tax Benefits presentation had gone some way to explaining two of the declining indicators but there was no information to advise as to why corporate complaints had failed to meet its target.

Members suggested that perhaps in future more Performance Indicators could be assessed by the Committee.

Chairman



MEETING	DATE
VALUE OVERVIEW AND SCRUTINY COMMITTEE	11 JULY 2013

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: ANNUAL REPORT 2012/13

SUMMARY

This report is the annual report of the Committee, summarising the Committee's activities during its year of operation ended May 2013.

It is planned for this report to stand as a public record of achievement for the year and enable Members and others to have a record of the Committee's activities and performance.

There are no direct equalities or environmental implications attached to this covering report. Any financial implications & risks from reviews and work undertaken will be advised as part of the specific reviews.

RECOMMENDATION

1. That the Committee note the 2012/13 Annual Report.
2. That the Committee agree the report be referred to full Council.

Staff Contact: Richard Cursons
Committee Officer

Telephone: 01708 432430

Cheryl Coppel
Chief Executive

Background Papers - None

OVERVIEW AND SCRUTINY COMMITTEE

Subject Heading:	Annual Report 2012/13
CMT Lead:	Ian Burns Acting Assistant Chief Executive
Report Author and contact details:	Richard Cursons Principal Committee Officer 01708 432430 richard.cursons@havering.gov.uk
Policy context:	Under the Council's Constitution, each Overview and Scrutiny Committee is required to submit an annual report of its activities to full Council.

SUMMARY

This report is the annual report of the Committee, summarising the Committee's activities during the past Council year.

It is planned for the report to stand as a public record of achievement for the year and enable Members and others to note the Committee's activities and performance.

There are no direct equalities or environment implications attached to this report. Any financial implications from reviews and work undertaken will be advised as part of the specific reviews.

RECOMMENDATIONS

1. That the Committee note the 2012/13 Annual Report and authorise the Chairman to agree the final version for Council.
2. That the Committee agree the report be referred to full Council.

REPORT DETAIL

During the year under review, the Committee met on nine occasions and dealt with the following issues:

1. AGEING WELL REPORT

At its meeting in May 2012 the Committee received a report detailing some themes arising from the Ageing Well Event which considered the priorities for older people in the borough. The Committee were informed that the appendix to the report showed the areas where event participants felt that things were going well and those areas where they were not going well. The latter areas were potentially what the Committee needed to concentrate on. The strands of themes were discussed by members, and they agreed that there were areas which could be incorporated into their work programme for the next municipal year.

The areas that the Committee agreed would be good to scrutinise were:

- Impact on housing for the Elderly
- Cost of Dial a Ride
- Transportation

The Committee discussed the different areas including the involvement of the Champions for Diversity and Older Persons in any review. The Committee agreed to allow other Overview & Scrutiny Committees to take a lead in their areas of speciality. The Committee would look to joint working with other Committees in any relevant areas proposed for review. Officers stated that there would be opportunities for joint working with other Committees in some of the areas discussed.

2. COUNCIL TAX TOPIC GROUP UPDATE

The Topic Group received further briefing note as part of its scrutiny review on Council Tax Collection.

The Topic Group would be seeking further information in the following areas as part of the review:

1. Update progress from the arrears team
2. A consideration of value for money

3. PRESENTATION FROM DEVELOPMENT AND BUILDING CONTROL ON SECTION 106

In July 2012 at the request of the Committee, the Head of Development & Building Control provided an overview on Section 106.

Section 106 (S106) of the Town and Country Planning Act 1990 allowed a local planning authority to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. The obligation was termed a Section 106 Agreement.

Planning Officers negotiated and agreed what obligations were appropriate for each development.

The following key points were outlined to the Committee:

Obligations included in a S106 were of a financial nature such as contributions for education purposes, highway works, parks or public art. Non-financial obligations could include the provision of affordable housing and restrictions on the issuing of residents' car parking permits.

The Financial Obligations were calculated as part of the planning application process whereby the planning officer consults with all relevant services. Each service would respond to the planning officer with comments on the application, and if appropriate, the level of S106 contribution required. The level of the contribution must be in accordance with the Council's current policies.

As part of the process, the service must be in a position to justify the amount required and produce a breakdown of how the contribution had been calculated and for what purpose it was required.

When S106 Agreements were negotiated, agreement would be reached as to the period of time the Council had to spend the contribution, once it had been received. A typical time period for many contributions was seven years from the date of payment, however this time period must be reasonable and was negotiated on an individual basis.

Sometimes it would be reasonable for the developer to request that the Council spend the contribution sooner. The agreement would stipulate exactly what the contribution must be spent on, such as a developer paying £25,000 for Highways to build a pedestrian crossing in a specified location within 2 years.

Monitoring of the S106 Agreement entailed that once the agreement had been completed, the details of the agreement were placed on the S106 Monitoring Schedule where all relevant services had access to the details of the agreement.

The Corporate S106 Liaison Group met every 6 weeks and all relevant services were invited to attend. The Monitoring Schedule was regularly updated by Planning and Finance to include S106 contribution payments received and spent. The details of S106 agreements being monitored were reported to the Monitoring Committee every quarter.

The responsibility to ensure that contributions were spent within time and on the specified purpose remains with each service. Planning, Legal and Finance provided a supportive role to services via the Corporate S106 Liaison group and maintained the S106 Monitoring Schedule regularly.

If the Council did not spend the money on the specified purpose or within the time frame outlined in the S106 agreement the developer could request that the contribution (including interest) be returned to them.

The Council could also approach the developer and request that a further agreement be signed (Deed of Variation) varying the terms of the original S106 to allow the Council more time to spend the contribution – this was entirely at the discretion of the developer and the Council could not assume that the developer would agree to this.

4. PRESENTATION FROM STREETCARE ON POTHOLES

At the request of the Committee, – the Streetcare Co-ordinator for Highways provided an overview on how potholes are repaired.

The Committee was informed that the service, in its capacity as the Highway Authority, had a statutory duty under the Highways Act 1980 s41 to maintain the public highway. In this respect, part of the duty to maintain included inspection.

Ad hoc reports of defects from members of the public, Council Members, other Council Officers, the Police and others may need to be inspected to determine precisely what action was required. These were usually received via the council's CRM system, letters, phone calls, emails etc.

The service had an inspection regime that entailed periodic inspection of between one and six months. An intervention level that required safety work being undertaken detailed that any potholes in excess of 40 millimetres in depth would require the raising of an order. In the case of footway defects, the measurement was 25 millimetres.

As a works order had to be raised for any repairs carried out on the public highway it was important to take an accurate measurement of any works to be undertaken. This information should include: the type of material the repair was in e.g. blacktop, concrete, slabs, kerbs etc. and the accurate measurement of the repair required.

Section 58 of the Act dealing with inspection was strictly followed by the service and had been the Council's defence when claims were made against it. The Committee noted that the council defended all claims and had a very good record of success as the service was always able to produce a five year history on a particular road. This had been commended by Zurich Insurance.

Currently the in house DSO had a contract to undertake all repair works. The DSO was noted as quick at responding and being good value for reactive action.

The Committee was taken through the process of reporting a pothole, its being recorded on the CRM system, passed to the work queue of the relevant Area Liaison Officer and, after inspection, an order being raised.

The Committee was advised that Area Liaison Officers were required to inspect at least 10% of completed work.

The Streetcare Co-ordinator, Highways attributed many of the recent pothole defects in the borough to the last two bad winters.

5. LOCALISATION OF COUNCIL TAX SUPPORT - REQUISITION OF EXECUTIVE DECISION

At a Special meeting of the Committee held in July 2012 the Committee considered a requisition of a Cabinet decision.

In accordance with paragraph 17 of the Overview & Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Keith Darvill and Clarence Barrett) had called in the decision of the Cabinet Member dated 11 July 2012 concerning the localisation of Council Tax support.

The report that Cabinet considered outlined eight options from which a local Council Tax Support Scheme could be developed.

A key issue for the Council would be to develop and deliver a local scheme where the Government grant allocation had been reduced by 10% (£1.9 million).

Cabinet was asked to consider and be aware of the implications and risks associated with all eight options and also the risks generally associated with a local scheme as defined in the report.

The Cabinet Member for Value had made the following decisions:

1. That Cabinet note the financial pressure of a £1.9m reduction in government grant for council tax support in 2013/14.
2. That Cabinet authorise consultation with the Greater London Authority on the Options with the preferred option being Option 8.
The report submitted to Cabinet stated that Option 8 was the officers' recommendation for short listing for consultation with the GLA as it combined elements which proposed minimal impacts on working age

claimants and taxpayers with only one home. It was also reasonable to expect working adults residing with the claimant to make a contribution to the council tax through an increased non dependent deduction.

Option 8 combined a restriction in benefit to a weekly Band D charge, increasing non dependent deductions and reducing certain exemptions to zero per cent. This option had a projected saving of £1.8 million.

The report added that in order to present the GLA with the principles behind a true range of variable options, it was recommended that Options 3, 7 and 8 should be taken forward to the formal consultation process.

The reasons for the call in were detailed as follows:

1 To provide the Value Overview and Scrutiny Committee with the opportunity to consider in detail the options for the Havering Local Scheme before the preferred options are the subject of consultation with the Greater London Authority.

2 To consider whether there are alternative options that should be considered by Council members.

Councillor Darvill raised the following issues at the meeting:

- That call-in provided the opportunity to review the report particularly as it was to be considered by a precepting authority.
- That the decision of Cabinet would have a wide impact on the general public.
- That it would be useful for the relevant overview and scrutiny committee to be involved in this decision
- Clarification was sought on exceptions and second home owners in the borough.
- Clarification was also sought on the impact on vulnerable people and how these groups would be assessed.
- That he was concerned about vulnerable people that the reduction in benefit would affect.

Councillor Darvill stated that he was aware that some authorities were setting up a hardship fund to assist such groups.

Councillor Barrett stated that he had three areas of enquiry:

- He was of the opinion that it would have been useful to have an overview and scrutiny presence in the decision-making timetable in order to review the result of the consultation before it is was considered by Cabinet.
- Clarification was also sought on the process of submission to the GLA of the council's preferred option and that the preferred option would be consulted on.
- In respect of Option 8, clarification was sought on the number of

empty properties in the borough over the last two years.

The Committee noted the following responses by officers to the points made by Members:

- That the decision on which option to be taken forward would need to be approved by Full Council by the end of January 2013.
- There was no clear indication on the level of grant available to help administer the scheme at this stage.
- That information on the consultation would be available on-line, via Focus groups and in newspapers including the Council's Living magazine.

During the discussion, the Group Director for Finance and Commerce agreed to send a briefing note to all Members, with a draft consultation paper, in order to inform Members of the impending consultation.

The Committee agreed not to uphold the requisition.

6. PRESENTATION ON THE WORK OF THE LOCAL GOVERNMENT OMBUDSMAN

In November 2012 at the request of the Committee, the Manager of Committee and Overview & Scrutiny Support provided an overview of the work of the Local Government Ombudsman.

The Committee was taken through the role of the Local Government Ombudsman (LGO) and the various stages before a case gets to be reviewed by the Ombudsman service.

The Committee was informed that the LGO has jurisdiction over the following public services:

- Local authorities
- Greater London Authority
- Police, fire and waste authorities
- School admission and exclusion procedures
- Environment Agency (flood protection issues)

The LGO's role was to investigate complaints of "maladministration that had caused an injustice"

If the Ombudsman's recommendations have found maladministration then the recommendation was that this must be reported to full Council.

As regards housing complaints, even during the period when housing was managed by Homes in Havering, the Council remained responsible in Ombudsman's eyes. Under the Localism Act 2011, housing complaints would transfer to the Housing Ombudsman with effect from April 2013 Under the new procedure, complaints about housing management could **only** be made by:

- An MP

- A Councillor
- A “tenant panel”
- The complainant – but only once internal complaints procedures had been exhausted and at least eight weeks have passed since then.

The Housing Ombudsman’s findings were enforceable by a court order.

The presentation also detailed the total decisions on complaints about the council between 1 April 2011 and 31 March 2012. The decisions were laid out by service area involvement.

7. CORPORATE PERFORMANCE REPORT 2011/12 - QUARTER 1

The Committee considered a report that set out the Council’s performance against the Value Living Ambition Goal for Quarter 1 of 2012/13.

Cabinet had directed that all of the Council’s Corporate Performance Indicators would be reported to Value Overview and Scrutiny Committee.

The report outlined the performance of the Council’s Corporate Performance Indicators for the first quarter (April-June 2012) against the five Living Ambition Goals of the Corporate Plan.

Following the abolition of the national performance framework at the end of 2010 and the requirement for local authorities to report on a statutory set of National Indicators, the Council had undertaken a comprehensive review of all indicators and, in consultation with Services, had rationalised the number that would continue to be collected locally.

The list of performance indicators was reviewed again for 2012/13 and the revised list was approved by CMT and Cabinet. The list included 68 Corporate Performance Indicators, 39 of which were measured quarterly and reported to CMT, Cabinet and the Value Overview and Scrutiny Committee and the remaining indicators were collected and reported on an annual or bi-annual basis only.

The report before the Committee identified where the Council was performing well (Green) and not so well (Amber and Red). The variance for the ‘RAG’ rating was:

- Red = more than 5% off the Quarter Target
- Amber = up to 5% off the Quarter Target
- Green = on or above the Quarter Target

Where performance was more than 5% off the Quarter Target and the RAG rating was ‘red’, a ‘Corrective Action’ box had been included in the report. This highlighted what action the Council was taking to address poor performance where appropriate.

Also included for indicators measured quarterly was a Direction of Travel column which compared performance in Quarter 1 2012/13 with performance in Quarter 1 2011/12.

The report detailed that of the 39 indicators measured quarterly, 37 had been given a RAG status in Quarter 1. For one indicator a RAG status was not applicable and for the other indicator the information was not yet available. In summary 26 indicators (70%) were rated as 'green' and 11 indicators (30%) were rated as 'amber' (1 indicator) or 'red' (10 indicators). The Committee considered the Corporate Performance report for Quarter one. The relevant Head of Service were present and had the opportunity to outline the challenges that has led to their respective services missing their targets.

The Head of Development & Building Control explained that there was a rush of planning applications earlier in the year, seeking to be approved before the Mayor's new Community Infrastructure Levy (CIL) came into effect. The performance in the first quarter of this year reflected the fact that the planning service were still catching up with the backlog this had caused.

The Head of Housing & Public Protection outlined that the economic climate had impacted on performance for this indicator. In order to address performance issues, Homes in Havering and now Housing had produced a 52 week projection of arrears and debits to identify previous trends. As well as this, new reports would be developed to give details of potential weaknesses in the way arrears are collected.

The Interim Head of Children & Young People Services informed the Committee that the percentage of placements lasting at least 2 years was a measure of the stability of placements for looked after children. The performance in this area was not considered good enough, particularly in the area of teenagers where foster care placements can tend to break down. A review of this area had been undertaken. This had resulted in increased work to recruit foster carers and also different procedures which offered greater support to the foster care placements when they came under pressure. This was an area that was being prioritised for improvement within children's services.

The Head of Adult Social Care outlined that these indicators were in relation to hospital discharges. The first indicator was an overall partnership indicator that measured the total number of delayed discharges across the system including in the hospital itself which was still higher than it should be and was not yet showing improvement. The second related to delayed discharges for which Havering was responsible. This was reducing due to work being undertaken within social care and the numbers of delays were lower than last year. The indicator was shown as red despite the reductions because a tougher target has been set indicating Havering's intentions to continue to improve its services in this area. The Council continued to work with health partners and with the other local authorities who were served by

BHRUT to improve systems and processes to improve care in the community in order to prevent unnecessary hospital admissions, particularly of older people.

A more stretching target had been set for this indicator than last year in order to continue to increase the amount of self determination and choice for social care clients. The Committee was informed that performance was already higher than last year, but had not yet met the new stretch target.

The Head of Customer Services explained to the Committee that the indicators relating to Housing Benefit and Council Tax Benefit were recession related. There had been an increase in the numbers of people claiming housing and council tax benefit and needing to be assessed for those benefits because of changes in their circumstances. This increase had put substantial pressure on the staff processing these claims and some additional resources have been brought in to clear a backlog that had developed. Given the upturn in demand/activity it was anticipated that, despite the additional resources, performance would not substantially improve during quarter 2. A review of overall demand was being undertaken as this upturn had knock- on effects on the customer services function while it was continuing to implement the new customer services processes.

Members were informed that a large proportion of Member/MP enquiries and corporate complaints relating to Housing were as a result of the benefit reforms, rather than an enquiry about the service. To address performance, complaint owners would be reminded to respond to enquiries within the required timescales. Additional resources would also be put in place in those services where the number of enquiries had increased.

In general the Committee was assured that improvements would be apparent by next quarter but it was not certain that the services would be on target.

Members requested to receive raw data in respect of the Member Enquiries and Corporate Complaint indicators. They also requested the same of Housing, in respect of the age of the rent debt pressure. This was an area that was being prioritised for improvement within children's services.

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Members requested to receive raw data in respect of the Member Enquiries and Corporate Complaint indicators. They also requested the same of Housing, in respect of the age of the rent debt. They were of the opinion that this would enable them understood the challenges that led to missed targets by the services.

8. HAVERING STRATEGIC PARTNERSHIP

At the request of the Committee, Members received an annual update on the Havering Strategic Partnership. The report outlined the Havering Strategic Partnership (HSP) 7th Annual Conference and the outcomes from the event.

The 2012 conference celebrated the work of the partnership over the last ten years and the many successes that had been achieved by working together.

Following the conference, an evaluation was undertaken to determine the

value of holding an annual conference. Overall, feedback from partners was extremely positive.

The report informed the Committee that partners were also asked as part of the feedback if there were any topics they would like to see at future Havering Strategic Partnership events. The feedback showed that they would like to see more local business involvement and business related topics, and more workshops on what partner organisations were doing. Ensuring that partnership working was kept as a priority for the borough even after the demise of the Local Area Agreement was also an emerging theme.

9. PRESENTATION ON INSURANCE CLAIMS

At the request of the Committee, the Internal Audit & Corporate Risk Manager and Insurance & Risk Manager provided an overview on the work of the Council's Insurance Team.

The Committee was informed that the council arranged a large portfolio of insurance covers protecting council assets and staff including property insurance (buildings and contents), motor, liability and other risks. The Council opted to self-fund a large deductible in respect of the major risk areas which was financially advantageous and provided greater control and incentive to improve losses. It could be viewed on the basis of a very large excess and claims within which were met by the insurance fund. Payments from the fund were made in accordance with the policy terms and conditions.

The Committee was provided with a breakdown of the type and nature of claims arising from incidents during the period 1 January 2008 to 31 December 2012 and the total cost associated with these indicated between that for the period 1 January 2008 to 31 December 2012.

Members gathered that, claims made against the council were investigated by the Insurance Team within the various legal protocols and timescales that apply. The council's insurers provided a claims handling service for claims within the deductible which for public liability and employers liability claims currently stood at £156,331 but liability decisions were made in conjunction with the insurance team to prescribed limits of authority and in close liaison with the department concerned.

That the largest proportion of public liability claims arose from the council's non delegable duty as a highway authority, these included accidents on the highway and highway tree related claims.

The overall figures showed a reducing trend in the number of claims and it needed to be highlighted that the 2010 figures reflect a year with two periods of poor winter weather which had a detrimental effect on highway condition and the weather itself could prevent prompt and effective repairs being carried out.

The highway tree claim numbers had steadied largely due to the wet summers experienced. Members were informed that low rain fall and hot summers increased the number of tree related claims.

Also that liability claims are long tailed in nature and as highway claims are registered on a claim occurring basis the full picture for any one policy year did not emerge fully probably for three years. However for highway tree claims that were registered on a claims made basis, the number of claims recorded would not increase significantly and bear better comparison.

Claims arising from incidents on the highway generally range from a damaged tyre on a pothole to a personal injury claim for someone tripping on the highway with varying degrees of injury.

2010 figures reflected a year with two periods of poor winter weather which had a detrimental effect on highway condition and the weather itself can prevent prompt and effective repairs being carried out. This also included a rare high value injury claim settlement.

2009 figures reflected a severe winter period suffered that year. Under the Highways Act the council is afforded a defence to claims as long as the service can demonstrate that it had reasonable systems of maintenance and inspection in place and that these were adhered to and where it can be demonstrated that the council had done all that was reasonable and the Council could not be held to be legally liable for an accident a claim would be defended to court.

Havering had a very good success record of defending cases that were litigated, either judgement being entered in its favour at trial or cases being discontinued before trial and costs recovered.

All claims were considered on their own merits considering the legal liability issue. Even in the case of a small claim i.e. £250 vehicle pothole damage if the council had a robust defence such a claim would be defended to court and whilst in such circumstances the Council may not recover its costs it sends a strong message to claimants and solicitors that the council would always take a robust but fair line when considering legal liability issues. This had notably given LBH a reputation of being no easy touch as the service had heard from local solicitors who agree they would not chance their arm on a weak case, knowing that the council would take a consistently robust approach.

The Committee was informed that team face the following future challenges:

That the Ministry of Justice (MOJ) was due to be implemented later this year which was to severely reduce the time in which the team had to deal with a liability claim from 90 days to 40 days. This meant there would be increased pressure on staff and resources to comply with.

Other changes in the MOJ reforms aimed to reduce the highly disproportionate costs of third party solicitors, allowing a fixed rate where claims up to £25k were dealt with within the parameters of the claims portal which was to be introduced and also removed the right for a solicitor to receive success fees which can double the base legal costs and under current protocols routinely outweigh the damages many times. They would also no longer be able to recover the ATE insurance premium.

There were also proposals to allow solicitors to receive a success fee from the claimant's damages and in order to offset this, there would be an automatic rise in damages of 10%.

Also where claims were successfully defended to court, the council would no longer be able to recover costs but the potential saving outlined above more than made up for this as the council's costs were only ever a fraction of claimant's costs.

10. STREETCARE SERVICES ENQUIRY ON CRM

At the request of the Committee, the Head of Streetcare attended the meeting to respond to Members enquiries on the Streetcare service's performances.

The Committee was informed that every complaint logged on CRM for the service was allocated to the relevant section of Streetcare to investigate and that the head of service was able to keep track of every log.

In response to monitoring of Streetcare CRM issues, Members were informed that the relevant senior officer monitored the complaint and that the Head of service also kept track of every activity.

In response to what step does Streetcare take on receipt of service request/ CRM compliant. The Committee was informed that once the Area Liaison Officer (ALO) picked a job, a visit was arranged to assess the complaint area. Following the inspection the ALO would update the case and arrange for the repairs to be carried out. At this stage the CRM case would be closed. In order to monitor the repair job, a case file was opened on an Highways IT system which currently lacked the facility to auto respond to the complainant with an update of the job. The Committee was informed that the current Highways IT system of keeping efficient track of jobs but IT were looking at building one in to the system.

11. CORPORATE PERFORMANCE REPORT 2011/12 - QUARTER 2

The Committee considered a report that set out the Council's performance

against the Living Ambition Goal for the second quarter (July-September 2012).

The report before the Committee identified where the Council was performing well in (Green) and not so well in (Amber and Red). The following variance for the 'RAG' rating was:

- Red = more than 5% off the Quarter Target
- Amber = up to 5% off the Quarter Target
- Green = on or above the Quarter Target

Where performance was more than 5% off the Quarter Target and the RAG rating was 'red', a 'Corrective Action' box had been included in the report. This highlighted what action the Council was taking to address poor performance where appropriate.

The Committee considered the following Value specific performance indicators:

- Sickness absence rate per annum per employee (days)

That work was currently taking place to identify why sickness absence had increased over the last year and this had been made a corporate priority. Once any issues or trends had been identified, actions would be put into place to address these.

- Speed of processing changes in circumstances of HB/CTB claimants (days)

- Speed of processing new HB/CTB claims (days) (NEW)

These indicators related to the Housing and Council Tax Benefit that were recession related. There had been an increase in the numbers of people claiming housing and council tax benefit which needed to be assessed because of changes in their circumstances. This increase had put substantial pressure on the staff processing these claims and some additional resources had been brought in to clear a backlog that had developed. Given the upturn in demand/activity it was anticipated that, despite the additional resources, performance would not substantially improve until Quarter 3. A review of overall demand was being undertaken as this upturn had had knock-on effects on the customer services function while it was continuing to implement the new customer services processes.

- % of Member/MP enquiries completed within 10 days

- % of corporate complaints completed within 10 days

The Corporate Policy & Community Manager informed the Committee that a large proportion of Member/MP enquiries and corporate complaints were related to Housing as a result of the benefit reforms, rather than an enquiry about the service. The CRM system is being developed to record Member/MP correspondence and the new system has the facility of email chasers to remind staff of the service level agreement target of 10 working

days.

12. DISPOSAL OF OLD WINDMILL HALL - REQUISITION OF EXECUTIVE DECISION

At a special meeting of the Committee in February 2013 the Committee considered a requisition on the disposal of the Freehold interest in the Old Windmill Hall and Car Park.

In accordance with paragraph 17 of the Overview & Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Clarence Barrett and Paul McGeary) have called in the Cabinet decision of 13 February 2013.

A Cabinet decision was agreed on 13 February 2013, the decision taken was to:

Cabinet Agreed:

1. To confirm that the Old Windmill Hall site and adjacent car park be declared surplus and to authorise the disposal of the freehold interest in the site.
2. To authorise the commencement of the statutory process to appropriate from open space and then dispose of the land coloured blue on plan sps1294/1 Rev A.
3. To authorise the appropriation of the land shown coloured green on plan sps1294/1 Rev A from the curtilage of the Old Windmill Hall to open space use subject to the removal from open space use of the land shown coloured blue.
4. To authorise the appropriation of the disposal site (edged red on plan sps1294/1 Rev A) for planning purposes.
5. To authorise the Property Strategy Manager, in consultation with the Assistant Chief Executive (Legal & Democratic Services) undertake all appropriation processes and for the Lead Member for Value to consider any objections received and whether to confirm the appropriations.
6. To authorise the Property Strategy Manager, in consultation with the Assistant Chief Executive (Legal & Democratic Services) to deal with all matters arising from this decision and to complete the disposal. This is to include completion of the statutory process for the appropriation of open space and the appropriation for planning purposes in the event of there being no representations on these issues.

The reasons for the 'call-in' were:

We the undersigned members of the Council hereby requisition the abovementioned Cabinet Decision on the following grounds:

1. That not enough consideration has been given to uses suggested by local ward councillors or the Friends of Upminster Park group, eg Sculpture Garden, Car Parking for users of the New Windmill Hall and other Park users, Quiet Garden, Sensory Garden for those with visual impairment, etc.
2. That the sale will exclude the potential for any expansion of the New Windmill Hall and Car Park or use by another community group.
3. That no meaningful consultation had taken place with local ward councillors, the friends of Upminster Park or the wider community in respect of this decision.

The Committee agreed not to uphold the requisition

13. DISPOSAL OF LAND AT GOOSHAYS DRIVE – REQUISITION OF CABINET DECISION

At the meeting in February 2013 the Committee considered another requisition of a Cabinet decision.

An Executive Decision was agreed on 19 February 2013, the decision taken was to:

1. To approve the boundary of the disposal site at Gooshays Drive, Harold hill as shown on the attached plan and to note the disposal activities that have taken place to date.
2. To confirm that the proposed works to create new pitches at Broxhill Park and Dagnam Park proceed, subject to confirmation that they will discharge the relevant planning conditions on the Gooshays site.
3. To agree that works to the Broxhill Park the works will be on the basis of the recommendations within the Sports Turf Research Institute report dated 24 May 2012 and that works at Dagnam Park will be on the basis of option B within the Sports Turf Research Institute report dated 23 May 2012 (or on such other basis as reasonably required by Sport England in order to meet the conditions contained within the Gooshays planning consent).
4. To approve, as an exception to the Council's Capital Strategy, the funding of these works from the approved capital allocation for Broxhill Park, subject to repayment from the S106 payment in respect of the development at Gooshays Drive.
5. To approve a waiver to the Council's Contract Procedure Rules and

appoint Turfdry as the preferred contractor for the works at Dagnam Park at the price shown in the exempt appendix to this decision.

The reasons for the 'call-in' were:

We the undersigned Members of the Council call in the aforementioned executive decision for the following reasons:

1 To review the boundary of the proposed disposal site

2 To review the proposed works to create new pitches at Broxhill Park and Dagnam Park

3 To consider the recommendations of Sports Turf Research Institute dated 24 May 2012

4 To review the Council's exception to its capital strategy

The Committee agreed not to uphold the requisition

14. WEBCASTING OF COUNCIL MEETINGS

In April 2013 members of the Committee received a presentation on the webcasting of council meetings.

Members were advised that the Council used webcasting to encourage increased engagement with local people in decision making and to provide additional accountability.

Members noted that webcasting of council meetings had been introduced in July 2009 and was used to broadcast both Council and Cabinet meetings.

The webcasts were available to the public direct from the Council's website and could be watched live or at a later date as all webcasts were archived for six months.

Webcasts were promoted using social media including the Council's website, Twitter and Facebook.

The webcast service was provided by a company called Public-I, who provided a similar service across many local authorities throughout the country.

The service cost approximately £15,000 a year to run which provided the Council with 120 hours of coverage, webcast equipment and a high level support service.

A total of 12,216 viewings had been made of 64 webcasts. 10% of these had been watched live with the other 90% having been watched using the archiving service.

Each meeting had attracted between 100 and 250 views with Cabinet meetings attracting higher viewings than Council meetings.

The Council had a commitment to finding alternative ways of engaging people in local government decision-making and the webcasts were watched by more people than attend the committee meetings in person.

Members were advised that consideration was being given to possibly webcasting meetings of the Regulatory Services Committee.

During the debate members asked whether a survey could be placed on the site to gather information as to who was watching the webcasts and to perhaps advertising forthcoming webcasts in the Council's "*Living*" magazine.

Members also discussed the possibility of benchmarking with other local authorities to ascertain their viewing figures and patterns.

15. COUNCIL TAX UPDATE

Members received an update on the current position regarding the reclaiming of outstanding Council Tax arrears.

The report to the Council Tax topic group in February 2013, detailed the arrears position at the time, totalling £15,056,341.13

Following a subsequent request for additional information, additional details were provided which established the age of the debt.

Where a customer had multiple debts they would be counted in each year.

With the closing of year end accounts the current arrears were being assessed and would shortly be available through the Council Tax Year End Summary.

However, recovery action and account maintenance had been on-going and as requested by the Committee a detailed breakdown of the arrears was provided.

There were now a total of 52 cases with action being taken against them. Unfortunately as the majority of these accounts sat at deductions from on-going benefit and the weekly deduction was less than £3.50 per week these would take some time to clear.

16. HOUSING AND COUNCIL TAX BENEFITS PRESENTATION

Committee members received a presentation on the Council's Housing and Council Tax benefits system.

Members were advised that Housing Benefit to help individuals to pay their rent, both Council Tenants and Private Sector Tenants, was paid to over 14,000 residents at a total cost of £89,000,000 during 2012/13.

Council Tax Support was paid to over 19,000 residents at a total cost of £22,000,000 during 2012/13.

Members were given a detailed description of how new claims and changes to existing claims were processed.

Over the years the number of customers receiving HB / CTB (CTS) had increased. October 2008, saw the start of the recession and an increase in the number of customers claiming within Havering, particularly customers renting privately and claiming Housing Benefit. Between November 2008 and December 2009, Havering's Housing Benefit caseload increased by over 14%, the largest of all London Boroughs. With no improvement in the economy the caseload had continued to rise over the years as has the expenditure.

Despite the increase in caseloads over the years the number of Benefit Officers employed within the Service hadn't changed except where increased Admin (recession) funding was provided by Central Government for 2009 / 10 & 2010 / 1. During those two years, despite the recession, owing to the funding and the increased number of staff the Council recorded its best performance figures. Recession funding from the Government had since reduced and with it the number of Benefit Officers affecting performance.

The cause of the backlog in outstanding claims was due to a number of reasons. The economy wasn't improving and the number of claims being received continued to rise. In addition to the number of new claims being received there had been a significant increase in the number of records received from the DWP compared to 2011 / 12. In July 2011 the DWP started to automatically send the Council changes in customers Tax Credit entitlement ("ATLAS" records). From January 2012 the ATLAS records had increased to include changes to all state benefits and other changes the DWP have become aware of.

The end of February and throughout March were the busiest times of year due to "annual billing" as the new Council Tax Bills began to be received.

The Council have also introduced this year the new Council Tax Support scheme, replacing Council Tax Benefit and prepared for the other Welfare

Reform changes including: Under occupancy rules within the Social Sector and the Benefit Cap.

Going forward funding had been secured to temporarily employ Liberata's resilience processing team to help clear the outstanding work. Existing staff would continue to prioritise new claims, urgent cases, more recent Change in Circumstances and correspondence received via the DWP. Overtime would also be provided. With the introduction of Universal Credit over the next 12 months, the Council would not recruit into vacant posts but would continue to use Serco staff as an extension of the Council's staff. New Initiatives implemented during 2012 / 13 including On line Claims and Risk Based Verification to increase the speed of processing should begin to be realised. During 2013 / 14 the Council intended on automating the assessment of the Atlas records received from the DWP.

17. CORPORATE PERFORMANCE INFORMATION

The report before members set out the performance of the Council's Corporate Performance Indicators for the third quarter (October-December 2012), against the five Living Ambition Goals of the Corporate Plan.

Members expressed concern that the four indicators that were viewed by the Committee were all in decline.

The earlier Housing/Council Tax Benefits presentation had gone some way to explaining two of the declining indicators but there was no information to advise as to why corporate complaints had failed to meet its target.

Members suggested that perhaps in future more Performance Indicators could be assessed by the Committee.

IMPLICATIONS AND RISKS

Financial implications and risks:

None – narrative report only.

Legal implications and risks:

None – narrative report only.

Human Resources implications and risks:

None – narrative report only.

Equalities implications and risks:

While issues and the work of the Committee can impact on all members of the community, there are no implications arising from this specific report which is a narrative of the Committee's work over the past year.

BACKGROUND PAPERS

None.

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