

## **COMMUNITY OVERVIEW AND SCRUTINY PANEL**

**THURSDAY 9 APRIL 2015 AT 10.00AM**

**PRESENT:** Councillor Burns (Chairman), Councillors Ellis, Gee, Mrs Prest and Mrs Stevenson.

**ALSO**

**PRESENT:** Councillor Glover – Leader of the Council  
Councillor Mrs Riddle – Communities, Health and Wellbeing Portfolio Holder  
Dean Butterworth – Director for Riverside Cumbria  
Ian Heywood – Chair of Riverside Cumbria Tenant Scrutiny Panel  
Sgt Tony Kirkbride, Cumbria Constabulary

**OFFICERS:** Deputy Chief Executive  
Housing and Health Manager  
Housing Development Officer  
Overview and Scrutiny Officer

### **COSP.18/15 APOLOGIES FOR ABSENCE**

Apologies were for absence were submitted on behalf of Councillors Mrs Bradley, Economy, Enterprise and Housing Portfolio Holder.

### **COSP.19/15 DECLARATIONS OF INTEREST**

There were no declarations of interest in respect of the business to be transacted.

### **COSP.20/15 PUBLIC AND PRESS**

It was agreed that the items of business in Part A be dealt with in public.

### **COSP.21/15 MINUTES OF PREVIOUS MEETINGS**

**RESOLVED** – That the minutes of the meeting held on 26 February 2015 be noted.

### **COSP.22/15 CALL-IN OF DECISIONS**

There were no matters which had been the subject of call in.

### **COSP.23/15 RIVERSIDE CUMBRIA**

The Housing Development Officer introduced Mr Butterworth and Mr Heywood from Riverside Cumbria and summarised the report providing an update in respect of a number of issues raised by Members of the Panel, following the previous report on 31 July 2014. The report updated on maintenance at Longtown, Riverside's Capital Programme within Carlisle District, Welfare Reform and the customer satisfaction report.

Riverside were currently undertaking various works at Longtown including:

- Installing "I Boost" diverters to the electric boiler systems. These diverted electricity generated by the photovoltaic panels to the heating system;

- Servicing and remedial works to all systems, including the installation of thermostatic radiator valves, upgrading pipe lagging and setting systems up to tenants' requirements;
- Installing external wall insulation to Moor Road (flats) and Raefield (all flats and three houses), as well as installing new PVC windows, communal front and rear doors;
- Brick built bin stores constructed to Moor Road flat blocks; and
- Environmental improvements to the rear of Moor Road flat blocks which would include the installation of fencing.

Mr Butterworth had held a meeting last year with tenants of Longtown to go through the outcome of the BRE (Building Research Establishment Group) report and explain the subsequent improvements which would be carried out. The summary of the BRE report was included in the report as an appendix.

The conclusions of the BRE report were:

- Riverside had provided tenants with a modern whole house central heating system;
- As there was no mains gas in Longtown more expensive electricity had to be used;
- Air source heat pumps used electricity efficiently but were not suitable for all houses;
- Electric boilers were generally cheaper to run on E10 tariff;
- Solar photovoltaic (PV) panels provided tenants with some free electricity but the amount may be increased by fitting power diverters; and
- Further investment in insulation and help in setting controls and choosing best tariffs would reduce tenants' energy costs.

Subsequent to the BRE report each of the tenants referred to within the report had been visited by an independent consultant from Cumbria Action for Sustainability (CAFS) offering free advice regarding their heating system and tariffs. In addition Riverside had appointed an Affordable Warmth Officer whose role it was to assist tenants in achieving the most efficient use of their heating systems. Many residents of Longtown had already benefitted from the advice provided.

With regard to new development a total of 88 properties had been delivered within Carlisle District within 2014/15. Riverside had also secured planning permission for eighteen units at the site adjacent to the Border Terrier public house in Morton and thirteen units at Longtown at Lochinvar Close. A further seven Section 106 units were planned for Teasdale Place and Riverside were working on a number of other schemes.

With regard to existing stock various works had been undertaken including:

- Re-roofing works;
- Replacement of 90 external double-glazed security doors;
- Approximately 50 combined kitchen and bathroom replacements;
- Continuation of the bathroom on stilts refurbishment programme;
- Public realm projects;
- Green spaces;
- External boundary fencing and hedging to bungalow community areas; and
- Upgrading existing shared paths to 70 properties on Raffles to provide each property their own access which had promoted ownership by the tenants.

For 2015/16 Riverside's upcoming programme included:

- A continuation of the re-roofing programme which was programmed to replace 300 roofs at Belah, Petteril Bank, Upperby and Raffles;
- Continuation of the bathroom on stilts refurbishment programme;
- External upgrade schemes to Greengarth, Upperby and Moor Crescent, Longtown including insulation, remedial wall repairs, render, the installation of the windows and re-roofing; and
- Garden fencing works to Currock and Raffles neighbourhoods.

Riverside Cumbria continued to fund all major adaptations under £7,000 for its customers. For adaptations over £7,000 a DFG (Disabled Facilities Grant) application could be made to the City Council. In 2014/15 81 adaptations had been completed with a further six due for completion by the end of March 2015. The report outlined the nature of the adaptations undertaken.

The main issue with regard to Welfare Reform lay with the introduction of Universal Credit which currently affected only new claimants. The process for application for Universal Credit relied heavily on the claimant providing information and managing the process carefully. A process also existed to initiate managed payments which were paid to the landlord. However payments could take up to six weeks and may be sporadic and credits were not necessarily for the full period required.

Riverside Cumbria had identified specific members of staff to act as “Champions” to support customers and colleagues dealing with Universal Credit claims. Further assessment was ongoing to evaluate the impact on tenants and the Riverside long term business plan and it was anticipated that there would be an increase in the numbers of arrears cases as the new claimants escalates. However at the present time it was difficult to assess how many claims would be made over the forthcoming months.

Riverside had undertaken its annual customer satisfaction survey which indicated that figures for the last two years had remained fairly static. A survey had also been undertaken by the Riverside Cumbria Tenant Scrutiny Group in 2014. The information was more qualitative in nature and the results were included in the report as an appendix.

Mr Butterworth explained that he was appointed to the post of Director of Riverside Cumbria twelve months previously and had stated four aspects to his vision to take Riverside Cumbria forward. These were to be the best performing division in the group, to make Riverside Cumbria the heart of the organisation and not a satellite group, to drive up staff satisfaction and to drive up customer experience and satisfaction.

Mr Butterworth advised that Riverside Cumbria were now the best performing division in the group and he was pleased with the way staff had worked. The Cumbria division now had more influence on the Riverside Group and Mr Butterworth advised that he was the lead director for estates and tenancy management. Over the next twelve months Mr Butterworth would look at how to drive up customer experience. Patch based management had been introduced to enable tenants to be more aware of who to contact if they have any issues. Staff satisfaction had increased by 20% and Mr Butterworth expected that figure to rise over future months. Customer satisfaction was the area most in need of work and tenants’ view were taken into account and the key objective was to ensure a holistic community strategy was in place. The key driver for this year was to attain a 90% satisfaction rate.

Mr Butterworth believed that some of the challenges as an organisation were around the public's perception of the Group which was in part due to negative stories in the press. Mr Butterworth always responded with robust explanations to those articles but his responses were not always reported. One clear example of that was the manner in which issues in Longtown had been reported. The report highlighted the core issues and how Riverside Cumbria had responded. An additional £500,000 had been invested in Longtown to install power diverters which would divert electricity from solar panels direct to the heating system. At present 83% of residents were satisfied with the service provided by Riverside Cumbria but that left 17% who were not.

In considering the report Members raised the following comments and questions:

- *Was the customer satisfaction survey undertaken by Riverside Cumbria?*

Mr Butterworth explained that the survey was undertaken by the Riverside Group but the figures within the report referred to Riverside Cumbria.

- *Where did Riverside Cumbria stand compared to the rest of the Riverside Group?*

Mr Butterworth advised that results were much the same across the Group. Riverside had appointed a new Chief Executive two and a half years ago. The Group was set up on an aspiration to be the biggest social landlord in the country. Riverside Cumbria worked closely with the City Council. The Group now had a smaller growth agenda but were committed to increasing customer satisfaction and experience.

Mr Butterworth explained that Riverside Cumbria was changing how they monitored customer satisfaction. At present there was only one survey carried out per year. That made it difficult to see what was and was not working. By reverting to monthly surveys or as part of contact following work being carried out systems were being changed to ensure the right resources were available in the right areas.

The Chairman invited Mr Heywood to explain the role of the Riverside Cumbria Tenant Scrutiny Panel.

Mr Heywood explained that he had been involved in the first Scrutiny Panel set up five years ago when Riverside recruited people to form part of a group. Riverside invested in training and providing financial statistics. Three and a half years ago Riverside relinquished involvement in the group and it became a totally independent organisation. The group had the opportunity to investigate any aspect of Riverside Cumbria's operations. Information came from various sources including staff and tenants and the group was currently undertaking its third project.

When the group undertook an investigation it went through a process and the findings were then presented to the Board of Riverside Cumbria. Once the Board had approved the findings they were circulated to the rest of the organisation and any staff who were interested. Projects undertaken by the group were strictly confidential and remained so until approved by the Board.

The group had undertaken a customer satisfaction survey as the annual survey was only available to certain tenants across the national platform and the group felt that tenants in different parts of the country had different needs. The Panel therefore decided to carry out its own survey largely by knocking on doors in all areas including Longtown and asking tenants

for their views. That gave a more accurate and meaningful picture as people found it easier to talk to someone in person rather than respond to a postal survey.

- *How were members of the scrutiny group selected?*

Mr Heywood explained that the group had a Chairman, Vice Chairman and Secretary. The Chairman was voted into position by election and the current Vice Chair was also the Chair of the group's Security Panel. The Secretary was an officer of Riverside but was not involved in the day to day activities of the Riverside Group.

Members of the Panel were initially recruited by Riverside who had a knowledge of tenants' involvement but over the years people had left for various reasons and been replaced by new members. Tenants were keen to be part of the Panel and there was no need to go searching for members.

In response to a comment from a Member Mr Heywood confirmed that the Panel was independent and advised that the Vice Chairman was also Vice Chairman on the national scrutiny panel which was also an independent body.

Mr Heywood explained that when the customer satisfaction evaluation was undertaken in some cases the responses were in line with the postal survey. However the face to face evaluation gained more responses from more people than the postal survey. Some members of the Panel had shadowed workmen and asked tenants to complete a questionnaire immediately after the work was carried out. The survey looked at the internal systems and concluded that the main issue was a lack of communication. The Panel had tried to establish guidelines to encourage people to talk to each other and that would be monitored over time.

- *When Riverside last presented their report to the Panel a Member had been critical of the work undertaken. However that Member now had a better indication and believed that criticism was not justified.*
- *There had been a number of complaints from leaseholders who did not believe things being said by Riverside. They acknowledged that work was being done but believed that time would tell whether the issues had been fully addressed. They were not clear whether the work that had been done was necessary, to the right specifications and to the right costs. Communication was needed with leaseholders to improve satisfaction in performance.*

Mr Butterworth explained that there had been challenges in Longtown and that communication had been difficult from the start of the refurbishment work. Solar panels were installed at the same time as the new heating system and tenants expected that they would get free electricity and heating. That was never the case and Riverside Cumbria were now trying to restore that communication which was lost. Because Longtown did not have access to gas it was necessary to have everything powered by electricity and Riverside Cumbria had tried to make things as efficient as possible. New insulation had been installed and properties in Longtown now exceeded new buildings regulations.

Mr Butterworth acknowledged that there would still be challenges and stated that he welcomed complaints. Tenants could follow the complaints process and if they were still not happy could take their complaint to the Housing Ombudsman service. Riverside were bound to comply with any decision made by the Ombudsman and would comply with any recommendations made.

- *Was the rumour correct that leaseholders would have to deal with Liverpool in future rather than the local office?*

Mr Butterworth acknowledged that the service received in Carlisle had not been to the level expected by leaseholders and added that part of the process of managing the leasehold service was complex. In Carlisle there was one officer who managed the leasehold service who looked at the best way to manage the service and plan a way forward under the Home Ownership Division. The experience and resources were available to provide the right quality of service. The director was based in Liverpool but operatives were local and it was anticipated that more resources would be made available in future.

An existing leaseholder did not have access to the expected programme of works. Over the next twelve months Riverside Cumbria would be putting together a programme of works to be undertaken over the next five years and leaseholders would have access to that. Leaseholders would then know what financial contributions they would be required to make.

The challenge in respect of leaseholders and right to buy was the expectation that there would be no further financial contribution to make. Riverside Cumbria were setting out the obligations for future capital contributions which would be set into individual leases.

There was also a procurement procedure to be followed for work on properties. Under central government legislation Riverside were obliged to seek three tenders and select the best for contract. That would not always be the cheapest as a contract would not be awarded if officers were not satisfied with the quality of work or aftercare.

As part of a Community Engagement Strategy a leasehold forum would be set up that would ensure transparency in what Riverside were doing. For example if a roof required work it would be identified in a stock condition survey and the required specifications would be indicated. There would then be a procurement process and a tender agreed. Whilst Mr Butterworth agreed that there were some things that could be done in a better manner the Group's hands were tied by legislation but it was anticipated that the new forum would help to address some of those issues.

All leaseholders would be invited to attend the forums as the needs of communities were different. The leaseholder would be responsible for the upkeep of the property but it would be necessary to have face to face meetings with leaseholders to achieve a better service.

- *Was there any indication when that group would be set up? And how many leaseholders would be involved?*

Mr Butterworth advised that the first meeting would be held before the middle of July and that there were 250 leaseholders who could be involved.

- *Outside the social sector a management company would hold a sinking fund for maintenance. Were leaseholders putting money aside or would a similar scheme be set up?*

Mr Butterworth explained that Riverside Cumbria did not have a sinking fund and it would be difficult to change leases of existing leaseholders. One key target was to obtain 100% compliance with health and safety legislation. There was currently no requirement in leases

for gas appliances to be checked. That could lead to a situation where within a block of flats some gas appliances would be checked and others not.

With new Right to Buy sales there would be a requirement for such checks and there remained the need for discussion with existing leaseholders. Such changes would incur an additional financial burden but it would be paid monthly into a sinking fund.

- *Would leaseholders be able to buy the freehold of a property?*

Mr Butterworth explained that Riverside held a fund for such situations. If there was one leaseholder in a block of flats and it was possible for Riverside to buy back the property they would consider doing so as that would revert to 100% tenants in that block.

- *Did that mean that if a leaseholder wanted to sell their lease the decision lay with Riverside Cumbria?*

Mr Butterworth advised that ultimately it would be his decision depending upon the viability of the division within the organisation as a whole.

- *Would the newly appointed Affordable Warmth Officer advise tenants on changing tariffs?*

Mr Butterworth stated that he was pleased that an officer had been appointed and her remit, as part of the corporate vision was to make Riverside more than providing traditional services and to have a more holistic approach. The officer had been busy since her appointment and had spent a lot of time in Longtown helping tenants to set up their heating systems efficiently as well as looking at various tariffs. Many tenants still had pre-pay meters which were 20% higher than paying by direct debit. The Affordable Warmth Officer had been working with Benefits Advisors to determine whether any tenants could pay by direct debit.

The Affordable Warmth Officer's role extended across Cumbria but the majority of tenants were within Carlisle. Advice could be sought through a referral service or via home visits. The role of the post would be evaluated after the first six months and if necessary a second officer appointed. Mr Butterworth confirmed that the officer's findings could be reported back to this Panel.

- *Has Riverside Cumbria been working with City Council Officers with regard to the emerging Local Plan?*

Mr Butterworth confirmed that Riverside and City Council Officers had been working together to determine where there were maximum opportunities as part of the drive to increase properties on a neighbourhood level. A Neighbourhood Planner post had been advertised and that officer would look at the data and priorities and would work in partnership with the City Council to pull together a clear action plan. If the Local Plan identified a piece of land Riverside would explore the possibilities for the use of that land.

The Housing Development Officer stated that the Housing and Planning Policy Teams had met with the development managers at Riverside and other housing organisation with regard to the new policies on affordable housing and available sites within the emerging Local Plan.

- *Were the problems with regard to Welfare Reform a result of administration or teething problems because it was a new system?*

Mr Butterworth advised that the under occupancy charges introduced last year had created some problems. However Riverside were now better at obtaining rent but some tenants were still not paying the under occupancy charge. Some had been taken to court and some evicted but in the majority of cases that had resulted in a Suspended Possession Order.

The biggest challenge would come from Universal Credit and if those challenges continued it could affect Riverside's business plan. Mr Butterworth had met with the Shadow Housing Minister last week and looked at the best way for tenants to pay rent. If a resident was unable to pay their rent it should be possible for them to have access to a direct payment.

- *Would that decision be triggered by arrears?*

Mr Butterworth explained it would be triggered either by arrears or by identifying that the resident was vulnerable. If it was known that a tenant could get into arrears because they were vulnerable it would be possible to set up a direct payment to enable them to manage the situation.

- *There was a concern that some tenants who had never paid rent in the past would now get money to pay their rent but may not pay.*

Mr Butterworth advised that Riverside had prudent financial plans in place and reserves available to allow them to deal with those issues and confirmed that there would be no reduction in service. The situation would be monitored. There would be a mix of people affected by Universal Credit but of all the present cases of outstanding rent only three were on Universal Credit.

The Communities, Health and Wellbeing Portfolio Holder advised that in certain circumstances it could be possible for Universal Credit to be paid fortnightly rather than monthly. Council Tax would not be included in Universal Credit. It was important that information was shared between all agencies to ensure tenants knew where to get help.

- *The report stated that 88 new homes had been handed over in the past year. Was that in line with Riverside's target? How was the number of new properties meeting demand?*

Mr Butterworth explained that Riverside had the capacity for new properties when suitable land was available. There was a demand for new build properties and they were allocated as soon as they were ready. However the demographic profile and demand was changing, partly in response to the under occupancy charge. Riverside were looking to continue the life span of existing properties rather than demolish and replace with new builds.

- *How is Riverside Cumbria's relationship with Carlisle City Council?*

Mr Butterworth confirmed that officers at Riverside Cumbria had a good working relationship with officers in the City Council but believed that there could be a better relationship at a strategic level. That could be improved with more meetings between Mr Butterworth and the Leader of the Council and Director of Economic Development. Mr Butterworth stated that he understood the needs of the City council and that they had to prioritise need.

- *And the City Council's relationship with Riverside Cumbria?*

The Housing Development Officer advised that there were some issues connected to the emerging Local Plan and the City Council continued to make social housing a priority.



Officers would continue to work with Riverside Cumbria and other social housing partners to deliver social housing as part of the overall increase in need.

The Housing and Health Manager stated that officers welcomed better working across housing, wellbeing and engagement and the City Council and Riverside Cumbria both have a role to play. Community cohesion, Welfare Reform and homelessness were all relevant issues and officers would continue to identify sites in the City where more houses could be built.

The Chairman thanked Mr Butterworth and Mr Heywood for their input into the meeting and advised that the Panel would look forward to receiving a further report in six months.

RESOLVED: 1. That Riverside's report be noted.

2. That a further update report be submitted to the Panel in six months.

## **COSP.24/15 COMMUNITY TRIGGER**

The Deputy Chief Executive introduced Sergeant Tony Kirkbride to the meeting and advised that he had done a lot of work in respect of the Community Trigger. The Deputy Chief Executive presented Report SD.05/15 and explained that the Anti-Social Behaviour, Crime and Policing Act 2014 was aimed at focussing on responses to anti-social behaviour (ASB) on the needs of the victim. The act introduced a number of new tools and powers to replace existing provisions, including the introduction of anti-social behaviour case reviews, also known as Community Triggers. The Trigger gave victims, or victim's representatives, a right to ask local agencies to review how they had responded to previous anti-social behaviour complaints and consider what future action might be taken where the behaviour persisted. All Community Safety Partnerships (CSPs) around the County, including the Carlisle and Eden CSP had worked together to develop a county wide approach to implement the new Community Trigger legislation.

The Community Trigger approach was intended to encourage a collaborative problem-solving approach amongst agencies dealing with persistent case of anti-social behaviour in order to identify whether any further actions could be taken. The Act set out the framework for anti-social behaviour case reviews and required the relevant bodies to work together to agree local processes and procedures and ensure that they met the needs of their communities. The Community Trigger would sit alongside existing processes and practices for responding to anti-social behaviour.

Cumbria Constabulary had conducted intensive research into the Community Trigger legislation and had, and would continue to, provide local authorities with advice and support on the new process.

Members of the public would be able to request a Community Trigger by telephone, email, letter or online reporting form on the Council's website. The Community Development Officer would act as the single point of contact (SPOC) for Carlisle City Council.

On receipt of the Trigger application the SPOC would forward to request and associated information to the designated offices for consideration. Those partners would then research the complaint and reply back to the SPOC within ten days to advise whether or not the complaint met the trigger threshold. If the trigger did meet the threshold the identified partners would be required to convene and carry out a full review of the complaint. If the

trigger did not meet the threshold the reporting person would be informed of the decision and the rationale behind it.

Once all of the information had been returned a review panel date would be set and all relevant partners and officers invited to attend. A process map and list of designated Officers and key representatives were attached to the report as appendices. The panel would be chaired by the Chair of the Community Safety Partnership. Following the review panel the SPOC would notify the reporting person of the outcome. If the reporting person was unhappy or disagreed with the review panel outcome they could request an appeal within a ten day period.

The Communities, Health and Wellbeing Portfolio Holder advised that she did not believe there would be many referrals because of the efficiency of problem solving groups already in existence. These groups are made up of representatives from housing associations, Councils and the police.

Sergeant Kirkbride stated that there were two key things in respect of the Community Trigger. Firstly much of the work was already being done and the Community Trigger was the Government's formalisation of that work. Sergeant did not anticipate that there would be many referrals as a result of the legislation.

Sergeant Kirkbride had sought advice from the Leeds Anti-Social Behaviour Action Team (LASBAT) who had been asked to be part of the pilot for the legislation. They advised that from 35 referrals only one met the threshold. However a problem had been identified and was dealt with.

In considering the report Members raised the following comments and questions:

- *If the work was already being done what was the point of the legislation?*

Sergeant Kirkbride advised that the legislation was part of the new Crime and Policing Act which was introduced in 2014. In the past anti-social behaviour issues were police led but as a result of good partnership working the Government had decided to formalise the work that was already underway. Under the new legislation the main responsible body would be the Local Authority and the City Council's community Development Officer was the Single Point of Contact (SPOC) for the area.

- *Why was it decided to make the Local Authority the single point of contact?*

Sergeant Kirkbride stated that consultation following the introduction of the new anti-social behaviour powers introduced in 2011 had shown that not everyone would report an incident and it was not always clear wither an incident Local Authority, Environmental Health, or housing issue so was not dealt with. Such incidents were now rare due to the work of the problem solving groups and the knowledge of how to deal with such incidents. It was hoped that the new legislation would make people more comfortable to enable them to report incidents. The legislation linked to other powers which supported the Community Trigger.

- *Could the threshold be limiting? Members take complaints from residents as they do not believe they are getting a response from elsewhere. In some cases there is no response.*

Sergeant Kirkbride advised that the thresholds were introduced to assist people and professionals to determine what may be done about an incident. It was anticipated that the number of hate crime incidents would be reported and the person making the report would be advised on what action would be taken, if any. If people were not happy with the response they could take their complaint to the Ombudsman who may offer different advice.

Partners needed to be clear on what the complaint procedure was and if people were made aware of the Community Trigger that could raise more significant challenges and opportunities to be clearer about partners' complaints procedures.

It was important to acknowledge that people do not always get the answer they want but in Carlisle and Cumbria complaints were generally managed well.

Sergeant Kirkbride advised that the new legislation would not allow a review of a previous CPS decision but there was an appeals process if people were not happy with the response they received.

- *The report referred to incidents and reports. What was the difference?*

Sergeant Kirkbride explained that each complaint had to be reported. When there were three or four people complaining about the same issue the complaint would be summarised.

The Communities, Health and Wellbeing Portfolio Holder suggested the wording should read "There have been 5 reports about the same problem in the past 6 months to the Council, Police or the landlord and no action has been taken."

- *If the Community Trigger was activated the intention would be for something to be done as nothing had been done previously. What actions could be undertaken?*

Sergeant Kirkbride explained that the action taken was dependent upon the type of anti-social behaviour. The complaint would be passed to the relevant partner and the partnership would look to see if another organisation was better able to deal with the issue. Issues were often a matter of perception eg children playing football in the street.

- *What was the legal definition of anti-social behaviour?*

Sergeant Kirkbride advised that there was no legal definition and each police force and Local Authority had their own. The new legislation followed the introduction of the Public order Act which gave two definitions, Community Trigger and a new civil injunction. The threshold was lower and was now defined as annoyance which was people's perception of a situation. With regard to the Community Trigger the partners were looking at harassment, alarm or distress.

- *It was proposed that the Panel be advised of any reports on Community Trigger so they could keep abreast of what was happening in terms of the new legislation. Also any reports that continue to the end of the process should be reported to the Panel. Could those results be reported to the Panel as part of performance measures?*

Sergeant Kirkbride advised that the Community Development Officer would do so as part of her role as SPOC. Any organisation involved in the complaint would also have the information. As part of the legislation the police had to report on an annual basis the number of applications received, whether or not the threshold was met, information about case reviews and appeals, the type of anti-social behaviour involved and any recommendations.

- *How was the Community Trigger being publicised?*

Sergeant Kirkbride advised that the legislation would only be publicised online. Leeds, who were involved in the pilot, had spent a significant amount of money on advertising the legislation and they received only 35 requests only one of which met the threshold. They had advised that they would not advertise that way again. Other failsafe mechanisms were also in place to capture incidents.

- *It was stated earlier that for seven out of ten complaints in Manchester the complainant had been given advice about the Community Trigger by an elected member.*

The Communities, Health and Wellbeing Portfolio Holder advised that many complaints were received by Members and passed onto the relevant officer or partner.

- *When would the legislation come into force?*

Sergeant Kirkbride explained that the legislation came into force in October 2014 and was fed in as part two of the Crime and Policing Act 2014. A conference was to be held in London looking at the legislation six months after its introduction and would involve key players from across the country.

RESOLVED: 1. That report SD.05/15 be noted.

2. That the Executive be requested to provide information to the Panel on any reports made under the legislation and any cases that continued to the end of the process.

3. That the Community Trigger be reported to the Panel as part of the performance measures.

## **COSP.25/15 OVERVIEW REPORT AND WORK PROGRAMME**

The Overview and Scrutiny Officer presented report OS.07/15 which provided an overview of matters relating to the work of the Community Overview and Scrutiny Panel and included the latest version of the work programme and Key Decisions of the Executive which related to the Panel.

The Overview and Scrutiny Officer reported:

- that the Notice of Key Executive Decisions, published on 9 March 2015, included the following item which fell within the remit of this Panel.

KD.010/15 – Community Trigger – the Executive will be asked to adopt the proposed countrywide approach for the new Community Trigger legislation. The draft process was to be considered by the Panel as the previous item on the agenda.

- There were no references from the Executive meeting on 2 March 2015 which fell within the remit of this Panel.
- The draft Annual Scrutiny Report had been drafted and was attached to the report as an appendix. Panel Members were asked to comment on the draft which was being considered by all three Overview and Scrutiny Panels. The report would then be

formally approved by the Scrutiny Chairs Group prior to being presented at Council on 28 April 2015.

Part one of the report contained Chairs' submissions and comments from Executive Members.

Part two of the report looked at how scrutiny could move forward and improve. Following on from comments from the Council's peer review a CfPS session was held in March 2015 which was well attended and positive. Issues were identified about where Panels could better focus their time such as Task and Finish Groups and that Panels were not always as productive as they could be. There had been discussions about changes in the structure of Scrutiny and Members had wanted to look at what was wanted from the function of Scrutiny. Notes from that session included a number of questions that were considered at a meeting of the Scrutiny Chairs Group held on 12 March 2015. However there were no proposals forthcoming other than the Panels being more focussed on the Work Programme and the production of action plans at the start of the civic year.

The Scrutiny Officer advised that she would be holding individual meetings with Directors over the next few weeks to start the planning process for the coming year. The Community Overview and Scrutiny Panel had held some good meetings and considered some interesting topics but needed to focus on how they would deal with issues in the coming year.

The Chairman advised that the issue around possible restructuring of Scrutiny would be re-visited in the next civic year.

The questions submitted following the CfPS would be addressed by the Scrutiny Chairs Group in the new civic year.

The Communities, Health and Wellbeing Portfolio Holder stated that the draft report suggested that Members should be more involved in the decision making process of the Council and queried how Members could scrutinise a decision if they had been part of the decision making process. The Portfolio Holder believed that the work of the Litter Bins Task and Finish Group had been very useful and informed the decision making which was different to being involved. Members' comments would be considered by the Executive. The Scrutiny Officer explained that Members believed they should be able to scrutinise potential decisions before the decision was made.

In considering the report Members raised the following comments and questions:

- *Some Members were not happy that they did not have any real mechanism to influence the development of policies or decisions unless they were part of the Executive or Scrutiny.*

The Portfolio Holder stated that the report suggested that Members considered reports were too detailed and broad to be of significant use. The Portfolio Holder advised that as a former Scrutiny Member if she needed any further information she would speak to the relevant officers.

The Deputy Chief Executive agreed that some reports could be lengthy and added that there was an issue about how much detail was needed in a report and asked for guidance by Scrutiny Members on the matter in the new year.

- *The main issue was often the knowledge of issues concerned which could be difficult in complex areas.*

The Deputy Chief Executive believed that Members were more willing to deal with Officers directly and that it was not always necessary to have Chief Officers present at the meetings as Officers dealing with the issues daily could have a better understanding of the issues.

- *It was not the role of scrutiny to inform Members of issues. Some Panel meetings had not been well attended and some Members did not take their responsibilities on Scrutiny seriously enough.*

The Scrutiny Officer suggested that attendance at Panel meetings be included in the Overview and Scrutiny Annual Report.

The Deputy Chief Executive advised that Directors had work programmes for the coming year and it may be useful for Scrutiny to have an understanding of the key topics and Directors needed to be clear on what the Executive and Council would be making decisions on. If matters were raised within the Forward Plan they could be picked up by Scrutiny.

The Scrutiny Officer suggested that the first meeting in June would be kept free to develop the Work Programme. She would be asking Directors to assist in that and suggested that they could each provide a presentation covering the work of their Directorates and their priorities for the year.

- *There was discussion about whether it was the role of the City Council to scrutinise issues such as social care and young people over which they had no control as a statutory body.*

The third section of the draft report dealt with call-ins and the Scrutiny Chairs Group had asked that Members look at that process as there were some administrative issues with regard to timescales. Members were requesting that the meeting to consider a call-in should be within ten days instead of the current seven days. That could allow a call-in meeting to be included as part of a scheduled Panel meeting rather than having to convene a special meeting within days of the scheduled meeting.

The Scrutiny Chairs Group had also requested that substitute Members be allowed to call-in a decision. The Group also requested guidance on the running of call-in meetings.

Members had requested more formal training and the Introduction to Scrutiny had been included in the ethical governance programme and there would be training on the budget process prior to the budget meetings in November. The Scrutiny Officer asked whether Members would find any other training useful. A Member suggested training on how to decide on relevant questions would be useful.

The Scrutiny Officer explained that the draft report would be considered by the Resources Panel at their next meeting and by the Environment and Economy Panel by e-mail to allow the final report to be submitted to Council in April.

- The Work Programme had been attached to the report for comment/amendment.

RESOLVED – 1. That the Overview Report (OS.07/15) incorporating the Work Programme and Notice of Executive Decisions items relevant to this Panel be noted.

2. That the draft Scrutiny Annual Report be amended to reflect the discussions held above.

### **COSP.26/15 – CHAIRMAN'S ANNOUNCEMENT**

The Chairman expressed his disappointment that three Members of the Panel had not attended or submitted apologies. The Chairman advised that he would discuss the matter with the Leader of the Council and ask him to raise the matter with Group leaders.

The Scrutiny Officer advised that the issue of attendance could be included in the Annual Scrutiny Report.

The Chairman advised that he had been informed that Councillor Mrs Prest was to stand down as a City Councillor at the forthcoming elections. The Chairman thanked Councillor Mrs Prest for her invaluable support as Vice Chairman on the Community Overview and Scrutiny Panel and for her work on this and other Panels.

(The meeting ended at 12.25)