

POLICY & RESOURCES COMMITTEE

Date: 11 April 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

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| Richard Lewis | (Chairman) |
| Glenvil Greenwood-Smith | (Vice-Chairman) |
| Steven North | (Leader of the Council) |
| Philip Hardcastle | (Deputy Leader of the Council) |

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| David Brackenbury | Sylvia Hughes |
| Wendy Brackenbury | Peter MacGovern |
| Pauline Bradberry | Andy Mercer |
| Roger Glithero JP | John Richardson MBE |

468. MINUTES

The minutes of the meeting held on 14 March 2011 were approved and signed by the chairman.

469. APOLOGIES

Councillors Glenn Harwood MBE and Sean Lever sent their apologies.

470. DECLARATIONS OF INTEREST

Councillor Pauline Bradberry declared a personal interest in item 10 (Housing Contract) as a board member of Spire Homes.

471. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

472. MINUTES OF SUB-COMMITTEES & WORKING PARTIES

The committee received the minutes of the following meetings:-

- (a) Personnel Sub-Committee – 22 March 2011 and
- (b) Finance Working Party – 30 March 2011.

and considered the recommendations in the minutes of the Finance Working Party. All the minutes are shown on pages 810 to 827 and form part of this minute.

The chairman of the Personnel Sub-Committee paid tribute to the responsible approach shown by the council's staff in their response to the need to make financial savings, and their acceptance of changes to employee benefits.

RESOLVED:

That the recommendations in minute 5.4 of the Finance Working Party, relating to the Treasury Management Strategy Statement and Investment Strategy, and set out below, be approved:-

That the Treasury Management Strategy Statement and Investment Strategy from 2011/12 to 2013/14 be approved and the: -

- (i) council's annual Minimum Revenue Provision Statement in Section 5 of the Treasury Management Strategy Statement be agreed;*
- (ii) types of investment the council can use be agreed; and*
- (iii) criteria for assessing the suitability of investment counterparties be agreed.*

and it was further

R.17 RESOLVED TO RECOMMEND

That the Prudential Indicators (as set out in appendix A on pages 784 to 788) be approved.

(Reason - compliance with the CIPFA Code of Practice on Treasury Management and the 2003 Prudential Code for Capital Finance in Local Authorities).

473. DISCRETIONARY HOUSING PAYMENTS POLICY AND PROCEDURE

The committee considered a revised Discretionary Housing Payments (DHP) Policy and Procedure. DHP covered the payment of further financial assistance with housing costs from a grant given by the Department of Work and Pensions (DWP). The grant had increased from £6,6647 to £13,950 in 2011/12 but it was not comparable to the loss of benefit due to changes in the housing benefit scheme so an increase in applications for discretionary awards was expected.

The payment of DHP enabled local residents to retain affordable homes, prevent homelessness, and provide the ability to support the most vulnerable in the community.

The revised DHP Policy and Procedure provided the following changes:-

- greater clarification and transparency
- a procedure to ensure fair and consistent allocation

- a clear separation of duties between the Senior Benefit Officer and Benefit Manager in decision making
- an approach and audit trail should the council be challenged on its decision making.

The financial implications of the approach were noted by members, particularly that the homelessness prevention grant for 2011/12 was £50,000 compared with £30,000 in 2010/11. If DHP awards reached the DWP grant allocation, the council might have to consider allocating a sum from the homelessness prevention grant to enable further awards of DHP to be made. Members emphasised that representations should be made to the DWP for the full cost of awards to be met by the government.

In considering the policy and procedure, the committee agreed that the second sentence in paragraph 13.1, relating to overpayments, should be deleted.

RESOLVED:

- (1) That, subject to the deletion of the second sentence in paragraph 13.1, the Discretionary Housing Payments Policy and Procedure be approved.
- (2) That the DHP awards be closely monitored against the DWP grant allocation and the situation be reviewed later in the year to enable consideration to be given to making representations to government.

(Reason – To ensure East Northamptonshire acts fairly, reasonably and consistently when deciding a Discretionary Housing Payment application and to take the opportunity, at the appropriate time, to lobby government on funding)

474. NEW WASTE & RECYCLING COLLECTION SERVICE PRIORITIES

The Waste Manager submitted a draft policy document covering the use, storage and presentation of wheeled bins, following the council's decision to change the method of containment and collections with the award of the new contract to commence on 1 August 2011.

The document incorporated a series of 14 policies, outlined in appendix B of these minutes at pages 789 to 800. It was recognised that any resident who may be adversely affected by the new service due to a disability would be entitled to the assisted collection service whereby the containers were removed, emptied and replaced in the storage location on collection day. It was also important that all information about the new scheme was communicated to all residents. The waste management team would continue to monitor and educate users of the service in line with the new policies.

Members raised a number of issues on the proposed policy and asked several questions, including -

- The effect, if any, of the government's intention to remove legal powers for councils to charge fines for non-compliance with policies (it was acknowledged that the proposed policy did not refer to fines)
- Whether polystyrene items were included in the types of waste covered in paragraph 4.3.2 (The Head of Environmental Services undertook to check this point)
- Difficulties experienced by householders who do not have front gardens.

The committee concluded that it would not be appropriate to cover every situation in the policy and be too prescriptive. Wording such as “exceptional other circumstances” was designed to provide flexibility and give the officers the maximum discretion.

RESOLVED:

That the wheeled bin policy document be approved.

(Reasons

- (1) To ensure consistency of approach to all users of the waste management service.*
- (2) To provide service standards for both users and contractors in the day to day operation of the service.*
- (3) To ensure the optimum efficiency is gained from the introduction of the new service*
- (4) To provide a framework within which households unable to use the non standard service will be managed.)*

475. HOUSING CONTRACT

Further to minute 261 (8 November 2011) members considered a report from the Housing Strategy Manager on the member led project to consider options for housing services and guide the tender process. The report sought approval to:-

- (a) Extend the current housing contract, should it be needed, from 30 December 2011 to 30 June 2012 at a cost of either £40,000 or £35,000 (with no Evening Telegraph advertising) and
- (b) Provide specialist/technical and internal support for the project – which would involve a competitive dialogue process at a cost of up to £25,850.

Members felt that expenditure of £35,000 on (a) above was the preferred option.

RESOLVED:

- (1)** That an extension of the housing contract with Spire Homes, should it be needed, be agreed - on the terms set out in appendix 1 submitted to the Committee - from 31 December 2011 to 30 June 2012 at the latest.

(Reason – to ensure that East Northamptonshire Council has a housing service in place post 31 December 2011)

- (2)** That expenditure of up to £60,800 be agreed, to cover the extension of the housing contract and the project support.

(Reason – to enable the chosen procurement process of competitive dialogue to continue)

476. MEMBER EMPOWERMENT FUND

Further to minute 259 (8 November 2010), proposals for establishing a member empowerment fund (MEF) which would give each ward member the ability to support local community projects or activities taking place in their wards, were considered by the

committee. The MEF aimed to support projects that helped local communities improve their lives, their environment and local facilities.

A budget of £20,000 had been allocated in the 2011/12 budget, equating to £500 per member. It was proposed that -

- the MEF be available from 1 June 2011 to coincide with the start of the new council
- it would operate through an application process similar to that in use under the previous community grant schemes
- the scheme would run across the whole term of office i.e. four years with provision for individual members' un-spent allocations to carry-over from one year to the next
- approval of applications rest with the Executive Director and Head of Customer and Community Services (as it was not lawful for a single member to have delegated power in fourth option councils) but the relevant ward member(s) would need to endorse applications
- individual members be allowed to pool all or part of their applications up to a maximum of £2,000 if a proposed activity or project runs across more than one ward
- an eligibility criteria be applied (as set out in appendix C of these minutes)

Members welcomed this scheme and asked that it should allow for any unspent allocations at the end of a councillors' term of office to be carried forward and applied to the same ward. It was recognised that members would have a significant role in the preparation and support of applications to the MEP so that the administration at officer level would be kept to a minimum.

RESOLVED:

- (1) That approval be given to implement a member empowerment fund as detailed in the report to the committee, to commence on 1 June 2011.
- (2) That the grant criteria set out in appendix C to these minutes at pages 801 and 802 incorporating the carry forward of unspent allocations - be adopted.

It was further

R.18 RESOLVED TO RECOMMEND:

That the Executive Director and the Head of Customer and Community Services be authorised to approve applications and authorise payments for the MEF.

(Reason – to support projects and activities by community-based groups that improve the quality of life and the local environment.)

477. PRIVATE SECTOR HOUSING – DISABLED FACILITIES GRANTS

The committee considered three options for the funding of private sector housing requirements from April 2011.

It was noted that –

- The council's funding allocation from the government for 2011-12 would be £167,000 - the same as the previous year – and the funding would not be ring-fenced

- A review of Disabled Facilities Grant (DFG) allocations and means testing criteria had been commissioned by the Department of Communities and Local Government (DCLG) and details of that review were outlined, although the methods to be used had not yet been announced
- Some £253,000 would need to be carried over to the 2011-12 budget from the private sector renewal grant amount approved in June 2010
- Members had decided to consider the introduction of a case review panel in 2011 to prioritise DFG applications

Members considered that option 2 outlined in the report should be chosen. This involved the following, with total available budget of £353,000, made up from the highlighted elements :-

- Approval of the carry forward of £253,000 of committed spend based on the 2010-2011 budget to ensure payment for mandatory applications were not paid out of the 2011-2012 budget. This left a shortfall of **£51,000** that would have to be paid out of the new budget.
- Inclusion in the money to be carried forward the additional allocated funding on 23 March 2011 by DCLG of **£4,100**.
- Retention of the budget of **£300,000** with an additional amount of **£100,000** to be allocated as a priority need budget that the review panel would assess for. Any approved grants after this amount would be deferred for payment until the next financial year unless further assessed by a review panel in that year.
- At this level of funding a proportion of applicants may not receive their grant funding for up to 12 months from it being approved but, for those cases deemed the most serious, the review panel would be required to assess their case. It was unlikely that the level of demand would decrease nor will the council's DFG funding allocation from the government increase, as a result applicants might have to wait longer than the statutory 12 month maximum period. No discretionary grants could be made and the council's grant policy would require amending.

Members felt strongly that representations should be made to other bodies – especially the government – to request assistance with funding DFGs to prevent vulnerable residents requiring greater medical and residential care.

RESOLVED:

- (1) That option 2 (as outlined above), be applied

(Reason – To determine budget position for 2011-2012)

- (2) That full proposals for the Case Review Panel be brought back to the next meeting of this committee.

(Reason – To prioritise DFG applications)

- (3) That the Head of Environmental Services write again to the new Head of Public Health and to Nene Commissioning and also to the new government to request their assistance with funding DFGs to prevent vulnerable residents requiring greater medical and residential care.

(Reason – To express East Northamptonshire Council's concern at the level of funding and changes in public health)

478. PAYROLL CHANGES

Further to Personnel Sub-Committee minute 13.1 (22 March 2011), it was reported that, following the resignation of the Payroll Officer, consideration had been given to the delivery of payroll in a different way. The benefits to the council were seen as –

- Reduced cost of delivering the service (total savings of £18,173 in 2012/13 envisaged on the recommended solution)
- A more resilient service (not reliant on one person).

Corby Borough Council (CBC) already delivered the shared finance service ENCOR, and CBC had capacity in its current payroll team to also deliver this council's payroll service. An alternative solution – outsourcing payroll to another provider – had also been considered but this approach was not considered to be cost effective.

The committee welcomed this initiative and thanked the officers for their prompt action.

RESOLVED:

That approval be given to entering into a 2 year contract/service level agreement with Corby Borough Council to deliver payroll services.

(Reason – the recommended course of action is the most cost-effective and has the least risk.)

479. PROPOSED CONSTITUTIONAL CHANGES

Further changes to the constitution and associated documentation were proposed to take account of:-

- (a) The abolition of the Audit and Risk Management Committee and the Performance Panel and the tidying up of the terms of reference of the various committees and working parties.
- (b) A tightening of procedures relating to confidential (pink) papers (part 5.2 of the constitution).
- (c) The removal of references to council and committee forward plans (parts 1 and 4.3 of the constitution).

The Scrutiny Committee had endorsed the proposals.

Reference was also made to the arrangements for the approval of the annual statement of accounts in 2011. A change in the legislation would now enable the committee to consider this matter at its September meeting.

R.19 RESOLVED TO RECOMMEND:

- (4) That the changes to the terms of reference of committees and the Finance Working Party as set out in appendices D to F at pages 803 to 808 be approved.

- (5) That changes be made to article 7 and part 4.4 of the constitution to reflect the adjustments set out in the preamble and that any further consequential changes, if required, be made to other parts of the constitution to also reflect the adjustments.
- (6) That the changes to Parts 5.2, 1 and 4.3 of the constitution as set out in appendix G at page 809 be approved

(Reason – to ensure that the constitution and associated documentation are continuously kept up to date, especially once a new council is elected in May 2011)

480. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business because exempt information, as defined under paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

481. PEST CONTROL SERVICE

Consideration was given to five options for the future delivery of the pest control service.

Members favoured the following option:-

Introduce fees for those pest treatments for which a charge is not currently levied and increase existing fees to result in a service which is effectively provided at 'no cost' to the Council. This could be considered not only for the provision of pest treatments but also in respect of drainage investigations. This could be undertaken for a trial period of possibly two years.

The likely income levels from adopting this option were outlined to the committee. Members discussed the approach to be taken on charging and whether concessions should apply. They took the view that, in relation to the treatment of rats, concessions would only apply to the first visit, and there should be a charge only for subsequent visits. Concessions would not apply to other treatments.

RESOLVED:

- (1) That the above preferred option be adopted and that the committee review the position at the end of the first year, after monitoring of income levels.
- (2) That the Head of Environmental Services be authorised, in consultation with the Lead Member for Environmental Services, to determine charges for pest control, taking into account the views of the committee.

482. THANKS OF CHAIRMAN

The chairman thanked the officers for their support over the last 4 years and particularly since he had become chairman. He also thanked the members of the committee, especially

those who were not seeking re-election in May. He paid tribute to the work of Councillor John Richardson, who had served the council for 38 years.

Chairman