

PRESENT

Members of the Committee

Councillor Quentin Marshall (Chairman)
Councillor Sam Mackover (Vice-Chairman)
Councillor Adrian Berrill-Cox
Councillor Judith Blakeman
Councillor David Nicholls
Councillor Matthew Palmer
Councillor Monica Press
Councillor Mrs Elizabeth Rutherford

Others in Attendance

Councillor Rock Feilding-Mellen (Deputy Leader and Cabinet Member for Housing,
Property and Regeneration)
Steven Bell (Head of Property Asset Management and Capital Projects)
Michael Clark (Director for Corporate Property and Customer Services)
Jacqui Hird (Scrutiny Manager)
Andrew Hyatt (Tri Borough Head of Fraud Corporate Investigation Group)
Laura Johnson (Director of Housing)
Steve Mellor (Group Finance Manager)
Debbie Morris (Tri Borough Head of Facilities Management)
Martin Olomofe (Strategic Property Asset Manager)
Anthony Parkes (Director of Financial Services, TMO)
Nick Rendle (Business Development Manager, TMO)
Anne Wright (Governance Services)

A1 APOLOGIES FOR ABSENCE

Apologies had been submitted from Councillors Bakhtiar and Pascall.

A2 MEMBERS' DECLARATION OF INTEREST

Councillor Press declared that she was a leaseholder with the Council and queried if that would preclude her from participating in discussions on paper A9. The Chairman confirmed that this was not a conflict of interest and Cllr Press could participate in discussions on paper A9.

A3 MINUTES OF THE MEETINGS ON 10 JULY 2014

The Minutes of the Meeting on 10 July 2014 were confirmed as a correct record and signed by the Chairman.

As a matter arising related to A3 Councillor Blakeman said that she had not yet received the information requested from the Housing Department. The clerk would ensure that Councillor Blakeman was sent the relevant information.

Action: The clerk

A4. SCRUTINY ANNUAL WORK PROGRAMME

The Chairman reported that Councillor Pascall had confirmed that the Working Group report on Housing Stock Conditions would be submitted to the next Scrutiny Committee meeting in November.

The Chairman updated the Committee on the Buy-to-Leave Working Group and explained that the private sector housing stock in the Borough was potentially being underused. He said that the Working Group would investigate all the available data and if there was evidence to substantiate this view then they could consider looking at some policy options. The Deputy Leader queried if the Working Group had seen the Westminster Report relating to this issue and the Chairman confirmed they had.

The Chairman referred to paragraph 2.3 of the report and said that there had been a number of worthy suggestions for further Working Groups but drew the Committee's attention to the two topics that he recommended be taken forward, namely:

- The housing commitments entered into by developers; and
- Garage spaces.

The Deputy Leader stressed that collaborative work with the Public Realm Scrutiny Committee and the Planning Department would be essential in relation to the first of the two Working Groups proposed. The Chairman agreed with the Deputy Leader's comments.

In relation to the proposed Working Group on garage spaces, the Chairman said that the financial aspect of their use was important to the Council and the policy for their use seemed inconsistent.

Councillor Blakeman queried if there was scope to also include a review of how the Council engaged with their tenants and leaseholder in relation to housing regeneration, as suggested by Councillor Pascall at 2.3. She stressed the importance of having a policy on how these matters would be addressed. She gave an example of a past consultation as the Shalfleet Drive/Silchester Garages development and a current development that was being consulted on as Barlby Road.

The Chairman said that this was a very important issue and perhaps it would be better for a report to come to the full Committee. He suggested that a particular site be selected and a report be prepared on the process of communication with Council tenants and leaseholders.

The Deputy Leader commented that it would be best to look at a consultation that had already taken place, for example that of Shalfleet Drive/Silchester Garages or Pembroke Road

It was noted that there had been an issue regarding some personal addresses being sent out mistakenly in one of the consultations and the Chairman stressed the importance of being more vigilant in this regard.

The Chairman said that he had requested a report on the outcomes of previous Working Groups dating back to 2010. He said that the report would look at what recommendations had been implemented and the outcome of any changes employed.

The Chairman asked the clerk to email Committee Members in order to get volunteers for the two new Working Groups. **Action:** The Clerk

A5. REPORT BY THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING, PROPERTY AND REGENERATION

The Deputy Leader provided an update on key projects. He said that they were hoping to create nine new "hidden homes" at the Grenfell Tower works rather than the seven stated in the report at 2.3. He said this had not been confirmed but they were hopeful it would be achievable. In relation to Grenfell Tower, Councillor Blakeman said that the residents have been promised to be provided with respite in the residents' rooms but those rooms were so unwelcoming and unfriendly which was very unfair on the residents.

The Deputy Leader reported that the new Malton Road Hub was open and staff had been relocated to the premises. He said that the very tight timetable had been achieved in this regard. Concern was expressed about street drinkers in this area and Mr Clark said that they recognise that this was a problem but the public realm in the vicinity would be vastly improved as part of the development. He said that the Council was negotiating with Sainsburys about permanent improvements but some temporary measures will be implemented and they were also hopefully going to jet wash the side of the Westway facing the Hub.

Councillor Blakeman drew the Committee's attention to an issue with water spray from the Westway, locally known as the "Westway Waterfall". Mr Clark stated that this was an issue for the Transport and Highways Team.

In relation to paragraph 6, the Deputy Leader confirmed that the Kensington Academy had opened on time and he had received glowing reports about the facilities on offer. He confirmed that the leisure centre was due to open before Christmas.

The Deputy Leader reported that the public meetings for the proposed Pembroke Road development had been going well and the Council had been able to reassure residents about their main worries and concerns. A report would be going to Cabinet in October.

In relation to Holland Park Youth Hostel, the Deputy Leader reported that the Council would be receiving a healthy return of just under 15 per cent for their investment. Councillor Palmer queried the actual value of the asset. Whilst the estimated asset worth was between £12 and £15million, Mr Clark explained that the asset could not be sold due to restrictions on the lease.

Councillor Palmer expressed concern that not enough information had been provided about the sale of 49 Bassett Road and queried if the Committee would be supplied with a breakdown of purchase bids. The Deputy Leader responded to these concerns and said that the Council was not minded to hold open auctions in this regard but there had been a number of rounds of closed bids. Councillor Palmer queried why the Committee had not been provided with details of the bidding and said that there was no evidence to suggest that this method worked better than an open auction system. Mr Clark explained that the method the Council adopted was common practice and there had been over 10 bids in relation to Bassett Road which was competitive. The Deputy Leader added that a report could be brought back to Committee at the end of the process if successful.

Councillor Press asked about the community use that would be provided at the Westway Information Centre. Mr Clark said that there were no specific proposals as yet but the space would be as flexible as possible to accommodate a range of community use. He explained that proposals were in the early stages.

Councillor Press asked about the Holland Park Youth Hostel and whether it was run by a private company and if it was affordable accommodation. Mr Clark confirmed it was managed by a private business and was considered to be 'trendy but cheap'.

The Chairman said that he would be interested in having more information about the plans and financial data in relation to Pembroke Road. The Deputy Leader explained that the plans were high level at present, based on scaling and massing. He said that when the relevant report was submitted to Cabinet it could also go to the Scrutiny Committee.

The Chairman clarified the remit of the Committee in relation to property matters as there had been some confusion with the remit of Cabinet and Corporate Services Scrutiny Committee. He said he had agreed with the CCSSC Chairman that his Committee should only be involved with Property matters when (a) the matter has specifically not been scrutinised by HPSC or HPSC has decided scrutiny is not required and (b) where the matter related to a Cabinet decision.

The Chairman asked about Young Street development proposals and the Deputy Leader confirmed the report had not been submitted to Cabinet and explained that the planning proposals would infringe on some of the statutory rights to light of eight surrounding properties. The Council would not want to see an injunction on the scheme and therefore Granger had

been asked to do further work into reaching an agreement with the relevant affected parties.

A6. LIVE ISSUES REPORT FROM DIRECTOR OF HOUSING

Ms Johnson introduced the report and invited questions from the Committee. The Chairman commended officers on their excellent work on fire doors.

In response to a question, Ms Johnson explained that benefit entitlement had changed for EEA nationals and policy was now to help these EEA nationals to either find employment or assist in repatriation.

Councillor Nicholls asked about the extent of the Council's obligations to rough sleepers generally. Ms Johnson explained that the Council had a broad duty towards helping homeless people and rough sleepers. She said that there were a number of hostels that the Council referred to and the duty to help the most vulnerable was part statutory and part voluntary. She clarified that the extent of the Council's obligations also related to Government funding.

The Chairman asked if there was sufficient provision for rough sleepers in the Borough and queried if any person who wanted support would be offered it. Ms Johnson said that a hostel place could not be guaranteed but the rough sleepers would always be visited and there was a 'no second night' policy where a rough sleeper would always be offered a shelter for their second night on the street. She said that every case was complex but there was a sophisticated range of services provided. She confirmed that interpreters were available to assist where necessary. In relation to homeless minors, Ms Johnson said that there were a very small number of people under 18 on our streets and Family and Children's Services did a very good job at addressing this issue. She explained that it was a common misconception that there were a great number of homeless minors.

Councillor Press asked about the Local Support Service Framework (LSSF) pilot and what data would be collected and what the added value of this information would be. Ms Johnson explained that a more local focus on worklessness seemed to produce better results than Job Centre Plus involvement. She said that RBKC had a dedicated worklessness coordinator to provide specific initiatives to get people into employment. She added that a paper could be brought to a future Committee on this topic.

A7. TENANCY FRAUD REPORT

Mr Hyatt introduced the report and highlighted some key points. He explained the background to the Single Fraud Investigation Service and that implementation was due on 1 March 2015. He said that in principle he agreed with the service but there was concern that the implementation was being rushed ahead of the roll out of Universal Credit. In response to a

question from the Committee, Mr Hyatt said that RBKC had lobbied the Government since 2010 against the changes but to no avail even though there was concern across both sides of the House. He said that some staff would be moving over to the Department for Work and Pensions so hopefully all local knowledge would not be lost. He explained that RBKC staff would still be able to access information on housing benefit and they would continue to investigate tenancy fraud.

Councillor Blakeman asked about the ten individuals referred to at 5.12 of the report and questioned if any of them were students. Mr Hyatt said that he did not have the information to hand but could provide a breakdown for the Councillor outside of the meeting.

Action: Mr Hyatt

The Deputy Leader asked if the Council could require the SFIS to undertake an investigation into suspected Housing Benefit fraud. Mr Hyatt explained that the Council would not be able to instruct the SFIS but could refer them to a case and monitor any inactivity in this regard.

Councillor Nicholls asked about the extent of fraudulent activity in the Borough and if the figures as set out in Table 1.6 were 'just the tip of the iceberg'. Mr Hyatt explained that housing fraud was a growing risk area especially with the increase in market rent and a shortage of affordable housing. He said that there were new powers for looking at bank statements. He stated that a worrying trend was the increase in the number of professionals involved in housing fraud and illegal subletting.

Councillor Mackover asked about the average length of fraud cases, i.e. how long the fraud had been going on for. Mr Hyatt said that further analysis could be done but length of fraudulent activity varied dramatically.

A8. CHARGES FOR GARAGES, HARDSTANDS AND PARKING BAYS

Mr Mellor introduced the report. The Chairman expressed specific concern about the methodology for deciding rents and that it seemed to be an arbitrary process. He said that this would be one of the focal areas of a Working Group.

Councillor Press said she agreed that there would be value in a Working Group that should also look at wider issues such as safety and security and parking enforcement. She asked if she could be given more information on those users who were paying rates which were lower than the standard charge.

Mr Rendle provided a bit of background regarding the parking review in 2011 and said in the past there had been little control and standardisation of charges and at one point there had been 442 different charges. He explained that all charges would equal the standard charge for the service by 2018/19.

The Chairman said that the Working Group would attempt to bring some rationality to policy on garages across the Council and stressed that there

would be continued support for tenants who had a need for garage space but there would be scrutiny into those who did not. Mr Rendle added that Transport officers may wish to contribute to the Working Group.

A9. HEATING AND HOT WATER CHARGES FOR HOUSING

Mr Mellor introduced the report. Mr Parkes from the TMO was in attendance to answer any questions.

Councillor Marshall asked why there was such a big variation in charges between estates.

Mr Mellor explained that charges were based on volume consumption and unit costs which also depended on boiler efficiency. He said that some small estates were unable to secure lower distribution costs. He added that the age of the estate also played a role.

Councillor Mrs Rutherford asked if there was a general move towards independent heating. Mr Parkes explained that a number of tenants would prefer to be able to control their own heating but it would mean replacing entire heating systems in most cases. He said that the residents of Grenfell Tower should experience a benefit from their individual meters.

Councillor Mackover asked why the charging for the different Elm Park Gardens estates were so varied. Mr Parkes explained that the mixture of building type played a key role in this, e.g. a 1960's block versus an Edwardian conversion.

Councillor Press asked if there were any longer term plans to look at ways of building in incentives for tenants to reduce unnecessary usage, for example the estates could be metered as a whole and compared with other estates. Mr Parkes said that they were looking into conservation ideas and one thing they were doing was trying to insulate wherever possible but that depended on the accessibility of cavity walls.

A10. TOTAL FACILITIES MANAGEMENT KEY PERFORMANCE INDICATORS UPDATE

Ms Morris introduced the report and provided the July/August KPI scores for the Committee Members, namely:

- KPI2 – an improvement up to 78%
- KPI7 – an improvement up to 94%
- KPI13 – an improvement up to 95%.

The Chairman asked who would be the best person to contact if Members observed a facilities-related issue. Ms Morris said that Members were more than welcome to contact her directly and the Chairman asked that she send an email to all Councillors setting out her role and responsibilities. Ms

Morris said that she was happy to give a presentation to the Committee at a future meeting.

Action: Ms Morris

Mr Clark stressed that the use of the Helpdesk was key and was essential for learning lessons about the services provided.

A11. BUY TO LEAVE REVIEW – VERBAL UPDATE

Discussed in Agenda Item A4.

A12. STOCK CONDITION REVIEW – VERBAL UPDATE

Discussed in Agenda Item A4.

A13. MISCELLANEOUS MATTERS

ROTA VISITS

The Chairman asked Members present to select two site visits. The clerk took a note of their selections and would update the rota. The Chairman asked the clerk to email those Members not present in order to get their choices.

Action: The clerk

FORWARD PLAN

Councillor Blakeman raised concerns about a number of Key Decisions and the Chairman suggested that the relevant officer be contacted in each case to answer specific detailed questions.

Councillor Palmer queried why so many Key Decision Reports were "Exempt by virtue of category 3". The clerk drew the Committee's attention to the definition of category 3 in the report and explained it meant that information was exempt due to 'Information relating to the financial or business affairs of any particular person (including the authority holding that information).'

The Chairman explained that the key decision rating process was initially a matter for officers but the Chairman had absolute discretion to amend any ratings as he saw fit. Committee Members were also welcome to contact the Chairman if they had concerns about a particular rating.

OTHER MATTERS

Councillor Palmer queried if there could some kind of alert mechanism for officers attending the HPSC that they could be contacted when their particular item was ready to be discussed.

**A14. ANY OTHER ORAL OR WRITTEN ITEMS WHICH THE CHAIRMAN
CONSIDERS URGENT**

There were none.

The meeting finished at 8.45pm.

Chairman