

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 4 December 2023 at 6.00 pm.

PRESENT: Councillor M Pringle (Chair)  
Councillor N Ross (Vice-Chair)

Councillor N Allen (Substitute) Councillor A Brazier, Councillor C Brooks, Councillor S Forde, Councillor A Freeman, Councillor R Jackson, Councillor J Kellas, Councillor P Rainbow, Councillor K Roberts, Councillor M Shakeshaft, Councillor T Thompson, Councillor T Wendels and Councillor N Allen

IN ATTENDANCE: Councillor L Brazier and Councillor L Tift

APOLOGIES FOR ABSENCE: Councillor A Amer and Councillor T Smith

37 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

38 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

Agenda Item No. 13 – Support for Active Lifestyles Working Group Update. Councillors Forde; Freeman and Pringle together with Deborah Johnson, Director – Customer Services & Organisational Development declared an Other Registrable Interest as Directors of Active4Today.

39 MINUTES OF THE MEETING HELD ON 11 AND 25 SEPTEMBER 2023

The Minutes of the meetings held on 11 and 25 September 2023 were agreed as a correct record and signed by the Chair.

40 BRIEFING NOTE - HOUSING OMBUDSMAN CONFERENCE

The Committee considered the Briefing Note from the Chair of the Committee in relation to his attendance at the Housing Ombudsman Conference on 31 October 2023 as the Member Responsible for Complaints (MRC).

The Chair advised that it had been a positive conference, the purpose of which had been to look at the role of the MRC and to learn more about how to be compliant with the Complaint Handling Code. He noted that the central focus of the Housing Ombudsman was to drive a positive complaint handling culture. The Complaint Handling Code was currently out for consultation, following which it would become statutory in January 2024. It would set out requirements for organisations that would allow them to respond to complaints effectively and fairly. The Code's purpose was to enable organisations to resolve complaints raised by individuals quickly and to use the data and learning from complaints to drive service improvements.

In considering the report a Member queried what the role of the MRC was in practical terms. The Chair advised that it was to ensure that the connections between the complainant and the team handling the complaint was as smooth and efficient as possible e.g. the speed with which they are handled; the positive engagement with tenants; and feedback from tenants on how their complaint has been dealt with. The Chair noted that the word 'complaint' was often viewed as a negative when it was more the fact that tenants raised an issue which the Council, as Landlord, were able to resolve. He added that his role as the MRC was to ensure there was positive engagement between the tenant and the Council and that the tenant was aware of the reasons and responses given by the Council as to how the issue would be resolved.

In response to a comment which noted that the Council were 'ahead of the game' nationally in relation to how they dealt with complaints, he stated that it was likely that the Ombudsman would wish to visit in the New Year to view how complaints were logged and dealt with so that the information could be shared with other organisations.

AGREED (unanimously) that the Chair's verbal briefing on the Housing Ombudsman Conference be noted.

#### 41 AIR QUALITY MONITORING IN NEWARK & SHERWOOD

The Committee considered the report of the Business Manager – Public Protection which provided Members with an overview of Air Quality requirements and how air quality was monitored and managed within the district.

The report set out the legislative requirements which the Council operated under in relation to air quality. The report was comprehensive and covered diffusion tubes, particulate matter, smoke control areas, environmental permitting and the role as a statutory consultee in planning applications.

It also explained a county wide approach which would see a bid to DEFRA for grant funding to undertake wider real time monitoring, including particulate matter.

In considering the report Members commented on a number of items and raised a number of queries.

A Member raised the changing guidelines of acceptable levels of particulate matter, and the seriousness of particulate matter in air quality which is known to be a significant contributor to mortality rates. The Member acknowledged the need for a county wide validated approach where the data could be relied upon and supported the approach.

A Member queried whether the Council were the only district within Nottinghamshire that did not have real time air quality monitors, the closest being situated in Netherfield. The Business Manager agreed to review this and to report back.

Members also queried whether it was timely to review the Smoke Control Areas in the district which traditionally had been areas associated with coal mining. The Business Manager advised that any changes to the current Smoke Control Areas would need to be taken by Cabinet as it would be a key decision with potential legal and likely financial implications. A Member expressed concern about the use of wood burners, noting that they were considered to be more polluting than a diesel car. She acknowledged that there were restrictions on what could be burnt, querying whether this was monitored and enforced. The Business Manager advised that if complaints were received within a Smoke Control Area there were powers to address the issue, however if it was outside of those areas the Council was limited in its powers. The Business Manager stressed that educating users as to what they could burn was the first step rather than enforcement. Members expressed concern over this inequality, suggesting that it should be rectified if possible, the Business Manager would take this away but indicated that it is currently unknown what the financial and resource implications of this would be, this would need to be investigated.

In response to whether the diffusion tubes were mobile, the Business Manager advised that they were fixed locations to give a continuity of the readings. She added that it was proposed to visit locations in the District with the relevant Portfolio Holders, noting that any new tubes must be located in a residential and traffic area and that it was subject to strict DEFRA guidance procedures.

In response to how a location for a diffusion tube was chosen and whether any additional tubes would need to be purchased, the Business Manager advised that as long as DEFRA's guidance was followed, it was within the Council's gift to choose the location, using local knowledge and that as part of the funding bid to DEFRA, the need for purchasing additional tubes would be included within that.

In noting the proposed Anti-Idling Campaign, a Member suggested that this also include the promotion of walking to school, adding that the public needed to be educated on the consequences of leaving their vehicles running.

In closing the debate, the Chair noted that all Members agreed that the education of people as to the consequences of what their actions were in relation to air quality was key.

AGREED (unanimously) that:

- a) the work undertaken by Newark & Sherwood District Council in monitoring Air Quality across the District be noted;
- b) the creation of the Anti-Idling Campaign be supported; and
- c) the countywide DEFRA bid submission in 2024 to include particulate monitoring be supported.

42 DAMP & MOULD POLICY

The Committee considered the report of the Business Manager – Housing Maintenance & Asset Management which sought to provide Members with the revision to the Damp & Mould Policy which set out the Council’s approach to tackling and preventing damp and mould in Council owned homes.

The report set out that the Housing Ombudsman had issued a “Spotlight on Damp and Mould” in October 2021, which highlighted the approach expected of social landlords when dealing with tenants who complained about damp. In November 2022 the Regulator of Social Housing sought information and assurances as to the approach of social housing providers to tackling damp and mould. The Council’s response was well received. It was noted that further guidance and regulation as to timescales and definitions were awaited in relation to the time limits to remedy instances of damp and mould. It was reported that the revisions to the Damp & Mould Policy had been positively received by both the Tenant Engagement Board and the Local Influence Network.

In considering the report a Member noted that one of the objectives within the Policy was to have a rolling programme of stock condition surveys which would maintain accurate data on 5-year anniversary cycle. He commented that until the survey was complete, the full extent of any issues would not be known. The Business Manager advised that to-date, 50% of the Council’s stock had been inspected with this increasing to 70-75% by the end of the financial year. It was hoped that the remaining stock would be inspected in the following year and of the 50% inspected, only 2 cases of damp and mould had been reported.

AGREED (unanimously) that the Damp & Mould Policy be endorsed and recommended to Cabinet for approval.

43 BUILDING SAFETY IN THE HOME POLICY

The Committee considered the report of the Business Manager – Housing Maintenance & Asset Management which sought to share with Members the draft Building Safety in the Home Policy.

It was reported that the aim of the Policy was to provide tenants and leaseholders assurance of the steps the Council took in keeping them safe in their homes and also identified actions they could take to support the Council in that regard. The Policy also outlined additional measures the Council took over and above statutory requirements for buildings over 11 meters in height and identified their location.

The report also outlined how tenants could become involved in scrutinising the service in general or by attending the Local Influence Networks.

AGREED (unanimously) that the Building Safety in the Home Policy be endorsed and recommended to Cabinet for approval.

#### 44 REVIEW OF HRA BUSINESS PLAN ASSUMPTIONS

The Committee considered the report of the Business Manager – Financial Services which sought to provide Members with an overview of the key assumptions to be made within the production of the 30 -year Housing Revenue Account (HRA) Business Plan.

The report set out the background to the development and maintenance of the HRA Business Plan, setting out some of the key assumptions which would affect the Plan from an external perspective. Those external factors would then be considered when looking at internal factors e.g. setting of rent, capital improvements or revenue services. The agreed assumptions would then be fed into the overall HRA Business Plan which in turn would form the basis of the HRA Budget and Rent Setting report.

AGREED (unanimously) that the assumptions presented, to be utilised in the update of the 30-year HRA Business Plan, be endorsed.

#### 45 COMMUNITY PLAN PERFORMANCE FRAMEWORK

The Committee considered the report and presentation of the Transformation & Service Improvement Officer which sought to provide Members with an update on the Performance Framework, planned improvements and draft indicators that would be used to monitor and measure performance against the 2024/2027 Community Plan.

The presentation set out: the purpose of managing performance; objective setting cycle; performance framework; contextual district data; performance indicators; and further improvements, requesting Members to provide comment on what they would wish to see within the district and the customer element of performance reports.

The Director – Customer Services & Organisational Development reiterated that the role of the Policy & Performance Improvement Committees was to scrutinise how the Council performed and asked Members to consider whether the proposed performance indicators in the framework would provide the information to enable the Committee to carry out that function. She advised that the presentation would be circulated to Members to enable them to feed their comments into the Transformation Team.

In considering the report a Member raised a number of areas of concern. These included: improvement in productivity; areas of deprivation; very high disability levels; health indicators; low levels of satisfaction with life, stating that he would wish to link those issues with future actions the Council may take.

AGREED (unanimously) that:

- a) the indicators within the Performance Framework be noted; and
- b) Members consider the presentation given and feed any comments into the Transformation Team for consideration.

#### 46 COMMUNITY PLAN PERFORMANCE FOR QUARTER 2

The Committee considered the report of the Transformation & Service Improvement Officer which presented to Members the Quarter 2 Community Plan Performance Report (July to September 2023). Members were asked to review the Report attached as Appendix 1 together with the Compliance Report attached as Appendix 2.

In considering the report Members commented on the target for fly-tipping, querying why this was not set at 100%. The Transformation & Service Improvement Officer advised he would raise the matter with the Business Manager – Environmental Services.

Members also felt it important to promote the use of the Newark Beacon in an attempt to maintain the target levels set for usage.

In relation to future targets, Members queried whether it was possible for the Committee to review targets to ensure they were sufficiently ambitious. They agreed that they would wish to have a report to a future Committee on the work of the Waste Investigations Support & Enforcement Limited (WISE) who undertook enforcement activity for a range of environmental crimes on behalf of the Council. In relation to littering, Members noted that children of primary school age expressed concern about this behaviour and would welcome information as to why, and at what age, children's attitudes to littering changed.

Members also sought clarity on whether the repairs in Council owned homes was an appropriate target, stating that data should be captured on whether a reported issue was repetitious, indicating that the repair in the first instance was insufficient.

In closing the debate, the Chair commented that he wished to drive forward further ambitious targets leading to positive responses and that the role of the Committee was not just to accept the targets and performance levels as presented.

AGREED (unanimously) that the Community Plan Performance for Quarter 2 be noted.

#### 47 BUDGET MONITORING REPORT

The Committee considered the report of the Business Manager – Financial Services which provided Members with the forecast outturn position for the 2023/2024 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report also provided Members with information as to the performance against the approved estimates of revenue expenditure and income and on major variances from planned budget performance, in accordance with the Council's Constitution.

Details were provided as to the current position (as at 30 September 2023) variances. Table 1 showed the General Fund Revenue Outturn with a projected unfavourable variance against the revised budget of £0.418m on service budgets with an overall favourable variance of £0.422 to be transferred to General Fund reserves. Table 2 provided an overview of projected Housing Revenue Account outturn for 2023/24 with an unfavourable variance against the revised budget of £0.155m. Details of the overview of the Project Capital Outturn 2023/24 were also provided.

AGREED (unanimously) that:

- a) the General Fund projected unfavourable outturn variance on Net Cost of Services of £0.148m be noted;
- b) the Housing Revenue Account projected unfavourable outturn variance on net cost of HRA Services of £0.155m be noted; and
- c) the Capital Programme Forecast Outturn of £81.237m be noted.

48 SUPPORT FOR ACTIVE LIFESTYLES WORKING GROUP UPDATE

The Committee considered the verbal update of the Chair of the Active Lifestyles Working Group, Councillor Celia Brooks.

Councillor Brooks set out the work to be undertaken by the Group and that the first meeting was scheduled for Wednesday, 6 December 2023 at 4pm in Castle House.

AGREED (unanimously) that the verbal update be noted.

49 INFORMATION SHARING WITH MEMBERS WORKING GROUP UPDATE

The Committee considered the verbal update of the Chair of the Information Sharing with Members Working Group, Councillor Jack Kellas.

Councillor Kellas advised that the first meeting had taken place on 16 November 2023 and had been well attended. The Senior Information Governance & DPO Officer had been in attendance and had given guidance on issues surrounding GDPR. The Group had had a general discussion about the legalities of providing different types of information and it was proposed that a benchmarking exercise with other local authorities be carried out to assess what information was shared with their elected members.

The next meeting of the Group was scheduled for 16 January when discussions would be held in relation to a specific service area together with considering what the consequences may be of any recommendations made.

The Chair of the Committee suggested that it may be of use if the Group could find out whether a Member had reported an issue that Council Officers were already of and that they thought they should have been notified about. The Chair of the Group acknowledged the suggestion.

AGREED (unanimously) that the verbal update be noted.

50 CABINET FORWARD PLAN (NOVEMBER 2023 - FEBRUARY 2024)

NOTED the Forward Plan of the Cabinet for the period November 2023 to February 2024.

51 12 SEPTEMBER 2023 - MINUTES OF CABINET MEETING

NOTED the Minutes of the Cabinet Meeting held on 12 September 2023.

52 19 SEPTEMBER 2023 - MINUTES OF CABINET MEETING

NOTED the Minutes of the Cabinet Meeting held on 19 September 2023.

53 ITEMS FOR FUTURE AGENDAS

NOTED the provisional Agenda items for future meetings.

Meeting closed at 7.50 pm.

Chair