

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET SCRUTINY COMMITTEE

**Minutes of a Meeting of the Cabinet Scrutiny Committee
held on Thursday 19th September 2013 at 6pm
in the Committee Suite, King's Court, Chapel Street, King's Lynn.**

PRESENT:

Councillors C Joyce (Chairman)
J Collop, J Loveless (Vice-Chairman), A Lovett,
T Manley, J Moriarty (substitute) and D Tyler (substitute)

Other Members Present:

Councillor N Daubney, Leader and Portfolio Holder for Resources
Councillor A Beales, Portfolio Holder for Regeneration
Councillor A Lawrence, Portfolio Holder for Community

Officers:

Toby Cowper, Principal Accountant
Sheila Farley, Housing Services Operations Manager
Debbie Gates, Executive Director
Lorraine Gore, Chief Financial Officer
Ray Harding, Chief Executive
Hannah Martin, Senior Housing Standards Officer
Dave Thomason, Deputy Chief Executive

Apologies for absence were received from Councillor D J Collis, Mrs K Mellish and G Sandell.

CSC47: MINUTES

The minutes of the meeting held on 21st August were agreed as a correct record and signed by the Chairman.

CSC48: URGENT BUSINESS UNDER STANDING ORDER 7

There was no urgent business to report.

CSC49: DECLARATIONS OF INTEREST

There were no declarations of interest.

CSC50: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

There were no Members pursuant to Standing Order 34.

CSC51: **CHAIRMAN'S CORRESPONDENCE**

The Chairman had no correspondence to report.

CSC52: **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

There were no previous Committee recommendations.

CSC53: **MATTERS CALLED-IN PURSUANT TO STANDING ORDER 12**

There were no matters called-in pursuant to Standing Order 12.

CSC54: **EMPTY PROPERTY STRATEGY**

Councillor Moriarty referred to a recent article in the local press that had been published following consideration of the Empty Property Strategy at the Cabinet Meeting held on 3rd September which implied that the Council had “dropped” the empty property matching service. He explained that he had subsequently spoken to officers who had confirmed that the policy had already been enacted by Cabinet, he therefore sought reassurance that it was in fact a recommendation by Cabinet that would be considered at the Full Council meeting on 26th September 2013. The Leader confirmed that as part of the democratic process, Cabinet had recommended the Strategy be considered and debated at Full Council which would allow an opportunity, if appropriate, for any counter recommendations to put forward and considered.

Councillor J Collop referred to the Section 3.5 of the Strategy in relation to “Private Sector Leasing Scheme – Freebridge Community Housing” and questioned as to what the benefits were and the percentage of rental income received for empty home owners particularly once the costs of any works that needed to be carried out were deducted. The Portfolio Holder for Community explained that there was no generic formula but each property lease would be considered on an individual basis. He also explained that Freebridge would lease the property from the home owner and with the funding that had been secured from the Homes and Communities Agency (HCA) the property would be brought up to the decent homes standards. Councillor J Collop further questioned as to what level the fixed rate management fee would be set at. The Senior Housing Standards Officer confirmed that the management fee would be set at 20%. She further added that home owners who did not have the funds themselves to bring their empty property up to the required standard could lease the property and receive a guaranteed monthly rental income for the duration of the lease. The property would be returned to them at the end of the lease period in the same condition, minus wear and tear. The Senior Housing Standards Officer clarified that the properties would be available to tenants on “affordable rent” leases at up to a maximum of 80% of market rent.

In response to a question raised by Councillor J Collop, it was confirmed that empty flats that were situated above shops were incorporated into the figures for empty homes registered with the Council. The Portfolio Holder for Community explained that an owner of an empty property would not be forced to participate in the scheme. The Council would only consider enforcement options where a property was showing clear signs of creating problems for others in the neighbourhood and only as a last resort.

Councillor Lovett made reference to recent reports that Central Government were considering introducing a scheme that would allow powers to compulsory purchase empty flats above shops and questioned whether the Council were considering such an option. The Portfolio Holder for Community explained that where possible, the Council would always endeavour to advise and assist the owners of such properties. He further explained that such flats often remained empty because access to the flat was through the shop which potentially could generate issues for both the shop and the flat occupier.

The Chairman questioned, in light of the proposal to delete the potential to offer a matching service, how would an owner of an empty property, which was not in a suitable condition to be rented out via an Estate Agent, establish contact with Freebridge Community Housing. The Chief Executive explained although the Council would not be proceeding with the matching service (subject to Full Council Decision), the Council, would where appropriate, advise and assist such owners in contacting Freebridge Housing Association. The Leader also highlighted that the Cabinet were recommending that a matching service was not considered as a potential project but the recommendation would be considered and debated at Full Council. The Portfolio Holder for Regeneration stated that he felt such a service was adequately provided by the private sector but the Council had an important role, which was a section well covered within the strategy, to raise awareness of empty homes and the role and the assistance the Council could provide in getting a property back to use.

Councillor Lovett referred to Section 3.4 of the strategy and the use of the word "pathway" and questioned whether a more appropriate term would be "measures" or "procedures".

CSC55: **STATEMENT OF ACCOUNTS 2012/2013 AND REPORT TO THOSE CHARGED WITH GOVERNANCE (ISA 260)**

The Chairman highlighted that it was a requirement by law that the Statement of Accounts be agreed by Council by 30th September 2013. The Deputy Chief Executive further added that the Accounts

would need to be signed by the Mayor and published by 30th September 2013.

Councillor Moriarty referred to page 133 of the Statement in relation to Related Parties which stated that as at 20 August, the Auditors were still awaiting responses to a final query regarding the completeness of the related party disclosures and questioned whether, when Cabinet considered the report, this issue had been resolved. The Deputy Chief Executive referred to the additional papers that had been issued prior to the Cabinet meeting in which it had stipulated that a response to the auditor's final query regarding the completeness of the related party disclosures had been received on 10th September.

The Chairman referred to recent reports in the local press that the Council held £93 million in reserves but questioned whether this figure was closer to £113 million. The Deputy Chief Executive clarified that the figure was closer to £114 million, however £93 million was categorised as "unuseable reserves".

CSC56: **ANNUAL GOVERNANCE STATEMENT FOR THE YEAR 2012/13**

Councillor J Collop referred to Appendix A, Section 5.3 of the Annual Governance Statement in relation to "Encouraging new talent for membership of the Council" and questioned how this would be achieved, particularly in light of the commitment required to become a Councillor with individuals potentially being restricted because of their work commitments.

The Leader explained that actions would be taken to ensure that effective arrangements were in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority. As part of the Council's Governance arrangements, it was important to raise awareness that there was the option for individuals to get involved in the democratic process.

Councillor J Collop stated that some elected Members did not participate in the democratic process of the Council. He referred to the proportionality and allocation of the number of seats on the various bodies within the Council which he felt excluded some Members from participating.

The Chairman questioned whether the time that meetings were held had an impact on Members ability to attend with some meetings being held during the day and others in the evening. The Leader explained that where possible meetings were held to accommodate and encourage Members attendance but it was difficult to achieve a balance as Members had various different commitments.

Councillor J Collop referred to Appendix A, Section 6.1 in relation to “Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders” and in doing so referred to the recent Cabinet meeting held on 16th September which lasted for 12 minutes. He also referred to the report that would be considered by the Resources & Performance Panel in relation to the Review of the New Structure of the Policy & Review Development Panels and questioned where the scrutiny function existed within the Council. The Chairman highlighted that it was not the role of the Cabinet to scrutinise. The Leader, with reference the duration of the recent Cabinet meeting stated that the reports and associated papers were presented well and subsequently debated with the relevant Portfolio Holder being involved at an early stage. He also highlighted that the Policy & Review Panels were involved in the process of policy development. The Chairman questioned as to what was the appropriate process for a Member who wished to scrutinise an existing policy that had been in place for several years. The Leader explained that there were a number of avenues open to Members including an opportunity for it to be considered at Full Council or debated within individual Group Meetings. He also highlighted that the Panels could extend an invitation to external stakeholders to participate and engage in issues considered at their meetings.

CSC57: **PORTFOLIO HOLDERS’ DECISIONS MADE UNDER DELEGATED POWERS**

- **Scrap Metal Dealers Act 2013**

RESOLVED: The Portfolio Holders’ pending decision in relation to Scrap Metal Dealers Act 2013 be noted.

CSC58: **DATE OF NEXT MEETING**

It was noted that the next meeting of the Cabinet Scrutiny Committee was scheduled to be held on Wednesday 16th October 2013 at 6pm.

Meeting closed at 6.55pm