



# SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Thursday, 25th November, 2021 at 6.30 pm

## PRESENT

## MEMBERS

Councillors H Baker (Chair), A Royle (Vice-Chair), G Birtwistle, C Briggs, T Commis, S Cunliffe, D Ferrier, A Hosker, M Hurt, A Khan, G Lishman and S Lone

## OFFICERS

Lukman Patel	– Chief Operating Officer
Rob Dobson	– Head of Policy and Engagement
Howard Hamilton-Smith	– Head of Finance and Property
Paul Gatrell	– Head of Housing & Development Control
Eric Dickinson	– Democracy Officer
Chris Gay	– Governance Manager
John Clucas	– Licensing and Compliance Officer

## IN ATTENDANCE

Councillor John Harbour- Executive Member for Housing and Development Control  
Councillor Margaret Lishman- Executive Member for Health and Well Being  
Simon Miller- Operations Director, Liberata

### 46. Apologies

Apologies were received from Councillors Shbana Khan and Cosima Towneley.

### 47. Minutes

That the Minutes of the meeting held on 21<sup>ST</sup> October 2021 were approved as a correct record.

### 48. Additional Items of Business

There were no additional items of business, but it was agreed to move Item 13 Gambling Act 2005 Policy to become item 7 a) to follow Item 7 on the agenda.

#### **49. Declarations of Interest**

Councillors Howard Baker, Sehrish Lone, and Arif Khan declared a Disclosable Pecuniary Interest as landlords in Item 16 Homelessness Update.

#### **50. Notice of Key Decisions and Private Meetings**

Eric Dickinson reported on the current 28-day Notice of Key Decisions and Private Meetings which was published on 2<sup>nd</sup> November 2021.

He highlighted that the following items for December 2021 had now slipped to January 2022;

Residential Extensions SPD

Sale of Land at Holme Road

Revised Housing Renewal Policy

Health and Safety Intervention Plan 2021-22

Food (Official) Controls Delivery Plan 2021-22

IT WAS AGREED

That the report be noted

#### **51. Gambling Act 2005 Policy - January 2022 to December 2024**

John Clucas reported on a draft Gambling Policy Statement from January 2022 to December 2024, to comply with the 3 year review required by the Gambling Act 2005.

He indicated that following formal consultation in the Summer of 2021, the Licensing Committee had agreed the draft Policy Statement at its last meeting on 10 November 2021, and that the Draft Policy would be reported to 1 December 2021 Executive and then to 8 December 2021 Full Council.

Members made the following points;

-Does the Council have the right to inspect gambling premises and ensure that a duty of care to customers was being applied

John Clucas confirmed the Council's powers to inspect to make sure gambling establishments are run properly, that any incoming complaints were investigated, and if necessary liaison took place with the Gambling Commission to allow joint investigations as required.

He also stated that there was a Code of Conduct which gambling establishments signed up to and that their Compliance Officers were generally efficient in applying it and responding immediately when relevant.

-Were any underage tests carried out?

John Clucas indicated that these were carried out on the basis of intelligence along with the Police and Trading Standards.

IT WAS AGREED

That the Draft Gambling Policy Statement for January 2022 to December 2024 be endorsed.

## 52. Liberata Partnership Update- November 2021

Simon Miller, Liberata's Operations Director, gave a presentation on the Partnership with the Council as at November 2021.

He reported on what had been achieved so far, learning events and Covid Impact, transformation channel shift and update, job creation, key initiatives being targeted this year, and then 2023 and beyond.

He highlighted that Burnley was doing well comparatively with other Councils, extra recruitment was taking place for the Contact Centre as well as posts moving from Nelson into Parker Lane, that a contact point had been maintained at Burnley Town Hall, that the complexity of telephone calls had increased, that there had been a spike in the number of recovery summonses following the reopening of the court system, that there was an ongoing focus on providing customers with routes to the relevant contact points.

Members made the following points;

-What is the process for stopping summonses, as there had been some individual cases of concern?

Howard Hamilton-Smith stated that following 2020-21 when recovery only went up to the reminder phase, Court hearings had now restarted but as long as payment plans were adhered to following the reminder phase a summons could be avoided. He asked that any individual cases that were causing concern be passed to him immediately so that they could be investigated.

-Telephone services have sometimes led to a 45 minute wait to get through, with some people who wanted to pay over the phone having difficulty in doing so as they were being advised to pay online.

Simon asked that individual case details be passed to him so that the Liberata Team could investigate them. He indicated that the channel shift from paper/phone to online was aiming for a 65% target and that currently it was between 30 and 40%, but that the target did recognize there were disadvantaged and vulnerable people regarding online payments with other options available.

Lukman Patel confirmed that while the overall aim was for increased automation which would be encouraged if possible as it would help to reduce waiting times ,people could still pay by phone or in person.

Simon Miller also confirmed that the telephony system was being updated so that it would become fully integrated digitally.

-How did Liberata support people who were nervous about the digital route?

Simon stated that for those willing to try the digital route the staff would help them through the process. He stated that due to calls becoming more complex there had been an increase in staff sickness from 4% to 10-12%.

-Were there any barriers for staff working from home?

Simon stated that the effects on individuals were harder to see by Managers due to working from home, but the higher levels of attrition due to calls becoming more difficult were recognized and that staffing was being increased by 30% to address this.

However he stated that Liberata had implemented support mechanisms for people working from home such as work station assessments providing desks and chairs so that the proper environment was being provided to allow them to work from home effectively, and that it enabled and facilitated employees' preferences in working from home where it suited them to manage their work life balances and the flexibility it offered such as for caring

responsibilities. He stated that some staff did prefer to work in the office, with others preferring a hybrid or hot desking when necessary and this was also facilitated.

Members asked what percentage of Contact Centre staff worked from home, and Simon Miller stated that he would provide that information.

-How did the e-mail switch off work?

Simon Miller indicated that the aim was to get customers to attach documents to a populated and integrated digital form, rather than to an e mail which required further steps by staff.

-An additional KPI on customer satisfaction regarding complaints and on responsiveness to users may be beneficial?

It was indicated that Simon Miller would look at this issue.

Howard Hamilton-Smith stated that the collection rate for Council Tax during 2020/21 was on a par as previously, with the rate now being 1-2% lower. He stated that Council Tax support could be applied for with assistance give to people struggling.

**IT WAS AGREED**

That Simon Miller be thanked for providing the presentation on Liberata`s partnership with the Council as at November 2021, and that it be noted.

### **53. Revenue Monitoring Q2 2021-22**

Howard Hamilton-Smith reported on Revenue Monitoring Q2 2021-22, and highlighted Paragraph 9 which now provided details of progress against achievement of revenue savings monitored in year.

**IT WAS AGREED**

That the report be noted.

### **54. Capital Monitoring Q2 2021-22**

Howard Hamilton-Smith reported on Capital Monitoring Q2 2021-22.

Members made the following points;

-Are there any capital projects which will not be achieved this year?

Howard Hamilton Smith indicated that regular meetings were held by Heads of Service to monitor spend during the year to ensure progress was maintained and that there were no surprises.

**IT WAS AGREED**

That the report be noted.

### **55. Fees and Charges 2022-23**

Howard Hamilton-Smith reported on the Fees and Charges for 2022-23 and stated that there would be a proposed increase of 2%, subject to exceptions, resulting in an increased income of 32k.

Members made the following points;

-Considering the current rate of inflation was 4.2%, was 2% sufficient to cover costs?

The Executive Member for Health and Well Being stated that it was a balance in these difficult times and therefore an inflationary increase was not being proposed.

-How can bookings in Parks and for Events be encouraged to improve well being, and what was their current level?

Howard Hamilton Smith indicated that there was ongoing quality of control during the year of the effect of fees and charges on services.

The Executive Member for Health and Well Being indicated that we were still not in normal times compared to 2019/20 but that Towneley Park was building back up again.

Lukman Patel indicated that the Council does not always operate as a traditional business due to the provision of services for young people and the elderly etc but that it would also operate commercially when possible. He also stated that if Members had concerns about individual fees and charges then they could contact the relevant Head of Service to discuss them.

-Could the fees and charges be flexible during the year taking into account any future spikes in inflation?

Lukman Patel indicate that fees and charges had to be set by a certain date, and that the Council currently works to a 2% inflation rate but acknowledges that it is higher at the moment

-Concern was expressed on how the 2% fees and charges increase would affect Market Traders?

Lukman Patel indicated that the Strategic Head of Economy and Growth would be requested to provide further details outside the meeting to the Member who asked the question on how the fees and charges in the report related to others within Market Traders` lease agreements or Service Charge arrangements.

IT WAS AGREED

That the report be noted.

## **56. Treasury Management Mid Year Update 2021-22**

Howard Hamilton-Smith reported on a Treasury Management Mid-Year Update 2021-22, and highlighted in Paragraph 15 the revision downwards of interest and dividend receipts from 270k to 124k due to the delay in making the Burnley College investment and reduction of the amount from 4M to 2M.

Members made the following points;

-Can advantage be taken now of low interest rates regarding Pioner Place borrowing?

Howard Hamilton Smith stated that even though borrowing would only be required later in the Pioner Place project, it was being reviewed regarding the balance of risk and the process was being mapped out.

IT WAS AGREED

That the report be noted.

## **57. Household Support Fund**

Rob Dobson reported on the Household Support Fund which would primarily target fuel poverty in household with school age children (receiving free school meals) but would also help vulnerable households with emergencies.

Members made the following points;

-How was an emergency defined?

Rob Dobson stated that an emergency could include food, white goods, rental costs

-What was the maximum per household?

Rob Dobson indicated it would be a flat rate of 85 pounds which was seen as fair and affordable, with discretion for an emergency with a limit of 200 pounds.

-Would there be proactive contact with eligible households?

Rob Dobson stated that to manage demand initially contact would be made through usual channels with applications invited by telephone or online, with subsequent reach out to those who had not already applied. He indicated that a press release would be released and that all Councillors would be made aware of the scheme.

-Does the Scheme allow for an extension, as the start date of 6 October 2021 has already passed?

There is a strict Government deadline to commit the money by 31<sup>st</sup> March 2022, and LCC had only been provided guidance a few weeks ago with the allocation from LCC to the Council only having been made last week. He confirmed that the item was being considered by the Executive at their next meeting on 1 December 2021.

IT WAS AGREED

That the report be endorsed.

## **58. Half-Year Performance Q2 2021-22**

Rob Dobson reported on the Half-Year Performance Q2 2021-22 and set out on target indicators such as sickness absence and Liberata`s processing of benefits, as well as off target indicators such as Liberata`s telephone answering which resulted in a service credit being paid to the Council.

Members made the following points;

-As well as long waits for telephone answering, some calls also appear to be cut off?

Rob Dobson says each case need checking with Contact Centr management informed of the details, and it was confirmed that all calls are recorded.

IT WAS AGREED

That the report be noted.

## **59. Homelessness Update**

Councillors Howard Baker, Sehrish Lone, and Arif Khan left the meeting having declared a Disclosable Pecuniary Interest in this item and did not take part in this item.

Paul Gatrell reported that since the ban on evictions was lifted on 1 June 2021 up to 31<sup>st</sup> October 2021 there had been request for assistance from 749 residents and 36 receipts of a notice from landlords. He compared the same period in 2019 with 610 requests and 18 notices. He also reported that 18 months ago a full time Officer had been appointed to assist with these issues.

Members made the following points;

-How many people in Burnley are homeless, and do they migrate?

Paul Gatrell indicated that there were about 1500 enquiries annually with different categories of homelessness and those living in temporary accommodation and agreed to include the relevant information in any future update report. He also stated that relevant Local Authorities would work together if a person moved locations with reference to their original address.

#### IT WAS AGREED

That the report be noted, and that a further update on homelessness be provided in June 2022.

### **60. Scrutiny Review Groups- Verbal Update**

Councillor Ann Royle gave an update on the Housing Review Group and indicated that a further meeting with Calico was planned for December 2021 and subject to that an update to be provided to the next meeting.

Eric Dickinson indicated that the usual Scrutiny Review Group model involved the consideration of evidence obtained followed by conclusions/outcomes and recommendations back to the main Scrutiny Committee, and potentially reported to Executive as relevant.

Councillor Howard Baker indicated that a potential subject for further investigation was the role of the nighttime economy in Burnley and how it related to and affected the daytime economy especially the prosperity of Town Centre projects such as Pioneer Place and Charter Walk.

Eric Dickinson reported on recent Temporary Event Notice applications which had been heard by Licensing Committee`s Licensing Act 2003 Sub Committee for events leading up to the New Year, with a number approved and others rejected. He indicated that a number of Members were concerned about anti- social incidences of the night time economy overlapping with the daytime economy, and that a meeting of the Chairs and Vice Chairs of Licensing Committee and Scrutiny Committee had been agreed with the Head of Streetscene and Licensing Officers to discuss the issues and agree a way forward regarding operational or policy issues related to Streetscene and Licensing.

Members further discussed how the benefits of Pioneer Place and Charter Walk could be maximized (especially as now they were under more control by the Council), how the nighttime economy could be promoted and how this would affect Charter Walk and Pioneer Place.

Members noted that the evening economy had quietened in recent years and this could also be looked at, although it may be preferable to focus on the nighttime economy initially.

In addition the subjects of Housing and the Town Centre Masterplan were raised as areas of interest.

Lukman Patel suggested that any potential Review needed to be scoped and focused with clear objectives.

Members stated that if issues were very broad these were usually developed primarily by Executive and Officers and potentially brought to Full Council (as Policy Framework issues) as compared to more specific issues to which Scrutiny could bring time and energy supported by Officers.

Also Members indicated that some issues might involve both Regulatory matters and economy issues, which could be dealt with by different or the same Review Group following a gatekeeping discussion on process with those involved.

#### IT WAS AGREED

(1) That the Chair and Vice Chair of Scrutiny attend a meeting with the Head of Streetcene and Licensing Officers, with the Chair and Vice Chair of Licensing also to be invited to attend, to discuss nighttime economy issues and how they may relate to the daytime economy, and to report back to the next Scrutiny Committee on the outcomes.

(2) That any future Review Group should be scoped, including having clear objectives.

### **61. Work Programme 2021/22**

Eric Dickinson reported on the Work Programme for 2021-22 and also referred to the 28 day Notice of Key Decisions and Private Meetings dated 2 November 2021 which included a number of the Executive`s decisions scheduled for January 2022.

#### IT WAS AGREED

That the Work Programme 2021/22 be agreed as set out, subject to the inclusion at the next Scrutiny Committee on the 12 January 2021 of the following items;

-Selective Licensing Designation in Burnley Wood with Healey Wood and the Leyland Road Areas

-Levelling Up Fund

-Lower St James Street Heritage Action Zone