

MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 12 JULY 2016, AT 7.00 PM

PRESENT: Councillor M Allen (Chairman).
Councillors R Brunton, M Casey, B Deering,
I Devonshire and M Stevenson.

ALSO PRESENT:

Councillors G Jones, P Ruffles and
G Williamson.

OFFICERS IN ATTENDANCE:

Marian Langley	- Scrutiny Officer
Peter Mannings	- Democratic Services Officer
Alasdair McWilliams	- Information and Digital Media Manager
Rebecca Ranford	- Customer Services Manager
Noel Wallis	- Information Analyst
Liz Watts	- Chief Executive
Ben Wood	- Head of Communications, Strategy and Policy

136 APOLOGIES

Apologies for absence were submitted on behalf of Councillors J Kaye, P Phillips, M Pope and J Wyllie. It was noted that Councillor I Devonshire was substituting for Councillor J Wyllie.

137 MINUTES – 31 MAY 2016

RESOLVED – that the Minutes of the meeting held on 31 May 2016 be confirmed as a correct record and signed by the Chairman.

138 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that the report in respect of the Medium Term Financial Plan would be considered at the next meeting to allow Officers to reflect on the possible impact of the recent referendum decision.

Members were also advised that the Section 106 report would be considered at a future meeting pending news on more advanced discussions between landowners and developers.

Finally, the Chairman encouraged Members to ask questions in support of the scrutiny process.

139 REVIEW OF COMMENTS, COMPLIMENTS AND COMPLAINTS 1 APRIL 2015 TO 31 MARCH 2016

The Executive Member for Development Management and Council Support submitted a report that summarised the comments, compliments and complaints received between April 2015 and March 2016. The report also highlighted the key issues, remedial action and learning arising from the comments, compliments and complaints received. Members were invited to note the updated Corporate Complaints Procedure.

The Customer Services Manager detailed a number of key points and definitions that were referred to within the report. She highlighted a number of complaints that had been received and detailed the involvement with the Office of the Information Commissioner (ICO).

The Manager detailed the percentage of complaints that

been upheld at stages 1 and 2. She stated that the number of complaints received was very low when considered in the context of the volume of phone calls, e-mails and bin collections the Authority was involved with.

Members were advised that the new complaints champions would be meeting with Heads of Service as part of an information review regarding the recording of compliments, comments and complaints.

The Customer Services Manager responded to a query from Councillor M Casey by detailing the nature of the complaints referred to in paragraph 2.3 of the report. She also advised Councillor R Brunton of the process whereby the local ombudsman got involved and how they considered any cases that were referred to them regarding East Herts Council.

The Manager responded to a number of other queries from the Committee regarding how Officers processed comments, compliments and complaints. Members received the report and approved the recommendations now detailed.

RESOLVED – that (A) the report be received;

(B) the actions in respect of ‘Comments, Compliments and Complaints’ be noted;

(C) the comments, compliments and complaints recording process be re-aligned with the new structure;

(D) the departmental complaints champions be reviewed and updated;

(E) the current system for the recording of compliments, comments and complaints is adequate and should not be reviewed; and

(F) a request for service should not be logged as

a complaint.

140 DATA PROTECTION ANNUAL REVIEW

The Head of Legal and Democratic Services submitted a report that updated the Committee on the Shared Internal Audit Service (SIAS) report on data protection. The Digital and Information Manager invited Members to comment on the current Data Protection status and to agree that future scrutiny and monitoring of the Council's Data Protection risks would be best conducted through Covalent (the Council's performance management system) and the quarterly performance reports.

Members were advised of the 3 data protection breaches that were detailed in the report, none of which had attracted any action from the Information Commissioner's Office. The Committee was advised that the Shared Internal Audit Service (SIAS) report had not made any recommendations for improvement.

The Digital and Information Manager responded to concerns from Councillor M Casey regarding the data protection breaches by advising that the Office of the Information Commissioner (ICO) was satisfied that the data protection protocols of the Authority were sufficiently robust. Members were advised that whilst any breach was regrettable, they could occur due to human error.

The Chairman and the Officer responded to a number of other minor queries from the Committee regarding the inclusion of data protection reviews in the monthly corporate performance report. Members received the report and approved the recommendations now detailed.

RESOLVED – that (A) the actions and developments in regard to data protection compliance be noted; and

(B) the ongoing scrutiny and oversight of data protection compliance via the quarterly

performance report and use of the Covalent system be agreed.

141 COMMUNITY LETTINGS POLICY

The Head of Strategic Finance and Property submitted a report that set out the options for consideration in formulating a community lettings policy. The report also demonstrated transparency in documenting the subsidies provided to community groups who leased land and buildings from the Council.

The Executive Member for Finance and Support Services referred to lease arrangements being considered on a case by case basis as they were due for renewal. He referred to the local government transparency code and detailed the four options for Members to consider as detailed in paragraph 2.8 of the report submitted.

Members were advised that the preferred option was for the introduction of a market rent policy as each lease came up for renewal alongside the establishment of a grant application process subject to a maximum rent discount of, for example, 80%.

Councillor R Brunton commented on whether there was any latitude to extend the maximum rent discount beyond 80% to 90 or 95%. Councillor B Deering referred to the importance of being even handed when dealing with the discretionary assessment of needs.

The Executive Member for Finance and Support Services commented that the matters referred to by Councillors R Brunton and B Deering would be closely monitored in lease documentation. He stated that Officers took a view on what land was worth as well as the level of commercial rent. He referred to the importance of moving from the current situation to where the Council wanted to be.

The Chief Executive advised that it was the role of the Council to set the market rent policy. Following a query

from Councillor M Casey, she referred to a number of factors Members should consider as well as guidance regarding the role of Councillors.

The Committee debated a number of other issues at length regarding market rent and the level of market value. The Executive Member for Finance and Support Services commented on the importance of fairness and a level playing field regarding the policy and market rents and the maximum levels of rent discounts. Members received the report and approved the recommendations now detailed.

RESOLVED – that (A) the report be received;

(B) community lettings leases be recognised, as detailed in paragraph 2.6 of the report submitted, as being in compliance with the Local Government Transparency Code 2015;

(C) the Executive be requested to consider whether a market rent policy could be introduced, whereby as each lease comes up for renewal alongside an established grant application process, there would be a maximum rent discount of 80% on the understanding that Officers would have discretion to make adjustments to this; and

(D) the level of community use be included and monitored via the wording of future lease documents.

142 WORK PROGRAMME

The Chairman submitted a report inviting Members to review and determine the Committee's future work programme for 2016/17. Members were advised that the review of the WENTA 'Myincubator' centre would be brought forward to the November 2016 meeting from April 2017.

The report on the medium term financial plan would now be submitted to the August 2016 meeting to allow Members to be presented with some considered thought on the impact of the decision to leave the EU, including a thorough reassessment of modelling assumptions.

The Scrutiny Officer advised that the Head of the Revenues and Benefits Shared Service had requested that a report regarding discretionary rate relief be submitted to the October 2016 meeting to assist with budget setting and future planning.

The Chief Executive requested time on a future agenda to bring forward a report regarding a request for capital funding linked to the Hertford Urban Design Strategy. She said it was needed to be able to make use of matched funding to enhance the public realm of Hertford.

The Committee approved the 2016/17 work programme, as now amended.

RESOLVED – that the work programme, as now amended, be approved.

The meeting closed at 8.04 pm

Chairman
Date