

## NORTHAMPTON BOROUGH COUNCIL

### MINUTES OF OVERVIEW & SCRUTINY COMMITTEE

Wednesday, 25 November 2015

**COUNCILLORS PRESENT:** Councillor Jamie Lane (Chair), Councillor Brian Sargeant (Deputy Chair); Councillors Rufia Ashraf, Muna Cali, Gareth Eales, James Hill, Phil Larratt, Dennis Meredith, Brian Oldham, Suresh Patel and Zoe Smith

**Witnesses** :  
Josie Bateman, Flood and Water Manager, NCC (item 5)  
Ben Thornely, Area Flood Risk Manager, NCC (item 5)  
Councillor Stephen Hibbert, Cabinet Member for Housing (items 6, 7(a and 8)  
Phil Harris, Head of Housing and Wellbeing (items 6 and 7a)  
Debi Waite, Private Sector Housing Manager (item 7a)  
Julie Seddon, Director, Customers and Communities (item 8)  
Councillor Alan Bottwood, Cabinet Member for Environment (item 8)  
Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning (item 8)  
Claire Berry, Planning Policy and Heritage Manager (item 8)

**Officers** Tracy Tiff, Scrutiny Officer

**Members of the Public** Kim Fuller  
Martin DeResario

#### 1. APOLOGIES

Apologies for absence were received from Councillor Terrie Eales and Councillor Graham Walker.

#### 2. MINUTES

The minutes of the meeting held on 28 September 2015 were signed by the Chair as a true and accurate record.

#### 3. DEPUTATIONS/PUBLIC ADDRESSES

Kim Fuller, tenant, addressed the Committee on agenda item 6 - Sheltered Housing Review.

#### 4. DECLARATIONS OF INTEREST (INCLUDING WHIPPING)

Councillor Brian Oldham declared a personal interest in agenda item 6 – Sheltered Housing Review Update as a sheltered housing resident.

## 5. FLOODING 1:200 FLOOD RISK

The Committee received a comprehensive presentation on Flood and Coastal Risk Management in the Welland and Nene Catchment from Josie Bateman, Flood and Water Manager, Northamptonshire County Council and Ben Thornely, Area Flood Risk Manager, Environment Agency. The salient points contained within the presentation were highlighted:

- FWM Act 2010 → Roles and Responsibilities
- Nature of Flood Risk in Northamptonshire & Northampton
- Capital/Maintenance funding & Partnership Working
- Growth – EA and NCC input to the planning system
- Key partners and ways of working
- Incident Management
- Section 19 Flood Investigations
- Key sites

The Committee heard:

- The Flood and Water Management (FWM) Act 2010 came into force in 2010
- The nature of flood risk in Northamptonshire is extremely varied and widespread.
- Northampton was significantly affected in the Easter 1998 floods – as a result of main river and surface water interactions.
- The sources of recent flooding include a variety of:
  - A small amount of main river affecting caravan sites such as Billing Aquadrome.
  - Surface water and a great deal of agricultural runoff
  - Ordinary watercourses overtopping, but mainly culverted watercourses surcharging
  - Groundwater in basements
- Josie Bateman advised that the worst week of floods was 21-26<sup>th</sup> November 2012 when a significant amounts of rain fell onto already saturated ground. 11 flood warnings were in place for Northamptonshire. Evacuation of Billing Aquadrome and Cogenhoe Caravan Park. A total of 302 incidents were reported across the two main events. Of these incidents, a total of 128 properties were internally affected by flooding. Of these reported incidents, a total of 17 incidents meet the draft protocol for formal investigation.
- The Committee was advised that the total hotspot number: is 2,527 from data captured from 2011-2014. It is collated from a wide variety of sources – including Fire and Rescue records; NCC Highways records; Borough and District Authorities, national, local and social media, direct reports to the County Council by phone, email or using the online incident report form or street doctor.
- Environment Agency (EA) Capital spend in Northamptonshire in 2014/2015: equated to £0.9million; EA Revenue spend in Northamptonshire in 2014/2015: £2.1m;
- Northamptonshire County Council (NCC)'s total Local Levy contributions for 2015/16 is £641,653

The Committee made comment, asked questions and heard:

- In response to a query regarding 1:200 flood risk, Ben Thornely advised that this is applicable to defences in the centre of Northampton. Other areas have lower standards of protection; such as Wooldale Road at 1:100. There are various levels of protection for Wootton Brook - No minimum level is set by DEFRA. Any new developments within or upstream of Northampton have to attenuate water to a higher standard than most other parts of the country and to demonstrate that they do not increase flood risk. Policy BN7 in the WN JCS details this requirement to attenuate water to a 1:200 (plus climate change) standard – this should not be interpreted as requiring all defences to be increased to this standard.  
In answer to a comment regarding Supplementary Planning Guidance and 1:200 flood risk, Ben Thornely further advised that new developments should be to this standard. It was suggested that this issue is considered at the Overview and Scrutiny Work Programme event in March 2016. Ben Thornely proposed a meeting with interested Councillors and Officers before this time.
- In answer to a query about sluice gates in the town centre and whether they are capable and meet requirements to discharge water in large scale; Ben Thornely reported that modelling shows all structure on the Nene in the centre of Northampton are capable of dealing with a flood up to the 1:200 standard. The Committee felt that technical details should be available on line. Ben Thornely mentioned that this information had been made available to interested parties in the past – they have had full access.
- The Committee heard that 27 formal flood investigations were undertaken, the results of all published. Consultation exercises take place with all those affected. Clear recommendations are set. NCC and the EA do not have powers to enforce the recommendations but publication of them does help.
- There is no legal requirement to publish desk-based investigations, which do not meet the agreed protocol..
- The Committee welcomed the [Flood Toolkit](#) that was launched in April 2015. There are around 1,000 hits on the website each month. The Toolkit is up for a National Award.
- Northamptonshire County Council has been successful in securing funding for a Pathfinder 2 Project working with 30 new communities
- A second DEFRA bid for small projects (Small Schemes Pathfinder); this funding will inform the efficiency of bids.
- The Flood Warning sirens were raised – Ben Thornely stated that their use was superseded by the provision of the flood defence in the centre of Northampton and that new ways of communicating, such as the Environment Agency’s Flood Line (which sends out flood warnings) and social media, were deemed far more effective and targeted. Communication would occur with the Council and the communities if the sirens were to be decommissioned.

Ben Thornely and Josie Bateman were thanked for providing an informative and comprehensive presentation to the Committee.

## **6. SHELTERED HOUSING REVIEW UPDATE**

Kim Fuller, tenant, addressed the Committee. She highlighted the needs of vulnerable people and that DWP criteria should be met. Ms Fuller gave the Committee an example of tenant who had asked for her daughter to be moved closer to her. Ms Fuller felt that not all

the needs of this tenant had been taken into consideration such as lack of nutrition. Ms Fuller added that there is a need for a Mental Health Advocate to be present during assessments. Ms Fuller went on to advise the Committee of her own experience of alleged bullying. Ms Fuller concluded her address by referring to improvements made at Gladstone Road.

Ms Fuller was thanked for her address.

Councillor Stephen Hibbert, Cabinet Member for Housing, Mike Kay, Chief Executive, Northampton Partnership Homes (NPH), Shirley Davies, Executive Director, NPH, and Phil Harris, Head of Housing and Wellbeing, NBC, presented the briefing paper on the Sheltered Housing Review highlighting the key points:

- The Sheltered Housing Review is in respect of demand rather than the assessment process, but the assessment process will be looked at as part of a service improvement review
- The use of Community Rooms are also being looked at so that they can be best used.
- The Chief Executive of NPH is aware of the alleged bullying incident and the matter had been dealt with and the case closed.
- In 2012 Northampton Borough Council undertook a review of its sheltered housing stock which was followed by a further, external review by the Chartered Institute of Housing (CIH).
- On 5 January 2015 NPH was created by NBC NPH has subsequently taken this work and research further and fed this into a wider “Older Persons” Strategy” project which will produce a more holistic Strategy that meets the current and future needs and aspirations of older people in Northampton. To support this work NPH has engaged a specialist consultant:
- The Sheltered Housing Review is currently work in progress with good progress being made. Mike Kay confirmed that he could present the findings and recommendations of the Review when it was complete. This was estimated to be May 2016.

The Committee made comment, asked questions and heard:

- In response to a query whether NPH is working with Planning Services, particularly regarding large scale planning applications; Mike Kay advised that consultation includes Planning Services, in respect of current and future need etc. Planned developments will inform the Review.
- The Committee commented that Parsons Mead Community Room is well used.
- In answer to a question regarding the criteria for individuals qualifying for sheltered housing, the Committee heard the traditional approach is that individuals should be of pensionable age: classified as being 55 years of age is in respect of concessionary TV licence of £5. Assessment is on an individual basis and other referrals are accepted such as medical and learning needs.
- Mike Kay confirmed that Northamptonshire County Council would be a key stakeholder in the Older Person’s Strategy.

The Chair thanked all for providing information about the Sheltered Housing Review and asked that the findings be presented to the June 2016 meeting of this Committee.

**AGREED:** (1) That the update is noted.

(2) That the findings from the Sheltered Housing Review are presented to the meeting of the Overview and Scrutiny Committee on 13 June 2016.

## **7. MONITORING OF THE IMPLEMENTATION OF THE ACCEPTED RECOMMENDATIONS CONTAINED IN THE OVERVIEW AND SCRUTINY REPORTS:**

### **(A) MANAGEMENT AND REGULATION OF PRIVATE SECTOR HOUSING INCLUDING HIMOS**

Councillor Stephen Hibbert, Cabinet Member for Housing, Phil Harris, Head of Housing and Wellbeing and Debi Waite, Private Sector Housing Manager, presented the action plan detailing progress on the accepted recommendations contained within the Overview and Scrutiny report: Management and Regulation of Private Sector Housing, including HIMOs. The salient points contained within the action plan were highlighted.

The Committee heard:

- The Private Sector Housing Team is changing its approach to licensing and enforcement, and is planning to submit a new HIMO Fees Policy and Private Sector Housing Enforcement Policy to Cabinet., for consideration, in February 2016.
- Debi Waite provided the Committee with details of her previous experience and her plans for tackling criminal, rogue and irresponsible landlords, using risk assessment and available intelligence to target the worst properties and landlords.

The Committee asked questions, made comment and heard:

- Phil Harris advised that the Senior Managers in Housing and Planning are working together to improve the quality of HIMOs in the borough and ensure that the Planning Committee has all of the information it needs when considering an application for planning permission in relation to a HIMO. This is likely to involve a review of the guidance and the provision of joint training for Members on the Planning Committee.
- Well-managed HIMOs play a vital role in meeting the housing needs of many hundreds of people in Northampton, including students and people living on a low income.
- In response to a query about sound proofing, Debi Waite advised that the Council is able to attach any 'reasonable' conditions to the licensing of a HIMO. She said she is currently reviewing Northampton's licensing conditions and she confirmed that Planning Officers will have an input into that review.

The Chair thanked all for providing an update on the progress of the accepted recommendations contained within the Overview and Scrutiny report and requested that a further updated is presented to the Overview and Scrutiny Committee in six months' time.

**AGREED:** That the Overview and Scrutiny Committee undertakes further monitoring of the accepted recommendations contained within the Overview and Scrutiny report: Private Sector Housing including HIMOs at its meeting on 13 June 2016.

## **8. PERFORMANCE MANAGEMENT SCRUTINY**

Councillor Tim Hadland, Cabinet Member for Regeneration, Enterprise and Planning and Claire Berry, Planning Policy and Heritage Manager, addressed the Committee on Performance Indicator (PI) N1154 – Net additional homes provided.

Councillor Hadland emphasised that the Authority is not in a position to control the PI but can encourage developers to build and bring land forward. There are currently sites identified in adopted Local Plans, with planning permission or under construction for more than 22,000 dwellings in the borough and immediate surrounding areas; planning is not a constraint on supply in this area; constraints are around the market and infrastructure. Councillor Hadland added that the Chancellor had announced in his Spending Review 2015 that measures would be taken to remove some constraints including incentives for first time buyers.

The Committee asked questions, made comment and heard:

- The Committee was advised that a substantial number of housing supply has been identified and work is taking place with developers and land owners to ensure this supply is brought forward for development.
- There is a need to ensure that home ownership in Northampton is attractive, for example, good employment and education. Northampton Alive is a key contributor.
- In response to a query why NI154 is monitored if the Authority has no control; Claire Berry advised that the Authority is required to monitor this by central Government. The figure is set in the adopted Local Plan.
- In response to a concern regarding affordability of homes; Councillor Hadland advised that one of the Chancellor's recent measures is more support for low cost ownership including other housing tenures such as shared ownership. The more housing that is built equates to more affordable housing being available.

Councillor Hadland and Claire Berry were thanked for providing information to the Committee

Councillor Alan Bottwood, Cabinet Member for Environment, and Julie Seddon, Director of Customers and Communities, addressed the Committee on Performance Indication PP53 – Percentage Service requests responded to within three days. Councillor Bottwood advised that there had been a slip against this target due to resources being directed towards another indicator; however, resources will be diverted back

The Committee then posed questions and made comment regarding Performance Indicators ESC09 – Percentage of fly-tipping incidents removed within two working days of notification and ESCO1n – Total bins/boxes missed in period:

- Reported fly-tipping is removed but people continue to fly-tip. The work of the Neighbourhood Wardens was commended.
- Councillor Bottwood advised that all options to prevent fly-tipping are being investigated; particularly educating people and introducing various campaigns. There is the need for ward Councillor and resident involvement.
- In response to a query how the data for ESC09 is collated, Julie Seddon advised that this Performance Indicator (PI) is the responsibility of Enterprise who monitor it. This is the most cost effective method of monitoring. The Partnership Unit also checks and verifies PIs and carries out site checks.
- It was emphasised that PI ESC09 is in respect of reported incidents of fly tipping.
- A member of the Committee confirmed that when he had reported fly-tipping it has always been removed; he highlighted the need to educate people.
- There is a high level of fly-tipping in Northampton.
- It was confirmed that if there are slippages to the PI penalties are set.
- Councillor Bottwood referred to ESCO1n and advised that there were 817 missed bins in a month. 1.9 million bins are collected every month; this equates to 0.043%. Performance is good.
- Annual calendars are issued that detail the dates of bin collections.
- In response to a query regarding the establishment of how a missed bin is identified; the Committee heard that in-cab technology makes a record whether a bin has been collected. A bin is only a missed bin if it has been properly presented. A missed bin must be collected within 24 hours.
- In response to a concern regarding fly-tipping (such as building materials, tree cutting and white goods), in the country side, for example Wootton Field it was confirmed that it is difficult to trace where this has come from. Julie Seddon advised that this is categorised as semi commercial activity. Notices are put up and CCTV cameras used. Neighbourhood Wardens should be contacted in the first instance.
- In response to a query regarding the process for issuing Fixed Penalty Notices (FPNs); Julie Seddon advised that three notices must be issued – informing the individual, educating them and warning them. The whole process can take at least nine weeks and specific evidence is required. It is a resource intensive process.
- It was commented that Enterprise has given presentations to Residents' Associations which were very well received.
- It was suggested that fly-tipping and the need to educate people is considered at the Overview and Scrutiny Work Programming event in March 2016.

Councillor Bottwood and Julie Seddon were thanked for providing information to the Committee

Councillor Stephen Hibbert, Cabinet Member for Housing, addressed the Committee on Performance Indicator HML05 – Total number of people sleeping rough on the streets. He advised that the Outreach Team often meets with rough sleepers, offers assistance and

signposts them to various organisations and charities. There are currently 20 rough sleepers, of which 12 are Eastern European.

The Committee made comment, asked questions and heard:

- Rough sleeping can sometimes be a life style choice.
- It was noted that not all rough sleepers will visit Oasis House and some may have been rejected due to previous behavioural issues.
- The Chair advised that he had been part of an Overview and Scrutiny Task and Finish Group that had investigated rough sleeping in 2006.
- Councillor Hibbert commented that a Rough Sleeping Strategy would be included in the overarching Housing Strategy for the next five years
- Northampton Borough Council works with NASH and the Hope Centre.
- The Severe Weather Policy for 2015/16 has been produced and Oasis House will be used during severe weather.

Councillor Hibbert was thanked for providing information to the Committee.

## **9. RESPONSE OF CABINET TO OVERVIEW AND SCRUTINY REPORTS**

### **(A) IMPACT OF THE WELFARE REFORM ACT**

The Committee noted Cabinet's response to its Report "Impact of the Welfare Reform Act". The Chair would now ask the Cabinet Member and Director to attend the meeting of the Committee on 13 June 2016 to advise Councillors on the implementation of the accepted recommendations.

**AGREED:** That monitoring of the accepted recommendations contained within the Overview and Scrutiny report "Impact of the Welfare Reform Act" takes place at the meeting of the Overview and Scrutiny Committee on 13 June 2016.

### **(B) POVERTY IN THE TOWN**

The Committee noted Cabinet's response to its Report "Poverty in the Town". The Chair would now ask the Cabinet Member and Director to attend the meeting of the Committee on 13 June 2016 to advise Councillors on the implementation of the accepted recommendations.

**AGREED:** That monitoring of the accepted recommendations contained within the Overview and Scrutiny report "Poverty in the Town" takes place at the meeting of the Overview and Scrutiny Committee on 13 June 2016.

## **10. SCRUTINY PANELS**

### **11. SCRUTINY PANEL 1**



The Overview and Scrutiny Committee noted a progress report regarding the review undertaken by Scrutiny Panel 1.

## **12. SCRUTINY PANEL 2**

The Overview and Scrutiny Committee noted a progress report regarding the review undertaken by Scrutiny Panel 2.

## **13. SCRUTINY PANEL 3**

The Overview and Scrutiny Committee noted a progress report regarding the review undertaken by Scrutiny Panel 3.

## **14. OVERVIEW AND SCRUTINY REPORTING AND MONITORING WORKING GROUP**

The Overview and Scrutiny Committee received the terms of reference for the Reporting and Monitoring Working Group 2015/16 for approval.

**AGREED:** That the Terms of Reference for the Reporting and Monitoring Working Group are approved.

## **15. OVERVIEW AND SCRUTINY NBC OWNED STREET LIGHTING WORKING GROUP**

The Overview and Scrutiny Committee noted a progress report regarding the Scrutiny activity undertaken by NBC Owned Street Lighting Working Group.

## **16. REPORT BACK FROM NBC'S REPRESENTATIVE TO NCC'S HEALTH AND SOCIAL CARE SCRUTINY COMMITTEE**

The Overview and Scrutiny Committee noted a briefing paper regarding the work of Northamptonshire County Council's Health and Social Care Scrutiny Committee. Councillor Brian Sargeant, NBC's representative to this Committee advised that members of the Health and Social Care Scrutiny Committee would be undertaking a site visit to a local prison.

The update was noted.

## **17. POTENTIAL FUTURE PRE DECISION SCRUTINY**

The Chair advised that he had received a request from a member of the Committee for future pre decision scrutiny regarding the contract for Environmental Services. The suggestion would be taken to the Overview and Scrutiny Work Programming event in March 2016.

## **18. URGENT ITEMS**

There were none.

The meeting concluded at 8:26 pm