

**BARNSELY METROPOLITAN BOROUGH COUNCIL**  
**OVERVIEW AND SCRUTINY COMMITTEE**

**30<sup>TH</sup> SEPTEMBER 2014**

**1. Present:**

Councillors Ennis (Chair), D. Birkinshaw, P. Birkinshaw, Brook, Cave, Clarke, Franklin, Hayward Johnson, Makinson, Mathers, Mitchell, Morgan, Sim, Sixsmith, M. Sheard, Spence, Tattersall, Unsworth, Wilson and Worton together with co-opted member Pauline Gould and statutory co-opted member Mr John Winter – Parent Governor Representative.

Apologies for absence were received from Mr W. A. Haigh and Ms K. Morrith in accordance with Regulation 7(6) of the Parent Governor Representatives (England) Regulations 2001.

**2. Declarations of pecuniary and non-pecuniary interest**

Councillor Wayne Johnson declared an interest in the landlords / managing agents accreditation scheme due to being a landlord of properties in the Borough.

**3. Minutes of the meeting held on 29<sup>th</sup> July 2014**

The minutes of the meeting held on Tuesday 29<sup>th</sup> July 2014 were approved as a true and accurate record.

**4. Disability and Austerity Conference Report**

Julian Horsler, Equality and Diversity Manager, Human Resources, Performance, Partnerships & Communications, Pat Durie and Carol Robb, Members of the My Barnsley Too Steering Group gave an overview of the Disability and Austerity Conference Report.

The Disability and Austerity Conference report outlined the views and feelings from disabled people that attended the conference which was held in December 2013. The committee were presented with figures in relation to welfare reform with particular reference to the impact on people with disabilities. It was also highlighted that 24% of the Barnsley population have a disability which is higher than the national average of 18%, therefore changes to services and benefits for disabled people will have a bigger impact in Barnsley than it does elsewhere.

Members proceeded to ask questions as follows:

- (i) What is time-banking?

Jules Horsler informed members of the committee that the idea came from the key speakers at the conference. Time-banking is a means of exchange, where for example, every hour participants give to a time-bank, perhaps by giving practical help and support to others, they are able to get back equivalent support when they themselves are in need. Disabled people have got a lot of knowledge and skills to offer, however often they are just seen as passive recipients.

- (ii) The report figures seem very drastic, are all of these for Barnsley?

It was explained that these are all national figures, however as more people in Barnsley are disabled there is more impact on our population. Therefore it is essential that we work with partners to address these issues.

- (iii) The reports and statistics are very helpful, what can Barnsley Metropolitan Borough Council do to help?

It was suggested that an all-member training session is held on this report to push and promote the outcomes from the conference. Also, as a Council we need to make sure that we and contracted services use the same sources of information so disabled people can receive a clear and consistent message regarding services rather than services competing against each other.

- (iv) What are big businesses doing to help disabled people to get a job/keep a job?

Julia Bell, Director of Human Resources, explained that BMBC is a large business however we try our best to help all disabled people as much as we can. We work to ensure that getting employees back into work is as easy as possible. However, not everyone in the organisation will come forward and make it known that they have a disability or consider themselves as disabled. We also need to take into account that when people start their employment they may not be disabled however this may occur later on in their career. We therefore try to ensure that support is given to all colleagues throughout the organisation.

It was also suggested that we need to encourage a positive culture in workforces around employing disabled people so that people feel comfortable to disclose their disabilities.

The Chair thanked Julian Horsler, Pat Durie and Carol Robb for attending and they suggested that some/all of the Overview and Scrutiny members attend a 'MBT' My Barnsley Too Forum Meeting. Also, it was suggested that a copy of the Disability and Austerity Conference Report should be sent to all four of Barnsley's MP's from the Overview and Scrutiny Chair.

## **5. Corporate Plan Performance Report, Quarter 1, 2014/15**

Michael Potter, Head of Service, Organisation & Work Development, Performance & Partnerships Improvement, introduced areas of discussion from the quarter 1 performance report. It was suggested that most areas are performing well compared with last year and there are only a few areas of low performance.

The following three areas were recommended for consideration:

- Business enquiry conversion
- Number of landlords / managing agents in BMBC accreditation scheme
- Social housing – number of legal interventions

- 5a) Andrew Ainsworth, Business Growth Group Leader, gave an overview of the performance indicator and targets. It was explained that building tends to take place in the Spring/Summer and the building work currently taking place is nearing completion and will provide new accommodation for businesses to occupy. An example of new industrial units under construction at M1 J36 Shortwood Business Park was given and it was noted that when completed all of the units have companies lined-up to move in, however these outputs will not show until the BMBC quarter 3 performance indicators.

The Borough has done well regarding increasing the take up of industrial stock through a combination of inward investors and existing companies expanding into additional premises, however the challenge is to provide additional stock on a speculative basis. The department are looking to assist the provision of speculative industrial development to be ready for companies who want to expand and inward investors looking to move to Barnsley. They are currently developing a property investment fund which will be subject to Cabinet approval. Interested parties have been invited to come forward via YORtender at the end of October, it will take 1 month to assess the applications and a report regarding the proposals will be taken through Cabinet in the new year. If the schemes commence in 2015, it will be early 2016 at the earliest when they are ready.

Members proceeded to ask questions as follows:

- (i) The Chair summarised that there were a number of facets relating to business development and expansion options and even though the figures were currently disappointing, it appears plans are in place and this should be better by quarter 3?

It was confirmed by Andrew Ainsworth that the above summary was correct.

- 5b) Richard Kershaw, Group Leader, Spatial Planning and Sustainability gave an overview of the accredited landlord scheme and advised that even though they had not reached this quarter performance target, the direction of travel was positive.

It was advised that the department continue to work to support landlords. To take the scheme forward they are looking for promotion opportunities across the Borough, including a Borough-wide home energy efficiency scheme to encourage better standards in the private rented sector. The department have only limited resources at their disposal to deliver this scheme and have made a request for funding to Area Councils; however they have not yet received any feedback.

Members proceeded to ask questions as follows:

- (i) Out of the 14,500 private rented homes, how many are terraced houses?

It was advised that there is a slim majority of pre-1919 terraced stock. Back in 2010 a private sector stock survey was undertaken which could be provided to members with a 'health warning' as the data it contains is now 5-years old.

- (ii) How do we stop problem tenants from making houses uninhabitable?

The committee was informed that there is a package of benefits offered through the accreditation scheme including advice regarding dealing with problematic tenants. The Council has received some funding from central government to fund the "Our Street" initiative in the Borough to address the worst of private sector housing. Landlords were expressing feelings that they do their best; however there is only so much you can do when you have got problem tenants. We therefore need a proactive tenant management service.

It was advised that we need to be clear that sometimes it's landlords and sometimes it's tenants who cause the problems. The issue in the Dearne is that we have an over-supply of properties; therefore people are just able to move on. Some years ago, money was proactively put into estate management of Council housing; however we need to do this for the private rented sector also.

- (iii) There was a meeting regarding rogue landlords and speeding up enforcement action upon them, has there been any action taken?

It was advised that in order to target rogue landlords, there are little powers available, therefore you have to be creative, for example by identifying problems with drug use at properties.

- (iv) Is there a problem with absentee landlords in the Borough?

It was explained that as a number of properties in Barnsley are cheap, a number of landlords own homes here but never see them. However a number of the properties are run by letting agents so it is likely it is them not doing their job.

- (v) What is the cost to private landlords in the scheme and is there potential to have a star rating system?

It was highlighted that the scheme has been free to date since its commencement in 2010; however the department is currently looking at charging a membership fee as the scheme is now embedded. There is currently a difference established between a minimum and accredited standard and there is potential for a star rating, however there are limited resources available within the department to develop this. Similarly, the department would like to be able to inspect all properties, however again this would require a large resource which is not currently available.

- (vi) There are a number of properties which stand empty and landlords won't engage to sort them, what is done about this?

It was advised that we do have an empty homes scheme, however if the property is not causing a problem then there isn't much that can be done. Where there is a problem we try to address it whilst adhering to property rights in this country.

- 5c) Paul Brannan, Head of Community Safety and Enforcement, gave a brief overview of social housing and legal interventions. The current figures show a 15% drop in performance however as this is only small numbers, the percentage

figure is not helpful in terms of overall performance. Also the performance indicator references the numbers only and not whether they have been successfully completed. For example, 75 cases have been closed and managed successfully in the first quarter.

It was advised that this figure is within an overall context of the number of court cases increasing and the satisfaction also increasing. The more court cases dealt with means that cases take longer to resolve. Also, there may have been less referrals from Berneslai Homes.

Members proceeded to ask questions as follows:

- (i) In terms of gardens being in a poor state is Berneslai Holmes undertaking legal interventions?

It was advised that Berneslai Holmes don't undertake legal interventions as this is done by the Council. Also, the law won't evict someone due to the poor state of a garden; it would be in terms of other issues for example drug use at a property.

- (ii) If tenants are found guilty of drug use, why isn't Berneslai Holmes evicting them?

It was explained that initially the Council would take the tenant to court, however if the drug use is of a low class and low value it will not result in an eviction. Initially, the Council will try and get an injunction, followed by a suspended possession order, and then would apply for eviction. Most people that have an injunction against them will however usually change their behaviour. The Council currently has 5 people in court which amounts to approximately 12 evictions over a year, as eviction is seen as a last resort.

- (iii) It seems to take for example 2 years to get cases progressed to a higher level to have action taken following having to put up with numerous incidents, can anything be done about this?

It was advised that Berneslai Homes escalate problems to the Council when things become significant and we tend to be able to action these successfully. For example most injunctions taken out are not breached. It was suggested that Berneslai Homes were contacted to discuss some of these issues.

- (iv) What happens with tenants who are evicted numerous times?

The committee were informed that often these tenants still end up living back in the community they were evicted from, therefore eviction is not always the best option, but it needs to remain as an option. The troubled families programme works to achieve long term change as we need changes in behaviour, not just to keep undertaking enforcement action. Enforcement should be seen as a tool to encourage behaviour change, but it's not the only tool, nor a panacea.

- (v) There is a problem with regards to letting agents taking deposits such as jewellery, gold etc., for deposits on houses. This is likely to

encourage thieves; however this does not seem to be being looked at properly. Please can you advise what action is being taken?

It was advised that there are letting agents taking non-cash deposits. The private rented market is very diverse and we're currently trying to understand it. For example, we have concerns regarding an increasing number of properties being bought to place economic migrants in, often in very cramped conditions, as they are sought out to work for large companies.

The Chair thanked the witnesses for attending and the information they had provided.

## **6. Update on Task and Finish Groups (TFGs)**

Councillor Ralph Sixsmith gave an update on the Health Trainer TFG he is leading including what work has been done so far and plans for the future. It was explained that the Health Trainer Service has now been running for 8 years in Barnsley, however there are many people not aware of it. Therefore the TFG are keen to promote the service and encourage GPs to offer it in their practices.

Anna Morley, Scrutiny and Member Development Officer gave an update on the two other TFGs regarding Immunisation and Work Readiness. It was highlighted that there were a limited number of Members and Co-optees on all groups therefore it was requested that more members signed up. Once membership is sorted, Cllr Carr can progress the Immunisation group which she is leading. The committee was advised that due to health concerns, Councillor Paul Hand-Davis had stepped down as the Work Readiness TFG lead and this had been taken over by Councillor John Wilson. It was advised that meetings had already taken place with Councillor Cheetham and Owen Gledhill from Barnsley Business and Innovation Centre (BBIC) and other meetings were arranged for the group to take this work forwards.

The Chair thanked Councillor Paul Hand-Davies for the work he has done as a TFG lead. Also, the Chair thanked Elizabeth Barnard for her support as the Scrutiny and Member Development Officer and informed Members that Anna Morley had now taken up this post.

### **ACTIONS:**

- a) An all-member briefing session should be held to inform Members of the Disability and Austerity Conference Report and how the actions can be taken forward.
- b) Some/all of the Overview and Scrutiny members should attend a 'My Barnsley Too' (MBT) Forum Meeting.
- c) A copy of the Disability and Austerity Conference Report should be sent to all Barnsley's MP's from the Overview and Scrutiny Chair.
- d) Contact to be made with Berneslai Homes regarding issues raised at the meeting.
- e) Councillors and Co-optees to sign up to one of the TFGs.