Overview and Scrutiny Committee

Title of Report:	**Annual Presentation by the Cabinet Member for Families and Communities**
Report No:	**OAS/SE/18/011**
Report to and date:	**Overview and Scrutiny Committee** 18 April 2018
Portfolio Holder:	Councillor Robert Everitt Cabinet Member for Families and Communities **Tel:** 01284 769000 **Email**: robert.everitt@stedsbc.gov.uk
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Purpose of report:	As part of the "Challenge" role, Overview and Scrutiny are asked to consider the roles and responsibilities of Cabinet Members. It is part of the Scrutiny role to "challenge" in the form of questions. Therefore, to carry out this constitutional requirement, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member shall attend to give an account of his or her portfolio and answer questions from the Committee.

Recommendation:	Members of the Committee are asked to question the Cabinet Member for Families and Communities on his portfolio responsibilities, and having considered the information, the Committee may wish to:
	1) Make recommendations to the Cabinet Member for Families and Communities for his consideration;
	2) Request further information and / or receive a future update.
	3) Take any other appropriate action as necessary.

Key Decision: *(Check the appropriate box and delete all those that **do not** apply.)*	*Is this a Key Decision and, if so, under which definition?* Yes, it is a Key Decision - ☐ No, it is not a Key Decision - ☒

Consultation:	• N/A

Alternative option(s):	• N/A

Implications:

Are there any *financial* implications? *If yes, please give details*	Yes ☐ No ☒ •
Are there any *staffing* implications? *If yes, please give details*	Yes ☐ No ☒ •
Are there any *ICT* implications? If *yes, please give details*	Yes ☐ No ☒ •
Are there any *legal and/or policy* implications? If yes, please give details	Yes ☐ No ☒ •
Are there any *equality* implications? *If yes, please give details*	Yes ☐ No ☒ •

Risk/opportunity assessment:	*(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Low/Medium/ High*		Low/Medium/ High*
None			

Wards affected:	All

Background papers:	None

Documents attached:	None

1.   Key issues and reasons for recommendation(s)

1.1   **Background**

1.1.1 As part of its "Challenge" role, the Overview and Scrutiny Committee is asked to consider the roles and responsibilities of Cabinet Members. To carry out this constitutional requirement, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member shall be invited to give an account of his or her portfolio and to answer questions from the Committee.

1.1.2 Last year, on 19 April 2017, Councillor Robert Everitt, Cabinet Member for Families and Communities attended this committee and presented a report which summarised the areas of responsibility covered under his portfolio.

1.2   **Scrutiny Focus**

1.2.1 The scope of this report differs from that of last year as the Cabinet Member has been asked to prepare a report which answers the following specific questions identified by the committee members as being relevant to the families and communities portfolio:

1) **Health**: How are Families and Communities working with the Clinical Commissioning Group (CCG) and other interested parties, to ensure the needs of residents are being met in terms of health facilities (in all areas of the Borough) including ensuring that relevant S106 contributions from developers are not wasted because of a potential failure (or its partners/replacement) to follow up on the need identified at the time of the agreement or lack of desire to provide such facilities.

2) **Health**: Are S106 agreements, in the view of Families and Communities, sufficiently tight and legal enough to not allow any wriggle out room later including identifying alternative uses rather than returning funds/land back to the developer?

3) **Customer services, access and engagement**: What is being proposed for communications when we move to one Council? As we move to a single council it will be inevitable that some people may have to travel further to engage with services, and if they do not have internet, or are not familiar with technology, or are without transport, what will they do?

4) **Families and communities**: What sanctions and action can the Council take when a rough sleeper refuses all proper and appropriate help and support?

5) **Customer services, access and engagement**: What are the reasons behind the delay in the Bury Bus Station building being occupied, and what is the current status regarding future occupancy?

1.3 **Response to Key Questions Set out in the Scrutiny Focus**

1.3.1 **Health: How are Families and Communities working with the Clinical Commissioning Group (CCG) and other interested parties, to ensure the needs of residents are being met in terms of health facilities (in all areas of the Borough) including ensuring that relevant S106 contributions from developers are not wasted because of a potential failure (or its partners/replacement) to follow up on the need identified at the time of the agreement or lack of desire to provide such facilities.**

- The Families and Communities team comprises of nine officers who cover a broad spectrum of specialisms.

- Within the team, we have three officers who we share with partner organisations; two officers we share with West Suffolk Clinical Commissioning Group (since September 2017) and one officer we share with Public Health at Suffolk County Council (since February 2017). This has furthered collaborative working to meet joint objectives around health for our communities across west Suffolk.

- The S106 needs to identify a harm to infrastructure (usually built facilities). It then needs to secure fair payments to mitigate that need and lastly (usually) a payback if monies have not been spent. If the need exists and a project is clearly identified, there is no scope within the planning system for a failure of those parties asking for the money, not spending the money. We cannot secure money for a project, then change the project if the CCG are, for whatever reasons, unable to deliver it. S106 is not a tax, it is only required if there is a defined infrastructure project to spend the money.

- When securing S106 contributions, it is a legal requirement that they are necessary and directly related to the harm being caused by the proposed development. Any proposed projects must be clearly defined, so where harm is anticipated from a development, the negative impact can be offset by monies secured from the developer.

- The project then, must be defined enough to offset the harm and be limited to the impact, i.e. the physical demand placed on a facility, by increasing patient demand. Having more than one option for off-setting the harm is possible, but care needs to be taken when firstly stating a certain surgery needs expanding, for instance, and then also saying that an alternative (leaving the surgery the same) is also acceptable.

1.3.2 **Health: Are S106 agreements, in the view of Families and Communities, sufficiently tight and legal enough to not allow any wriggle out room later including identifying alternative uses rather than returning funds/land back to the developer?**

- Essentially yes, because the concept of "wriggle room" is not lawful; the identified harm and how it is to be mitigated needs to be justified for any s106 sum to be lawfully secured and, at the time the S106 is signed, all parties must know where the monies will be spent.

- The concept that harm exists is not enough, the mitigation of that harm must clearly be identified and the "harm" must be to infrastructure, so built facilities not (for example) lack of GP's.
- We are always dependant on NHS England in these matters, as statutory consultees they will provide the evidence and justification for any requirements; how they work with the CCG does not fetter the S106 consultation process, but sometimes projects identified by the CCG have not been taken up by NHS England. The S106 agreement will have to define where the money will be spent and if the money cannot be spent on the defined project, it should not be requested.

- Our Development Implementation and Monitoring Officer monitors what sums we hold, their payback dates and where the S106 states the monies need to be spent. In addition, we email both NHS England and the CCG with regular updates of all these monies, to ensure we do not get to a position where any such monies need to be paid back to developers.

1.3.3 **Customer services, access and engagement: What is being proposed for communications when we move to one Council? As we move to a single council it will be inevitable that some people may have to travel further to engage with services, and if they do not have internet, or are not familiar with technology, or are without transport, what will they do?**

- Firstly, it is important to note that single council does not mean that customers have to travel further to engage with services. The councils retain customer access points in each of the main market towns: Haverhill, Newmarket, Mildenhall and Bury St Edmunds. We also have arrangements in place with the library in Brandon. These locations are available to people who require some face to face support. In addition, a number of our services offer home or on-site visits and we have staff working across the West Suffolk area. Importantly, ward councillors continue to be visible and accessible to their constituents.

- Our Customer Access Strategy has a focus on encouraging customers to engage with the Council online; we have in recent years invested in the online content available to customers, so whether they want general information about Council services or want to report a problem, make an application or pay for a service, this can all be achieved at a time and place which is convenient for them.

- The broadband initiative in Suffolk means that more households than

ever are gaining access to more reliable and faster broadband infrastructure so it is becoming increasingly commonplace for homes to rely on the internet for everyday activities, such as grocery shopping, insurance renewals and for streaming entertainment. However, we recognise that not all households have internet access for a number of reasons so we remain committed to providing public access PCs across a number of our sites.

- The introduction of Universal Credit prompted a review of public access PC sites, and a map was created for colleagues to advise customers as required, detailing our own and partner sites where this provision is available.

- For those customers who are truly experiencing rural isolation (no reliable transport links, medical conditions restricting access and movement and/or no online capability), then we have our team of customer services advisors who can provide support on the phone and, in these very vulnerable cases, make safeguarding or agency referrals for further community/outreach services.

- In addition, we continue to provide support to partners, such as the help we've given to Suffolk West Citizens Advice in adapting their customer service model to provide more telephone advice for those who can't visit the office.

- Working with partners to improve customer access is a continuing agenda and we promote this approach whenever the opportunity arises. Wherever possible, we share locations with other partners so that customers can access a wide range of support; Haverhill House and the Mildenhall offices are a good example as these are shared with the Jobcentre and Citizens Advice.

- Communications is also part of the implementation work for the new West Suffolk Council. This is working alongside services to identify where and what extra communications may be needed either to residents, partners or service users.

1.3.4 **Families and communities: What sanctions and action can the Council take when a rough sleeper refuses all proper and appropriate help and support?**

- Unless the person is committing anti-social behaviour, there are no sanctions that the council can take. We will continue to offer help and support by working with various support agencies, such as the police, health, probation, Adult and Community Services and Voluntary and Community sector such as the Bury Drop in, as appropriate.

- With regards to rough sleepers' belongings, we deal with each case individually at present. If they are simply rough sleeping we try to welfare check and continue to offer support. If there is any suggestion that they are begging, then the Housing Options team liaises with the police to consider appropriate enforcement powers.

- We are aware of the impact rough sleeping has on the individual concerned and the wider community. The council has recently recruited two further outreach workers (one post funded by Suffolk County Council Public Health) to encourage people away from a life sleeping on the street and to support people to access drug and alcohol treatment services. Our current outreach worker has been successful in building relationships and gaining the trust of those sleeping on the streets, which in turn has led to more individuals engaging with support.

- We are also committed to working with landlords to try to prevent people rough sleeping. We will continue to work with partners to ensure that relevant support is provided to the most vulnerable.

- Public Space Protection Orders (PSPO) are intended to deal with a particular nuisance in a specific area. Bury St Edmunds town centre has an order in place which commenced in October 2017. The conditions are around alcohol related anti-social behaviour and begging. Haverhill also has a PSPO in place with a condition around alcohol related anti-social behaviour. In Bury St Edmunds one warning has been issued under the PSPO to a person who was persistently begging in the town centre. This has resulted in the person desisting from this behaviour. It should be noted that some people who appear to be sleeping rough and are begging are, in fact, accommodated.

1.3.5 **Customer services, access and engagement**: **What are the reasons behind the delay in the Bury Bus Station building being occupied, and what is the current status regarding future occupancy?**

- As part of its savings programme, the council removed staff from the bus station building and divided the building so that space could be made commercially available. The decision to do this was based on the staff savings made with any commercial income being seen as an additional benefit. As such, the council saved £100,000 per year in staff costs.

- Suffolk County Council is responsible for passenger transport and any timetabling information. Therefore customer information relating to timetabling remains the County, not the Borough Council's responsibility. The County Council provides bus timetabling information online and via its real time technology.

- Shopmobility services are provided by the library and the public toilets remain open for use and increased CCTV and security checks are in operation in the building and surrounding area.

- It has taken longer than we would have liked to rent the vacant unit on site. For some time, the council's property team has been working alongside a local businessman who wishes to begin operating from the vacant part of the bus station building.

- The lease on the vacant part of the building has now been signed. Details of the building layout, signage and fit out arrangements have all been agreed. Finalising details of the arrangement have taken some

time and the council has been keen to support the local businessman to expand his business. We are expecting a few weeks lead in before the tenant's fit-out contractors start on site.

1.4 **<u>Proposals</u>**

1.4.1 That the Overview and Scrutiny Committee ask follow-up questions of the Cabinet Member following his update.