

**Present:** Councillor Jackie Kirk (*in the Chair*),  
Councillor Jane Loffhagen, Councillor Andy Kerry,  
Councillor Liz Maxwell, Councillor Ralph Toofany,  
Councillor Pat Vaughan and Councillor Keith Weaver

**Apologies for Absence:** None.

**1. Confirmation of Minutes - 28 March 2017**

RESOLVED that the minutes of the meeting held on 28 March 2017 be confirmed.

**2. Declarations of Interest**

Councillor Maxwell and Toofany both declared a Disclosable Pecuniary Interest in the item entitled "Review of Houses in Multiple Occupation Article 4 Direction and Supplementary Planning Document Review" and left the room during consideration of this item.

Councillor Kerry declared a Disclosable Pecuniary Interests in the Health Scrutiny Update as he was employed by the East Midlands Ambulance Service.

**3. Information Security Policy**

Matt Smith, Business Development and IT Manager

- a. presented the updated Information Security Policy for comments prior to Executive approval.
- b. stated that ICT Security remained an important issue and referred to a number of high profile cases that were reported in the media as detailed at paragraph 3.2 of the report.
- c. explained that the policy had been written to comply with best practice standards BS7799 and ISO27001 and had subsequently been reviewed by internal audit.
- d. advised that the Policy was largely the same as the previous policy, but it had been updated to reflect new technologies and practices. Some detail had been removed that required frequent updates and would be provided to employees and Members as necessary in accessible formats.
- e. referred to paragraph 4.5 of the report and highlighted the key elements of the policy
- f. advised that should the policy be agreed the following steps would be taken:
  - a. Development and rollout of guidance and awareness sessions for staff and members
  - b. Process of signing off with staff and Members to ensure that they were aware of their responsibilities

- c. Provision of further guidance was ongoing where specific issues arose and would continue to be issued.

g. invited member's questions and comments.

**Question** - Had the Council had any cyber-attacks?

**Response** – There had been malware attacks on occasions and they had been resolved within a couple of hours. IT Security was taken very seriously, it was constantly being monitored to identify improvements.

**Question** - How was the security of data ensured for Ipads that were used away from City Hall?

**Response** - The data was encrypted and was largely held on the IT systems not on the Ipads themselves.

**Question** – How should staff and members deal with unusual emails?

**Response** – The general advice is not to open the email, delete it and contact the IT helpdesk.

Becky Scott Legal and Democratic Services Manager reminded Members of the importance of keeping data safe away from the office and requested that they attend the Data Protection/Information Management Training due to be held on 11<sup>th</sup> July 2017.

RESOLVED that the contents of the report be noted and referred to Executive for approval.

#### **4. Waste Collection Enforcement Policy**

Sam Barstow, PPASB Services Manager,

- a. presented to Members the Waste Collection Enforcement Policy for comments prior to referral to Executive.
- b. advised that the key issues for waste management services were:
  - A bin being left out on the street
  - A recycling bin presented with the wrong materials in it (contaminated)
- c. advised that the need to address these issues was a county wide and also a national problem.
- d. advised that the Lincolnshire Waste Partnership Officer Working Group had agreed to consider any changes within their similar policies as appropriate to ensure consistency of enforcement processes across the county.
- e. advised that the policy outlined the need for focussed educational work before any formal action was considered, and utilised a formal structure of warning notices to drive people to take note of the educational material.
- f. referred to paragraph 4.3 of the report and outlined the enforcement powers of the Council advising that the Act made clear that the waste collection authority's responsibility to collect was not applicable where waste was not presented in compliance with the authority's requirements under this section.

g. invited member's questions and comments.

**Question** – How would contractors be dealt with if they did not follow the rules for example leaving bins in the road?

**Response** – Issues with contractors would be addressed through the contract framework and not through the enforcement policy.

**Question** – Would there be scope to make allowances for people with mental health issues?

**Response** – There were a lot of steps in the process to educate people before any enforcement action would be taken.

**Question** – Residents were often confused about which materials should be placed in each bin.

**Response** – Officers were working with the County Council on the Waste Strategy to address these issues.

**Question** – Would the Enforcement Policy be promoted through communications?

**Response** – There were no plans at this stage to promote the Policy, however, there would be a campaign in the future alongside the Waste Strategy.

The Chair requested that a review of the Waste Collection Enforcement Policy be brought back to a Policy Scrutiny Committee in 1 years' time. She further requested that the Waste Strategy be brought to a future meeting.

RESOLVED that the report be noted and referred to Executive for approval.

## 5. **Review of Mutual Exchange Policy**

Karen Talbot, Assistant Director of Housing

- a. presented the Councils Mutual Exchange Policy and highlighted proposed amendments to the Policy for consideration prior to referral to Executive.
- b. referred to paragraph 3 of the report which set out the grounds for refusal of a mutual exchange request and suggested the following:
  - Addition of a clarifying comment that grounds for refusal because a property was “substantially larger” than they needed (Ground 3) meant that an incoming tenant would have more than one additional bedroom.
  - Addition of a comment that if the mutual exchange could potentially mean that incoming tenants may be subject to a reduction in housing benefit because of under occupation by one bedroom, Housing Officers would make this clear at the point of application, although it could not be grounds for refusal.
- c. gave an overview of the mutual exchange applications received in the last financial year advising that 119 applications had been received, 29 of these were later withdrawn by one or both parties and 11 were currently being processed.
- d. referred to paragraph 4.2 of the report and advised on the reasons why 12 of the remaining 79 applications had been refused.

The Chair asked if it could be made clear to tenants that they were accepting the property in its current state of repair.

Karen Talbot, Assistant Director of Housing responded that a repairs policy had been put in place which set out the repairs that were the responsibility of the Council and those of the tenant. If there were health and safety issues the Council would carry out the repair, however, if they were the responsibility of the tenant the council could carry out the work and recharge for the repair. This was explained to tenants at the time of mutually exchanging there properties.

RESOLVED that the following amendments be made to the Mutual Exchange Policy and be referred to Executive for approval:

- Addition of a clarifying comment that grounds for refusal because a property was “substantially larger” than they needed (Ground 3) meant that an incoming tenant would have more than one additional bedroom.
- Addition of a comment that if the mutual exchange could potentially mean that incoming tenants may be subject to a reduction in housing benefit because of under occupation by one bedroom, Housing Officers would make this clear at the point of application although, it could not be grounds for refusal.

**6. Review of Houses in Multiple Occupation Article 4 Direction and Supplementary Planning Document-Review**

Kieron Manning, Planning Manager

- a. presented a review of the implementation of the Article 4 Direction and Supplementary Planning Document relating to Houses in Multiple Occupation.
- b. provided an update on the level of work that had resulted from its implementation and on the effectiveness of the additional planning control.
- c. advised that since the implementation of the Article 4 Direction there had been a total of 144 planning applications submitted including Certificates of Lawfulness. 15 of the applications had been refused for a variety of reasons with the remainder approved.
- d. advised that there had been a total of 219 pre-application enquiries together within the general day to day informal enquiries via the phone which weren't formally captured.
- e. further advised that as a result of the pre-application advice given, a significant number of proposals were not followed through to formal application which would have resulted in a far higher number of applications being refused.
- f. concluded that the continuation of the Article 4 Direction was in the best interests of the City as a whole, as it enabled the Council to manage the supply and location of HMOs, as well as safeguarding family housing.
- g. invited members questions and comments

**Question** – Did officers check those properties that had made pre-application enquiries but had not submitted a formal application?

**Response** - Officers did complete spot checks on properties, also they kept a database which was cross referenced with Council Tax.

**Question** – Were there any issues relating to staff workloads?

**Response** – Not at the moment, the additional work was spread across the team and the targets were currently being met.

**Comment** – Referred to paragraph 6.1 of the report and commented that £263,823 being release back into the MTFS was exceptional.

RESOLVED that

1. the contents of the review be noted.
2. that a further review be brought to Policy Scrutiny Committee in 3 years' time.

## **7. City Centre Public Realm Strategy**

Gill Wilson, Principal Development Officer

- a. presented the City Centre Public Realm Strategy for comment prior to approval by Executive.
- b. advised that the Strategy would be used to shape and attract future investment into the city centre's public realm to create and sustain a quality environment that reflected the heritage of the area balanced with the practical usage of public realm.
- c. referred to paragraph 3.3 of the report and highlighted the extensive consultation that had taken place with the wider stakeholder partnership Group
- d. advised that the Strategy identified a proposed Vision for the City's Public Realm as;
  - A Better Connected City
  - A City with Space to Breathe
  - A City with a Waterfront
  - A City with Identity
- e. advised that Public Realm opportunities and priorities were outlined by area:
  - The City Spine High Street – Central and Lower High Street areas as a priority
  - Wigford Way and Waterside
  - Cornhill and City Square
  - Castle Hill
  - St Martins Square
  - Park Street link
  - St Swithins Square
- f. advised that the strategy would be a useful policy document in supporting any future funding bids in relation to the public realm.

- g. invited Members questions and comments.

**Question** – Could members have a hard copy of the document?

**Response** – A copy of the strategy would be placed in the Members room for information.

**Comment** – There were poor bus links in the north of the City as there was no Sunday or evening service.

**Response** – The wording of the strategy could be looked at to reflect this.

RESOLVED that the contents of the report be noted and referred to Executive for approval.

8. **Policy Scrutiny Work Programme 2017-18 and Executive Work Programme Update**

The Democratic Services Officer:

- a. presented the report 'Policy Scrutiny Work Programme 2017-18 and Executive Work Programme Update'.
- b. presented the Executive Work Programme June 2017– May 2018
- c. requested councillors to submit what items they wished to scrutinise from the Executive Work Programme and policies of interest.
- d. highlighted the following items to be scheduled into the work programme:
  - Mutual Exchange – 1 year
  - Waste Enforcement Review – 1 year
  - Waste Strategy
  - Article 4 Direction – 3 years
  - Fair Trade Policy – 1 year
- e. invited members questions and comments.

The Chair gave a brief update on the Fair Trade Policy and advised on the minor changes relating to the Council withdrawing from supporting World Fair Trade Day. She added that the Council would continue to support Fair Trade fortnight. The policy would be considered by Executive on 17<sup>th</sup> July 2017 and suggested that it be brought to Policy Scrutiny Committee in 1 years' time.

RESOLVED that:

1. the work Policy Scrutiny work programme be noted and the following be scheduled in:
  - Mutual Exchange – 1 year
  - Waste Enforcement Review – 1 years
  - Waste Strategy
  - Article 4 Direction
2. the Executive work programme be noted.

## 9. **Health Scrutiny Update**

The Chair of Policy Scrutiny Committee updated members of the business that had been discussed at the Health Scrutiny meeting held on 15 March 2017 and 14 June 2017, these were:

- Congenital Heart Disease Services – NHS England Consultation
- Update on Development at Peterborough and Stamford Hospitals NHS Foundation Trust
- Arrangement of Quality Accounts 2016/2017
- St Barnabas Lincolnshire Hospice
- Joint Health and Wellbeing Strategy 2018-2023 Engagement Plan
- Annual Report of the Director of Public Health of the People of Lincolnshire 2016
- Congenital Heart Disease Services – Arrangements for responding to the NHS England Consultation.

RESOLVED that the update be noted.