

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.

44. Confirmation of Minutes

RESOLVED that the minutes from the meetings held on 16th January 2018 and 20 February 2018 be confirmed.

45. Declarations of Interest

Councillor Andrew Kerry declared a Disclosable Pecuniary Interest with regard to the agenda item titled 'Health Scrutiny Update'.

Reason: He worked for the East Midlands Ambulance Service. He left the room during the consideration of this item.

46. Lincoln Community Lottery Update

Graham Rose, Senior Policy Officer

- a. presented a report to provide an update on the progress with implementation plans for the Lincoln Community Lottery (LCL) and to provide the proposed criteria for the acceptance of good causes.
- b. advised that Gatherwell had been appointed as External Lottery Manager on a two year contract.
- c. referred to paragraph 3 of the report and gave an overview of the actions that had been completed and the next steps in the process.
- d. outlined the mechanics of how the lottery would work and advised that for every £1 spent, the purchaser could allocate 50% towards their chosen good cause and a further 10% would go into a central pot for the City of Lincoln Council to allocate, if the purchaser did not choose a good cause the central pot would get the full 60%.
- e. suggested other criteria for allowing a 'good cause' to join the lottery as detailed at Appendix A of the report.
- f. referred to Appendices B and C of the report which set out 3 boundary areas for consideration and advised that it was recommended that a 6 mile boundary be adopted.
- g. proposed that a panel of at least 2 members plus officers be formed to agree the good causes accepted onto the lottery and suggested that they also considered the appropriate distribution of funds from the central pot on a quarterly basis.

- h. referred to appendices D to L and advised that Gatherwell had provided 5 policies, 1 draft GDPR policy and 3 terms to cover all aspects of implementation.
- i. invited members' questions and comments.

Question: Would a national charity be eligible if they had a local branch but their funds were kept in a central pot of money not local to Lincoln?

Response: If the charity had a local branch and they could guarantee that the money was spent locally, then they would meet the eligibility criteria, and this would be included in the terms of reference of the members' panel.

Question: What would the Community Fund be spent on?

Response: Members could recommend how the funds from the central pot could be distributed, there were no specific causes identified at the moment.

Question: If 50% of the £1 spent would go to the chosen good cause and 10% go to the central pot, what would the remaining 40% be used for?

Response: It would be used to run the lottery, it would go towards prizes, VAT which could be claimed back and used to cover operating costs and to Gatherwell for running the lottery on behalf of the Council.

Question: Would there be any extra staffing costs?

Response: No there would be no additional staffing costs.

Question: How would players of the lottery purchase tickets?

Response: Gatherwell would run the lottery on behalf of the council and would take all payments either online or over the telephone.

Question: How much take up was expected?

Response: Based on comparisons of other lotteries that had been set up in similar areas to Lincoln, it could potentially have 100,000 participants in 5 years if the 6 mile radius was adopted.

Question: What would happen if the take up was lower than expected?

Response: There would be no cost to the Council, Gatherwell would be taking all of the risks.

Question: How would the lottery be promoted?

Response: There would be a press release, a launch event for good causes, an article in Your Lincoln, and a social media campaign. There would be bolt on prizes on the first draw and it was recommended by Gatherwell to have bolt on prizes for draws every 6 months. Also, the good causes will carry out a lot of the promotion themselves.

Question: Was there a limit to the number of good causes?

Response: No there was no limit.

Question: Could members be provided with details of the lottery so that they could recommend good causes.

Response: Once the lottery had been to Executive, full details would be circulated to all members.

RESOLVED that

1. The policies and terms at Appendices D to L of the report be noted and referred to Executive for approval.
2. The 6 mile boundary be supported and referred to Executive for approval.
3. The criteria for good causes be supported and referred to Executive for approval.
4. It be recommended that the Member Selection Panel be comprised of the Portfolio Holder for Social Inclusion and Community Cohesion and the Chair of Audit Committee.
5. A review of the Lincoln Community Lottery be brought back to Policy Scrutiny Committee 12 - 18 months from implementation.

47. Private Housing Health Assistance Policy

Simon Colburn, Assistant Director, Health and Environmental Services:

- a. presented the Private Housing Health Assistance Policy 2018-2022 for consultation and advised that it would supersede the Private Sector Housing Assistance Policy which had been suspended by Executive in 2015.
- b. referred to paragraph 5.2 of the Private Housing Health Assistance Policy 2018 - 2022 and gave an overview of the challenges that had been highlighted by the recent BRE Integrated Dwelling Level Housing Stock Modelling and Database for the City of Lincoln Council.
- c. referred to paragraph 2.2 of the report and advised on the changes that the Government had made to the funding mechanism for Disabled Facilities Grants.
- d. summarised the aim of the fund which was to provide a more joined up and customer based service to reduce hospital and care admissions and enable people to return home from hospital more quickly.
- e. advised on the aims of the proposed Private Housing Health Assistance policy as detailed at paragraph 4.2 of the report.
- f. referred to Appendix 1 of the report and gave an overview of the proposed schemes.
- g. advised that it was proposed that the formal means testing element be removed from the majority of the Discretionary Schemes which would

reduce the time taken to process applications and assist in early intervention to prevent hospital admission/reduce reliance on carers.

- h. referred to paragraph 4.42 of the report and highlighted the proposed introduction of several new forms of financial assistance which could be used to support wider social care outcomes.
- i. advised that consultation on the draft policy had taken place with Lincolnshire County Council Adult Care and Community Wellbeing.
- j. advised on the financial and legal implications to the council as detailed at paragraph 6 of the report.
- k. gave an overview of the options that had been explored and the key risks associated with the preferred approach as detailed at paragraph 7 of the report.
- l. invited members' questions and comments.

Question: Would the grants be advertised?

Response: The mandatory Disabled Facilities Grants (DFG's) were not advertised, however, some of the other grants would need to be promoted to make people aware of them.

Question: Would the changes to the welfare system affect the Disabled Facilities Grants and could there be changes made to the grants?

Response: There were no proposals from the Government at the moment to make any changes to the DFG's.

Question: Was there a cash limit on the DFG's?

Response: There was a fixed budget allocated from the County Council to the District Councils at the beginning of each financial year. Currently the district allocation was approximately £700,000.

Comment: Concern was expressed over the staffing levels and the need for the council to ensure that the staff could cope with the extra work that this would bring.

Response: It was difficult to recruit staff in higher level housing positions nationally. There had been a review of the structure within the team, which involved members of staff being upskilled. It was felt that there was currently sufficient staffing levels to cope with the workload.

Question: With reference to paragraph 1.2 of the policy, when the available budget had been committed for the year and the council did not keep a waiting list, would the applicant have to make a new application in the new financial year?

Response: It had been written in to the policy in the event that the budget ran out early in the year, if for example there was 2 weeks to the next financial year the applicant would not be asked to submit a new application.

Question: With reference to paragraph 5.2 of the policy, would the information be updated more often than 4 years as it would be quickly out of date?

Response: The Substantive Stock Survey which was a large piece of research work would be completed every 5 years, the information in the mean time would be updated as and when required.

Question: Was it appropriate that the policy be amended to clarify the meaning of Article 3 RRO.

Response: RRO stood for The Regulatory Reform (Housing Assistance) Order 2002 and it provided the legal framework.

Question: With reference to paragraph 8.2 of the policy, repayment of a grant with interest within 12 months was harsh for potentially vulnerable people.

Response: It had been written into the policy as a deterrent for people who may try and claim for works that they were not entitled to as they had funds to pay for work themselves.

Question: With reference to Appendix 1 of the report, what was the rationale for means testing some of the schemes and not others?

Response: A means test was required for mandatory grants such as the DFG's and in the case of large grants full checks needed to be done, however for emergency grants such as Hospital Discharge Assistance not completing a full means test would speed up the process.

The Chair further commented that more consistency and uniformity was needed throughout the individual scheme details in the policy in relation to the following:

- The eligibility of all ages including children needed to be clarified in all individual scheme details.
- It was stated in the Hospital Discharge Assistance Scheme conditions that if the property was disposed of within 10 years of completion of the works re-payment of the full amount would be required. This would be reduced by 10% for each complete year. Could this condition be included within all of the individual scheme details?

Response: The suggestions would be considered and the policy would be updated where appropriate.

RESOLVED that

1. The Private Housing Health Assistance Policy 2018-2022 be endorsed subject to the suggested changes listed above and referred to Executive for approval.
2. The Private Housing Health Assistance Policy be reviewed by Policy Scrutiny Committee in September 2019.

48. Empty Homes Strategy

Hannah Cann, Private Housing Team Leader

- a. presented the new Empty Homes Strategy for Lincoln 2017-2022 to deliver the Vision 2020 and Housing Strategy objectives.
- b. advised that as of 1st January 2018 there were 419 long term empty privately owned homes in the City, 104 of these properties had been empty for two or more years.
- c. advised that bringing empty homes back to use offered income opportunities to the council, both through receipt of New Homes Bonus, and the potential to acquire and develop properties for resale or letting.
- d. referred to paragraph 4.2 of the report and highlighted the 4 main aims of the Empty Homes Strategy.
- e. referred to Appendix 5 of the strategy which set out the terms and conditions of the Empty Homes Working Group and advised that the group would identify long term empty homes, in particular those causing a problem, and bring them back to use.
- f. advised that there were resource needs including a capital budget for the acquisition and renovation of empty homes which would be identified on a case by case basis.
- g. referred to the action plan at Appendix 1 of the report and advised that the actions centred around exploring and improving the options available to the Council, on its own or in partnership to encourage and enforce owners to bring their homes back into use, and to acquire, develop and manage or dispose of long term empty homes.
- h. referred to paragraph 6.2 of the report and explained the enforcement powers that would be used to improve the condition of the empty homes and bring them back into use.
- i. invited members' questions and comments.

Question: Had the Council tried to bring empty properties above shops back into use?

Response: Yes where it was viable, there were often fire safety issues for properties above shops as it was shared access.

Question: In cases where a property had been left empty due to someone going to prison would the Council liaise with the Victim Liaison Service before taking enforcement action?

Response: Yes, the process initially would be to engage with the owner and the approach would be adapted depending on the reasons why the property had been left empty.

Question: With reference to The Empty Dwelling Management Order (EDMO) where the Council would take control of the property for up to seven years, what would happen to the property after 7 years?

Response: The property would be let to someone on the housing waiting list with an immediate housing need, it would be made clear to them when they moved in

that it would not be a house for life. Part of the action plan at Appendix 1 of the policy was to write operational procedures for EDMOs.

Comment: It was suggested that the membership of the Empty Property Working Group be referenced earlier in the Policy.

Response: Paragraph 4.3 of the policy could be amended to include a list of areas involved in the Empty Property Working Group.

RESOLVED that

1. The Empty Homes Strategy be noted and referred to Executive for approval.
2. The additional financial resources, including a capital fund, needed for CPO and EDMO to be bought back to Executive on a case by case basis to seek authority for the expenditure be noted.

49. General Data Protection Regulation (Data Protection) Policy

Becky Scott, Legal and Democratic Services Manager:

- a. presented the EU General Data Protection Regulation and Data Protection Policy for consideration prior to Executive approval.
- b. advised that the Data Protection Act 1988 would be replaced by a new Data Protection Act 2018 which would implement the General Data Protection Regulation (GDPR) into UK law by 25 May 2018.
- c. advised that the Council needed to have a policy to enable the council to be compliant with the new legal framework and also to raise awareness of the GDPR to officers' and Councillors. Therefore members of the public could be confident that the organisation was aware of their responsibilities of the new legal framework.
- d. advised that the GDPR stated that anyone processing personal data must adhere to the 6 data principles.
- e. gave an overview of the following 6 data protection principles:
 1. Lawfulness, fairness and transparency principle: processed fairly, lawfully and in a transparent manner in relation to individuals.
 2. Purpose limitation principle: collected for specified, explicit and legitimate purpose and not further processed in a manner incompatible with those processes.
 3. Data minimisation principle: adequate, relevant and limited to what was necessary for the purposes for which they are processed.
 4. Accuracy principle: accurate and where necessary kept up to date.

5. Storage limitation principle: kept in a form which permits identification of the data subjects for no longer than necessary for the purposes for which the personal data was processed.
6. Integrity and confidentiality principle: processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

f. advised that an Equality Impact Assessment was not required.

Members considered the contents of the report.

RESOLVED that the General Data Protection Regulation (Data Protection) Policy be supported and referred to Executive for approval.

50. Draft Policy Scrutiny Work Programme 2018-2019 and Executive Work Programme

The Democratic Services Officer:

- a. presented the report 'Draft policy Scrutiny Work Programme 2018-2019 and Executive Work Programme'
- b. presented the Executive Work Programme March 2018 to February 2019.
- c. requested councillors to submit what items they wished to scrutinise from the Executive Work Programme and policies of interest.
- d. invited member's questions and comments.

Members made no further comments or suggestions regarding the Policy Scrutiny work programme.

RESOLVED that:

1. The Policy Scrutiny work programme be noted.
2. The Executive work programme be noted.

51. 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 21 February 2018:

- Alternative Provisions to the Walk in Centre
- Non- Emergency Patient Transport Services for NHS Lincolnshire CCG's
- Lincolnshire Sustainability and Transformation Partnership: Mental Health Priority
- Joint Health and Wellbeing Strategy.

RESOLVED that the content of the verbal report be noted.