

**HOUSING AND HEALTH SCRUTINY
COMMITTEE MINUTES**26 May 2004
5.30pm - 7.20pm

PRESENT: Councillors Adey (Chair), Bell, Blencowe, Coleman, Downham, James, Pinnington, J Smith, Stebbings and Todd-Jones.

ALSO PRESENT: Councillor Smart (Executive Councillor for Housing and Health); Non-voting, co-opted members Mr B Haywood, Mrs K Harris, Mrs Vine-Lott (Cambridge Tenant Federation representatives).

FOR THE INFORMATION OF THE COUNCIL

04/HH/42 APOLOGIES FOR ABSENCE

Apologies were received from Mr H Gault (Cambridgeshire Social Services), Dr Gregson (Cambridge NHS Primary Care Trust).

04/HH/43 DECLARATIONS OF INTEREST

There were no declarations of interests.

04/HH/44 PUBLIC QUESTION TIME

There were no questions from members of the public.

**04/HH/45 INVESTIGATION BY LOCAL GOVERNMENT OMBUDSMAN (LGO) INTO
A COMPLAINT AGAINST CAMBRIDGE CITY COUNCIL**

The report by the Director of Community Services addressed the issues raised by the Local Government Ombudsman following an investigation into complaints made against the Council. The background to the complaints was set out in brief, with the action taken and the response to the grounds found for maladministration listed in the LGO's Report.

Members discussed a range of issues related to the report and the actions proposed by the Director of Community Services, these included:

- The need for the formal apology to the complainants to be made by the Council as a whole, rather than the Executive Councillor, who, it was noted, had already made an apology to them.
- The need to improve procedures, including record keeping, to ensure that any similar circumstances were identified at an early stage and action taken to forestall prolonged disturbance to neighbours and other residents. The length of time taken to resolve the situation which had been investigated had exacerbated the problems and any procedures should aim to curtail any prolongation of anti social behaviour.
- The need to keep the various agencies involved in cases of anti-social behaviour (ASB), such as the Problem Solving Groups, fully informed and ensure action by any one agency taken is reported to the others.
- The creation of a team within the Council to deal with ASB issues, which liaised with outside agencies was welcomed and the enhancement of its role through training, particularly on powers available under the new legislation, was to be encouraged.
- In dealing with a number of other agencies over a case, care should be taken to ensure that responsibility was properly allocated and avoid uncertainty over roles.

- The information given to tenants on the Council's role on the issues around ASB needed improvement, comparisons were drawn with Housing Associations which had issued guidance to tenants.
- Frontline housing officers needed to be given guidance on when to bring problems which were beginning to get out of their control to the attention of line managers. Experience would help inform and develop procedures.
- Investment in computer software was necessary to improve record keeping and the ability to review cases.
- While tenants were the focus of the Council's concern, either as the source of complaints or the complainants, other residents were also contributing to the problems arising from ASB. The Team set up by the Council would be able to offer advice to other agencies or individuals affected.
- Labour group members were concerned that while the Neighbour Nuisance and Anti Social Behaviour procedure document provided an initial basis for consideration it required further work before publication as a consultation document, for example procedures needed to be clarified for the benefit of staff and tenants.
- The lack of property inspections exacerbated the situation and any action taken to improve procedures should incorporate this element with clarity about which officer was responsible for undertaking the inspection.
- The County Council had issued a Protocol for agencies on ASB and copies of this should be made available to members and officers.
- Two further requests for ex-gratia payments from tenants directly affected by the situation had been received, members acknowledged the difficulty of allocating payments without sufficient procedure. In this instance they acknowledged that the tenants had a justifiable case and that the payments should be made.

On recommendation 1, members voted, by 6 votes to 0, to amend the recommendation set out in the report as follows:

'The Committee recommends the Council makes a formal apology to the complainants who have suffered as a result of the maladministration.

On recommendation 2, members agreed the recommendation set out in the report by 6 votes to 0.

On recommendation 3, members agreed the recommendation set out in the report by 6 votes to 0.

On recommendation 4, members voted, by 6 votes to 0, to amend the recommendation set out in the report as follows:

To accept the draft Neighbour Nuisance and Anti Social Behaviour procedure document as a draft document for consultation with tenants, staff and other stakeholders.

On recommendation 5, members voted, by 6 votes to 0, to amend the recommendation set out in the report as follows:

To make further ex gratia payments of £2,000 to both complainants in recognition of the time and trouble in making their complaints to the Council as recommended in the LGO report.

The Executive Councillor agreed the recommendations as amended.

The meeting ended at 7.20pm

CHAIR