

IMPROVING PLACES SELECT COMMISSION

**Venue: Town Hall, Moorgate
Street, ROTHERHAM.
S60 2TH**

Date: Wednesday, 23rd April, 2014

Time: 1.30 p.m.

A G E N D A

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.
2. To determine any item(s) the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for absence
4. Declarations of Interest
5. Questions from members of the public and the press
6. Communications
7. Minutes of the previous meeting held on 26th March. 2014 (Pages 1 - 6)
8. Homelessness Strategy - Scrutiny Review (Pages 7 - 24)
9. Proposals for mitigating the risk of Personal Injury claims on Housing Revenue Account funded Footpaths (Pages 25 - 30)
10. Date and time of the next meeting -Wednesday, 18th June, 2014 at 1.30 pm

Improving Places Select Commission: membership: -

Councillors Andrews, Astbury, Atkin, Dodson, Ellis, Falvey (Chairman), Foden, Gilding, Godfrey, Gosling, N. Hamilton, Jepson, Johnston, Pickering, Read, Roche, P. A. Russell, Sims (Vice-Chairman), Swift, Vines, Wallis and Whysall.

Co-opted members:- Miss P. Copnell, Mr. T. Roche and Mr. B. Walker.

IMPROVING PLACES SELECT COMMISSION
26th March, 2014

Present:- Councillor Falvey (in the Chair); Councillors Andrews, Astbury, Atkin, Dodson, Ellis, Gilding, Godfrey, Gosling, N. Hamilton, Jepson, Johnston, Pickering, Roche, Sims, Swift, Wallis and Whysall; together with co-opted members Miss P. Copnell and Mr. B. Walker.

Apologies for absence were received from The Mayor (Councillor Foden) and from Councillors Read, P. A. Russell and Vines.

49. DECLARATIONS OF INTEREST

During consideration of item 53 below (Private Rented Sector), the following Members declared their personal interests shown:-

Councillor Dodson – landlord of private rented sector property
Councillor Ellis – Chair of Robond
Councillor Godfrey – Member of Robond
Councillor Sims – Member of Robond
Councillor Wallis – Member of Board of Laser Credit Union.

50. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

51. COMMUNICATIONS

There were no issues to report.

52. MINUTES OF THE PREVIOUS MEETING HELD ON 19TH FEBRUARY 2014

Resolved:- That the minutes of the previous meeting of the Improving Places Select Commission, held on 19th February, 2014, be approved as a correct record for signature by the Chairman, with the addition of resolution (3) to Minute No. 46 (Local Plan – Consultation on Main Modifications to the Core Strategy) that the comments of this Select Commission shall be included in the consultation feedback.

53. PRIVATE RENTED SECTOR

Further to Minute No. 176 of the meeting of the Cabinet held on 28th March, 2012 and Minute No. 164 of the meeting of the Overview and Scrutiny Management Board held on 30th March, 2012, the Select Commission received a presentation from Paul Benson (Private Sector Housing Officer) which provided an update of the progress with the action plan and recommendations of the scrutiny review of the private rented sector.

The presentation responded to the recommendations listed in the original report and the following activity was discussed as progress being made:-

Recommendations 1 and 2: Long-term sustainable action plan

- Private Rented Sector engagement strategy
 - Borough wide/local data; landlord forums; research; etc.
- Enforcement
 - Proactive and reactive
- Support to local agencies, landlords and agents
 - Bond and Rent in Advance schemes, floating tenancy support
 - Localised initiatives e.g. Eastwood, Dinnington and Maltby
- Resources
 - Only staff time available and energy efficiency funding used

Recommendation 3: Engage with landlords, tenants and councillors

- Landlord information
 - Borough wide and local forums; Borough Council website
- Research, analysis and consultation
 - Landlords understanding of the Green Deal, consideration of Selective Licensing in targeted areas
- Tenant support
 - Floating tenancy support
 - Key Choices support offered to prospective prs tenants
- Enforcement protocol
 - Encourage better management of properties

Recommendation 4: Landlord accreditation scheme

- Accreditation scheme considered in 2012
 - Unfeasible due to lack of resources and interest
- Promotion of national accreditation schemes
 - Local landlords informed of NLA/RLA national on-line accreditation schemes
- Alternative landlord recognition/support schemes considered
 - Selective Licensing and alternative voluntary landlord scheme

Recommendation 5: Enforcement action

- Enforcement Concordat
 - Action taken to deal with private tenant service requests; 780 inspections, 93 notices served with ten prosecutions during 2013/14
- Charging of enforcement notices
 - Average cost £200/notice
- Proactive and reactive enforcement work
 - Aligned with the deprived area agenda
 - Reactive service offered throughout the borough
- Houses in Multiple Occupation review completed
- In-house training for Community Protection Unit officers

Recommendation 6: Empty properties back into use

- Council Tax charges
 - Increased for properties over two years empty and charging for properties empty less than six months
- Undertaking 'works in default'
 - To reduce impact of blight on surrounding area
- Use of regulatory powers
 - Framework created for 'enter dwelling management orders' and enforced sale procedures
- Social Housing Provider assistance

Recommendation 7: Private rented sector agency support

- Eviction/repossession prevention tools
 - Housing Solutions
 - Homelessness Strategy
- Landlord incentive schemes
 - Rent in Advance scheme
 - Bond schemes
- Floating tenancy support
- Private Rented Sector properties free from hazards

Continued activity will focus on the following;

- Provide a decision on Selective Licensing
- Progress 'enter dwelling management orders' and enforced sale procedures
- Market Private Rented Sector properties through the Property Shop
- Consider a tenant reference scheme
- Continue to offer rent in advance, bond schemes and floating tenancy support
- Increasing the usage of Private Rented Sector accommodation to deliver/meet 'homelessness duty'
- Explore options for providing single point of contact within Benefits
- Introducing a short-term tenancy intensive intervention service

During discussion of this item, Members raised the following matters:-

: feedback from the public consultation exercise undertaken in respect of the proposed selective licensing scheme; costs to landlords of the licensing scheme;

: reference to the investment of public funds in the regeneration of parts of the Rotherham Borough area (eg: the Eastwood Village and Springwell Gardens area);

: the difficulties which some tenants have in affording the cost of property bonds;

: reference to private rented sector properties in various parts of the Borough area, including those properties which have blighted their surrounding areas;

: some Members expressed the view that a mandatory licensing scheme for landlords would be more effective than a voluntary scheme;

: legal proceedings (eg: use of enter dwelling management orders and enforced sale procedures); the process and timescale of entering cases for Court proceedings;

: use of accreditations schemes and the inspection of the condition of properties;

: reference to the selective licensing schemes operated by other local authorities;

: Members noted the reasons why a Borough-wide licensing scheme for landlords would be impractical.

: Members asked to be provided with the presentation slides, displayed at today's meeting.

Resolved:- (1) That the information contained in the presentation be noted.

(2) That a report on the outcome of the public consultation exercise about the Council's proposed scheme for the selective licensing of landlords be submitted to a future meeting of the Improving Places Select Commission, prior to being considered by the Cabinet.

(During consideration of the above item, the following Members declared their personal interests shown:-

Councillor Dodson – landlord of private rented sector property

Councillor Ellis – Chair of the Rotherham Bond Guarantee Scheme Limited (Robond), a Homeless Charity

Councillor Godfrey – Member of Robond

Councillor Sims – Member of Robond

Councillor Wallis – Member of Board of Laser Credit Union)

54. SCRUTINY WORK PROGRAMME 2013/14 - UPDATE AND FORWARD PLANNING

Further to Minute No. 5 of the meeting of the Improving Places Select Commission held on 19th June, 2013, consideration was given to a report, presented by the Scrutiny Manager, concerning this Select Commission's scrutiny work programme, including an update of progress on the delivery to date, summarising achievements and changes that have taken place.

The report provided details of future agenda items and potential themes for consideration during 2014/2015.

Members discussed various subjects which could be considered by this Select Commission and agreed that reports on the following issues be considered at the meetings shown:-

i) 23rd April 2014 - housing issues (including homelessness and housing repairs); personal injury insurance claims arising from accidents on housing land (Minute No. 45 of the meeting of the Deputy Leader and Advisers held on 17th February 2014 refers);

ii) 18th June 2014 – issues concerning Streetpride (eg: highway maintenance, nuisance of off-road motor-cycles);

iii) continuing consideration of the scrutiny review of supporting the local economy (eg: apprenticeships; localisation of business rates; transport issues affecting the Dearne Valley).

Resolved:- (1) That the report be received and its contents noted.

(2) That reports be submitted to future to future meetings of this Select Commission, as listed above.

55. EARLY FINDINGS FROM SCRUTINY REVIEWS

Consideration was given to a report, presented by the Scrutiny Manager, containing an update of this Select Commission's two main scrutiny reviews being undertaken during 2013/14. The following salient issues, under consideration as part of these scrutiny reviews, were highlighted:-

(i) Homelessness (Minute No. 4 of the meeting of the Improving Places Select Commission held on 19th June 2013 refers)

- : refresh of the Council's homelessness strategy
- : 28 days rule
- : visits to 'crash pads' (emergency accommodation) and hearing evidence in group sessions
- : limitations of existing provision (lack of bed-spaces in Rotherham)
- : sub-regional discussions about hostel bed spaces (and availability of funding)
- : provision of out-of-hours services
- : need for improved standards in the private rented sector
- : temporary emergency accommodation (clothes washing facilities; transport of children to schools; neighbour issues);
- : gaps in provision (eg: for single females and for vulnerable young adults – the issue of 'sofa-surfing');
- : the impact of sanctions on benefits imposed by the Department for Work and Pensions;

: consideration of this scrutiny review by this Select Commission, the Overview and Scrutiny Management Board and by Cabinet

(ii) Supporting the Local Economy (Minute No. 20 of the meeting of the Improving Places Select Commission held on 4th September 2013 refers)

: changes to local government finance, especially business rates
: future reductions in the European Regional Development Fund
: dependency on large organisations (eg: the local authority)
: whole Council approach, as well as the local Chamber of Commerce and the private sector
: the key role of the local authority, driving the local economy forward
: job creation and the targeting of deprived areas
: importance of land supply
: importance of regeneration areas such as the Dearne Valley
: investment in resources
: area-based regeneration and mixed land use proposals
: the Sheffield City Region must reflect Rotherham's priorities (forthcoming enterprise zone)
: creation of a 'business friendly offer' and dialogue with businesses
: integration of transport, education and housing
: availability of apprenticeships
: regeneration of outlying town centres within the Rotherham Borough area
: consideration of this scrutiny review by this Select Commission, the Overview and Scrutiny Management Board and by Cabinet.

Resolved:- That the report be received and its contents noted.

ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS
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1.	Meeting:	Improving Places Select Commission
2.	Date:	Wednesday 23rd April 2014
3.	Title:	Homelessness Strategy Review
4.	Directorate:	Chief Executive

5. Summary

The report includes a draft report of the sub group established to implement a scrutiny review of the Homelessness Strategy. The full report is attached as an appendix. There are still comments on factual accuracy to be received on this report prior to being submitted to Cabinet. It will be considered by Overview and Scrutiny Management Board on the 25th April 2014.

6. Recommendations

That Select Commission members:

- **Endorse the findings and recommendations of the report and make any amendments as necessary**
- **Agree for the report to be forwarded to the Overview and Scrutiny Management Board and then Cabinet**
- **For the Cabinet response to the recommendations be fed back to the Improving Places Select Commission**

7. Proposals and details

The need for this review was identified as part of the service review and improvement process by Neighbourhoods and Adult Services and was referred to the Improving Places Select Commission to be progressed.

Members of the Review Group:

Councillor Jacquie Falvey (Chair)	Councillor John Swift
Councillor Neil Hamilton	Councillor Alan Gosling
Councillor Chris Read	Ms Pauline Copnell (co-optee)

Members were concerned about the implementation of the new Welfare Reform policy. This Scrutiny Review has been carried out alongside the renewal of the Homelessness Strategy 2008 to 2013 with findings and recommendations being incorporated into the Homelessness Strategy 2014 to 2018. This strategy is still to be finalised and approved by Cabinet.

The review identified a wide variety of information, in different formats and locations to assist people who are homeless or who are potentially becoming homeless. There appeared to be a lack of understanding with clients and with Members regarding the 28 Day Rule.

Information was provided about the amount of rent arrears owing compared with previous year's figures. The figures are comparable and the conclusion reached is that it is too early to draw any conclusions about the impact of the introduction of the Welfare Reform measures around "Bedroom Tax".

The number of emergency bed spaces is low and there is no direct hostel provision in Rotherham. There is also a lack of support for young people with learning difficulties in finding accommodation and employment.

Feedback from tenants who have used the crash pads was positive. Suggestions were made on how to improve the experience.

Rough sleeping is not a major issue in Rotherham. There is a 24 hour telephone service available, however if the person is not in the priority need category, then no immediate help can be provided.

Plans to repopulate the town centre through redevelopment of properties or new build, has been halted due to the effects of the economic downturn in the country. Discussions identified the need for any initiative to tackle the issue of homelessness would be better received if ideas were included at the planning/development stage rather than added on at a later stage.

Currently no comprehensive empty properties strategy is in place which would address the issue of bringing private sector properties back into use. The Private Sector Housing Manager has limited resources and work consists of providing advice to private property owners. Grants to bring empty properties back into use are available from Home & Communities Agency but only to social housing providers.

There is a Landlords Forum in operation, however the members are not usually the ones with empty properties. Other forms of communications used to contact private sector landlords include the publication of a newsletter and the creation of a website on the Council's site.

A partnership between the Council and Action Housing, provided apprenticeship places to refurbish 4 empty properties for habitation by the apprentices. The option to extend this scheme to other housing associations could be explored.

The review contains 10 recommendations in response to these issues.

8. Finance

The recommendations in this report relate to use of existing resources more effectively.

9. Risks and Uncertainties

The main risks identified with this area of work are the need to ensure that services are sufficiently robust to cope with an increase in the number of people who are at risk of being/are homeless.

10. Policy and Performance Agenda Implications

This review supports the Corporate Plan priority "protecting our most vulnerable people and families"

11. Background Papers and Consultation

Details can be found in the main report appended to this paper.

12 Contact

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Scrutiny review : Homelessness

Improving Places Select Commission

August 2013 – January 2014

Scrutiny Review Group:

Cllr Jacquie Falvey (Chair)

Cllr Chris Read

Cllr John Swift

Cllr Neil Hamilton

Cllr Alan Gosling

Co-opted Member Ms Pauline Copnell

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Executive summary

The need for this review was identified as part of the service review and improvement process by Neighbourhoods and Adult Services and was referred to the Improving Places Select Commission to be progressed.

Members of the Review Group:

Councillor Jacquie Falvey (Chair)

Councillor John Swift

Councillor Neil Hamilton

Councillor Alan Gosling

Councillor Chris Read

Ms Pauline Copnell (co-optee)

Members were concerned about the implementation of the new Welfare Reform policy. This Scrutiny Review has been carried out alongside the renewal of the Homelessness Strategy 2008 to 2013 with findings and recommendations being incorporated into the Homelessness Strategy 2014 to 2018. This strategy is still to be finalised and approved by Cabinet.

The review identified a wide variety of information, in different formats and locations to assist people who are homeless or who are potentially becoming homeless. There appeared to be a lack of understanding with clients and with Members regarding the 28 Day Rule.

Information was provided about the amount of rent arrears owing compared with previous year's figures. The figures are comparable and the conclusion reached is that it is too early to draw any conclusions about the impact of the introduction of the Welfare Reform measures around "Bedroom Tax".

The number of emergency bed spaces is low and there is no direct hostel provision in Rotherham. There is also a lack of support for young people with learning difficulties in finding accommodation and employment.

Feedback from tenants who have used the crash pads was positive. Suggestions were made on how to improve the experience.

Rough sleeping is not a major issue in Rotherham. There is a 24 hour telephone service available, however if the person is not in the priority need category, then no immediate help can be provided.

Plans to repopulate the town centre through redevelopment of properties or new build, has been halted due to the effects of the economic downturn in the country. Discussions identified the need for any initiative to tackle the issue of homelessness would be better received if ideas were included at the planning/development stage rather than added on at a later stage.

Currently no comprehensive empty properties strategy is in place which would address the issue of bringing private sector properties back into use. The Private Sector Housing Manager has limited resources and work consists of providing advice to private property owners. Grants to bring empty properties back into use are available from Home & Communities Agency but only to social housing providers.

There is a Landlords Forum in operation, however the members are not usually the ones with empty properties. Other forms of communications used to contact private sector landlords include the publication of a newsletter and the creation of a website on the Council's site.

A partnership between the Council and Action Housing, provided apprenticeship places to refurbish 4 empty properties for habitation by the apprentices. The option to extend this scheme to other housing associations could be explored.

1. Why Members wanted to undertake this review

The need for this review was identified as part of the service review and improvement process by Neighbourhoods and Adult Services, and was therefore referred to the Improving Places Select Commission by the Cabinet Member for Safe and Attractive Neighbourhoods and an initial report was considered at the June 2013 meeting of the Select Commission.

In particular, members were concerned about the Implementation of the new Welfare Reform policy in particular Universal Credit and the “bedroom tax”. This Scrutiny Review was undertaken along side the renewal of the Homelessness Strategy 2008 to 2013, and findings or recommendations were incorporated into the Homelessness Strategy 2014 to 2018.

The scope of the Scrutiny Review was to determine which are the most successful prevention strategies to help people remain in their own homes and what methods are available to obtain alternative accommodation.

The scope of the review included:

Improving information – Short term focus

- What information is there for customers who are faced with homelessness (leaflets, website, self-help other agencies)
- Where can customers get advice and information to prevent homelessness
- Do customers understand the information provided – especially verbal when referring to being homeless earlier than the 28 day legislative rule on taking cases.

Sub Regional Collaboration – long term focus

- Bed spaces/direct hostels.
- Out of hours emergency phone

Temporary accommodation – short term focus

- Availability and quality of temporary accommodation/direct access hostels – how does a customer in Rotherham access a bed space and what is their experience when they get there
- Crash pads, locations, standards and information available to the customer when they arrive.

As the review progressed, the following issues were included.

To identify plans to re-populate the town centre(s) via empty properties, flats over the shops etc.

The partnerships with private sector landlords to improve housing choices and the potential impact on the prevention of homelessness

An update on efforts to enforce and improve standards within the private rented sector

2. Method

The methodology used to undertake this review included the members of the panel meeting with and receiving evidence from the following officers:

- Jill Jones, Homelessness Manager, Neighbourhoods and Adults Social Services (NAS)
- Paul Benson Private Sector Housing Manager, NAS
- Tom Bell Manager (NAS)
- Uzma Sattar Programme Co-ordinator (NAS)

Consultations were carried out on both the housing strategy and the homelessness strategy, by the Housing Options Managers with customers, members and stakeholders.

Statistical information was provided by Housing Option Team in relation to homelessness statistics and the Income Team in relation to the effect of welfare reforms.

Members of the panel went on a site visit to two locations in the borough to examine the various kinds of crash pads available for use by Key Choices. One of these included meeting with some tenants, who shared their experiences with review group members.

The Review Group received a report on the achievements of the Homelessness Strategy 2008 – 2013 and proposed actions to be included in the renewed strategy for 2014 – 2018. The review group made detailed input to this stage of developing the new strategy. This report is the final stage of the review to outline the findings, conclusions and recommendations.

3. Background

Definition of homelessness

The term “homelessness” is often perceived as people who “sleep rough” However most of our statistics on homelessness relate to the statutorily homeless i.e. those households which meet specific criteria of priority need set out in legislation and to whom a homelessness duty has been accepted by the local authority.

Such households are rarely homeless in the literal sense of being without a roof over their heads, but are more likely to be threatened with the loss of, or are unable to continue living in their current accommodation.

Statutory Homelessness

Each local housing authority is required to consider housing needs within its area, including the needs of the homeless households, to whom local authorities have a statutory duty to provide assistance.

The Housing Act 1977, Housing Act 1996 and the Homelessness Act 2002 place statutory duties on local housing authorities to ensure that advice and assistance to

households who are homeless or threatened with homelessness are available free of charge.

A “main homelessness duty” is owed where the authority is satisfied that the applicant is eligible for assistance, unintentionally homeless and falls within a specified priority need group.

The “priority need groups” include households with dependent children or a pregnant woman and people who are vulnerable in some way e.g. because of mental illness or physical disability.

In 2002 an Order made under the 1996 Act extended the priority need categories to include applicants

- aged 16 or 17
- aged 18 to 20 who were previously in care
- vulnerable as a result of time spent in care, in custody or in HM Armed Forces
- vulnerable as a result of having to flee their home because of violence or the threat of violence.

Where a main duty is owed, the authority must ensure that suitable accommodation is available for the applicant and his or her household. The duty continues until a settled housing solution becomes available for them, or some other circumstance brings the duty to an end. Where households are found to be intentionally homeless, or not in priority need, the authority must make an assessment of their housing needs and provide advice and assistance to help them find accommodation for themselves.

Under the Homelessness Act 2002, the local authority must have in place a strategy for preventing homelessness. The strategy applies to those people who are at risk of becoming homeless in addition to the people in the priority categories listed above. Rotherham offers housing options and advice along with helping to relieve homelessness in cases where someone has been found to be homeless but is not owed a duty to secure accommodation under the homelessness legislation.

Homelessness prevention means providing people with the ways and means to address their housing and other needs to avoid homelessness.

Homelessness relief is where an authority has been unable to prevent homelessness but helps someone to secure accommodation, even though the authority is under no statutory obligation to do so.

Work on homelessness prevention forms part of the main Council’s Housing Strategy and links closely with the supporting People Strategy.

Source:- Rotherham’s Homelessness Strategy 2014-2018

4. Findings

The findings are presented under the main objectives identified for this review.

Improving information – Short term focus

- What information is there for customers who are faced with homelessness (leaflets, website, self-help other agencies)
- Where can customers get advice and information to prevent homelessness

Members of the review group received information and evidence about how members of the public access information regarding homelessness and finding appropriate accommodation. This includes assistance via;

Website

Leaflets

Self help organisations

Face to face/ phone enquiries at the Property Shop

Website

Housing Solutions Team provide assistance with prevention of homelessness. They do this via access to private rented sector, assistance with loans for rent in advance, assistance with applications to Robond, referrals to money advice, referrals to medical priority, referrals to mediation, mortgage rescue scheme, Sanctuary Housing, assistance with Council Allocation Policy, assistance with loans to prevent eviction and repossession

Employment Solutions

This includes:

- Govt Mortgage Rescue Scheme
- Home Owner Mortgage Support
- Liaising with landlords
- Employment – Access to training and Education
- Careers options
- Job search
- Volunteering opportunities

Leaflets

A wide selection of leaflets are available in the Property Shop and at libraries across the borough. Appendix 1 – List of leaflets. TO DO

- Do customers understand the information provided – especially verbal when referring to being homeless earlier than the 28 day legislative rule on taking cases.

Members of the review group received an explanation of the definition of 28 day rule and recognised that early intervention is key to providing a solution.

They also noted that promoting an understanding of this to potentially homeless clients was important as anecdotal evidence suggested that people felt they could not seek support until this rule applied.

28 Day Rule.

Under s.184 of the 1996 Act, if a housing authority has reason to believe that a person applying to the authority for accommodation or assistance in obtaining accommodation may be homeless or threatened with homelessness, the authority must make such inquiries as are necessary to satisfy itself whether the applicant is eligible of assistance and if so, whether any duty, and if so what duty, is owed to that person under part 7 of the 1996 Act.

A homelessness case is taken if someone is homeless or threatened with homelessness with 28 days. Where possible, during this period, investigations are carried out to identify if the homelessness can be avoided, by, for example, negotiations with family or friends, or discussions with a landlord, to resolve, if possible why a person has to leave their accommodation.

If homelessness cannot be avoided, then the housing options team attempt to find suitable and affordable accommodation for the household.

Where someone is already homeless and our investigations find that someone has nowhere to stay that night, temporary accommodation will be found where a priority need exists for investigations to be continued

Where there is no priority need, advice is provided on all housing options available to the particular circumstances of that person, including assistance on hostel accommodation, shared accommodation and private rented accommodation.

Rent Arrears Statistics and Information:

Comparator figures on rent arrears prior to Bedroom Tax starting – 2012/13
Year-end = £1,340,810. 2013/14 Q3 (Dec) = £1,904,394.

However, arrears trends do normally show an increase as the year progresses before they decrease at year end.

The 2012/13 figure for the period October to December was £1,531,122.
Current calculations show that the 'bedroom tax' arrears in Rotherham are in the region of £300k, the remaining difference is a proportionate (and expected) increase owing to the effect of the annual rent increase.

Tenants affected by the Bedroom Tax

January 2014 data showed that 3331 accounts were currently affected by bedroom tax.

Of these, 2543 were in arrears (76%) and 67% of those in arrears only have bedroom tax to pay, i.e. no underlying rent liability. Additionally, 17% of those with bedroom tax & in arrears owe over £250 whilst 51% owe less than £50.

Other recent data suggests that the proportion in arrears now is actually fairly similar to the proportion in arrears before bedroom tax came into effect – of those current affected by bedroom tax, around 75% were already in arrears as at 31/03/13

Information to show the number of monthly face to face enquiries to the Property Shop.

Action	Nov-13	Dec-14	Jan-14
Home visits to people threatened with homelessness(these visits are to people who may have been served with notice or are under threat of eviction)	48	48	48
Total number of customers interviewed in the property Shop	681	518	787
Number of those enquiries related to some aspect of homelessness	135	67	158
Figures shown as a percentage of the total	20.00%	13.00%	20.00%

Members noted therefore, that there is insufficient evidence at this stage to confirm an impact on homelessness statistics as a result of the welfare reform agenda. The concern was still significant enough to warrant the continued monitoring of these statistics and the identification of any emerging patterns.

Members also noted that there is a need to continue to raise awareness of homelessness as an issue for members of the public and for other elected members who may come across this increasingly in their wards.

Sub Regional Collaboration – longer term focus.

- Bed spaces/direct hostels

Members were made aware of the low number of bed spaces available in direct hostels. Rush House provides 3 emergency bed spaces for referrals by the homelessness team along with 9 bedsits There are also 29 bed spaces in shared houses and 9 flats for single occupation with provides support for single people. There is no direct access accommodation dedicated to Rotherham. Members considered the potential for working in collaboration with sub regional partners with regard to available bed spaces. The review group attempted to facilitate discussions with colleagues in Sheffield as part of its remit but this proved unsuccessful therefore

they concluded that more sub regional work needs to be continued after this review to attempt to resolve some of these issues.

- Out of Hours Emergency Phone

This telephone service is available 24 hours a day. An initial assessment of the caller's situation is undertaken, however, if they are not deemed to be a priority need, then no immediate accommodation can be given. Advice and signposting information can be offered as to where to find help. Members of the review group discussed this service and their experiences of using the service. It was felt that there was some evidence that it was not working as well as it should be, but that this had not been tested thoroughly as part of the review, and noted that rough sleeping was not a big issue in Rotherham. Therefore the review group concluded that this should be reviewed further, with potential options for a sub regional joint service fully explored as part of this.

Temporary accommodation – short term focus

- Availability of temporary accommodation/direct access hostels in Rotherham.

See section on beds spaces and hostels.

- Crash pads, locations, standards and information available.

Members heard about Rotherham's crash pads – There are 23 crash pads available throughout the borough at the following locations. – JJ to provide info. Members visited two of these as part of the review and overall were impressed with the facilities and received very positive feedback about how they have helped families or individuals in crisis. They did, however, note some issues which could be resolved to further enhance this provision including; provision for young children and babies, being escorted to the property, lack of key facilities such as washing machine, assistance with travel costs when being re-located some distance from home community (including schools).

Under this heading, discussions took place about the lack of provision and assistance for young people aged 16 – 25 who may have learning difficulties or mental health problems, who need additional support with finding a home and employment. It was noted that the Scrutiny Review on DWP Benefits Sanctions had identified this as an issue also and had received positive evidence of how a placement in Rush House had helped such a young person putting their life back together and recover from sanctions that had been imposed.

Members also noted a gap in provision of female only accommodation.

- To identify plans to re-populate the town centre(s) via empty properties, flats over the shops etc.

Members received evidence regarding plans to regenerate and populate the town centre. Their concern regarding this was around what plans there are or could be to convert empty properties to accommodate people facing homelessness. The

economic climate has resulted in a slowing/halting of development taking place in the Town Centre. Its full redevelopment has therefore not been completed. Market forces have therefore resulted in developers such as Iliad, renting accommodation instead of selling. The main problem with redevelopment is the lack of gap funding which was used to enable the development of schemes that would be too risky otherwise. The review group were also informed that renovation of vacant properties is very often more costly than new build. The group therefore concluded that any initiatives to tackle homelessness as part of the town centre strategy would need to be built in at an early stage and would need to be developed with partners. They discussed the merits of working with housing associations and other partners such as Groundwork Creswell, to develop a larger version of the Hope project (referred to elsewhere in this report).

- *The partnerships with private sector landlords to improve housing choices and the potential impact on the prevention of homelessness*

Background.

Members received information from the Private Sector Housing Manager who outlined that within the Council it is his role, with a small budget and limited resources, to bring back into use empty properties within the borough.

The service mostly consists of providing advice to private property owners.

There is no strategy to deal with managing empty properties, but actions relating to the area of work are included in the Housing Strategy under Commitment 2 “

There is evidence that in the current market, owners of these properties are choosing to keep them empty. There may be an impact of the increase in Council Tax for empty properties (full charge for 2 years then increases to 150%) but there is insufficient evidence at this stage. Initially 16 houses have been removed from the vacant houses list since its introduction but more time is required to monitor this.

There are a higher number of empty properties in the more deprived areas in the borough e.g. Maltby and Dinnington.

Initiatives available to help reduce homelessness

- *An update on efforts to enforce and improve standards within the private rented sector.*

Home & Communities Agency Grants are available to assist with refurbishing empty properties, but funding is not available to private sector landlords only to social housing providers to create affordable housing.

The Council has statutory powers under the Housing Act 2004 to enforce the sale of an empty property and enable the council or another social housing provider to manage the property from the landlord.

This can only be done if there is a charge over the property of greater than £500 – which can include Council Tax arrears.

Rent in advance schemes are available via Robond. It is anticipated that there will be an increase in homelessness and therefore the demand for such a scheme will also increase when the effects of the welfare reform become apparent.

A partnership between the Council and Action Housing, who have provided apprenticeships for young vulnerable people, to refurbish empty properties, which when complete they have the option to live in the property. This has resulted in 4 empty properties being brought back into use in Maltby, providing single person units. This initiative could be replicated with other private sector landlords who would be willing to work with Action Housing, allowing them to take over the management of the properties via a long term lease. The potential for the Council to lease properties was discussed – this would require a scheme potentially for Key Choices Property management to administer. A scheme of this nature would require Cabinet approval. Currently the Council accesses Action Housing for these arrangements

Landlord Forum.

The members of this forum are usually not the ones with long term empty properties. Advice is provided to landlords by the Community Protection Unit on assisting landlord with business plans and phasing refurbishment work to bring properties back into use.

Other forms of communications with private sector landlords were discussed to improve the links with the homelessness team. The publication of a newsletter to over 800 private sector landlords, who house tenants who are benefits claimants, has been used in the past, but lack of resources prevents this from continuing. Potential sponsorship for the newsletter has also been discussed with the Communications Team of the Council who have suggested that sponsorship of the newsletter is viable with the support of the Legal Team and to ensure that those contributing towards the publications are bona fide.

Members considered whether the website was being used enough to improve communications. This would need improving but could be a more cost effective method.

In areas with large numbers of empty properties this is tackled as part of area based regeneration e.g. Canklow. Other than that there is not much to be gained from having a dedicated empty property team and members accepted that lack of resources made this highly unlikely anyway. They did feel, however that existing resources and teams across the Council could be used in a more co-ordinated and targeted approach to tackle empty properties as an issue across the borough. They also noted with concern that lack of availability of tenancy support for those with private sector tenancies. This role is fulfilled by the Housing Champions for local authority tenants.

5 Conclusions

The conclusions drawn from this review include;

- The Council through various initiatives is working to prevent people becoming homelessness. Information, advice and guidance is available through a variety of sources and formats. Continued efforts to raise awareness are required.

- There is no hostel style emergency accommodation available in particular for young people with learning difficulties who may need additional support in other areas of their life. Also there is not female only accommodation.
- Emergency accommodation is available throughout the borough and positive feedback and suggestions for improvements from families who have had need to use it.
- The current slump in the economy, has slowed the development of and take up of private sector accommodation in the town centre.
- The lack of finances and resources available to the Council tackle homelessness has led to a different approach to the tackling the issue, mainly working with private sector landlords and social housing providers. There is a need to focus on what incentives are available to the private sector and how to work in partnership with the Council.
- The Welfare Reform agenda has the potential in the near future to have a significant impact on homelessness and services to prevent homelessness therefore this needs to be monitored and services must be able to cope with a potential upturn in numbers.

6 Recommendations.

1. Awareness raising for the public and members on the 28 day rule should continue and specific training for members considered
2. Information and trends regarding rent arrears in relation to Welfare Reform “bedroom tax” should be monitored and reported to members
3. Progress the option of issuing a newsletter to private sector landlords.
4. Improve communications between the Homelessness Team and private sector landlords via the Private Sector Housing Officer in relation to empty properties
5. Explore potential partnership options to address the lack of bedspace provision, particularly for young people with additional needs and women.
6. Explore the above and other potential for joint service provision sub regionally
7. Develop a coherent, cross service approach to tackling empty properties on Rotherham, within existing resources
8. Consider ways to provide tenancy support to private sector tenants in Rotherham
9. Implement the suggested improvements to the crash pad provision
10. Look at building provision to both prevent and tackle homelessness in future regeneration schemes at the planning stages and consider ways that this could incorporate an extension to the Hope project.

7. Thanks

Our thanks go to the following for their contributions to our review:

Tenants –

8. Background papers

Initial report identifying the need for this piece of work

Rotherham Homelessness Strategy 2008 – 2013

9 Appendices

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Improving Places Select Commission
2.	Date:	Wednesday 23 April 2014
3.	Title:	Proposals for mitigating risk of Personal Injury claims on HRA Footpaths
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

This report provides an overview of the agreed approach to managing HRA footpaths to:

1. Ensure compliance with revised accounting guidance for infrastructure assets to be adopted in 2015-16 as per Chartered Institute for Public Finance and Accountancy (CIPFA) guidance.
2. Mitigate costs arising from personal injury insurance claims on footpaths (outside curtilage of the property) managed by the HRA given this is highlighted as an area of high risk by RMBC Insurance Section.
3. Meet the Corporate priority for Maintenance of the highways infrastructure.

6. Recommendations

The Improving Places Select Commission is asked to note the planned approach to management of HRA footpaths and comment on the proposals.

7. Proposals and Details

7.1 Revised accounting guidelines for Infrastructure assets

The comfort and safety in which people can move from place to place and the appearance of local streets are important contributors to quality of life. But few authorities know what their infrastructure is worth, and detailed information on what it comprises, and the condition it is in, is patchy and often out of date.

In order to address this knowledge gap the Chartered Institute of Public Finance and Accountancy published, in 2010, its Code of Practice on Transport Infrastructure Assets. The purpose of this Code is to support an asset management plan based approach to the provision of financial information about local authority infrastructure assets. This will mean the Council moving away from its current approach of holding infrastructure assets at their historic cost value to a system of appraising its current condition in order to provide an up-to-date assessment of its value. The Code comes in to effect in 2015/16, with a “dry run” required in 2014/15 to ensure the Council is able to produce information of sufficient quality to comply with its requirements.

The benefit of developing systems to comply with the Code is that the Council will hold good, evidence based asset management information which will lead to the development of more cost effective maintenance and replacement programmes, the delivery of efficiency savings and service improvements and better long term financial planning.

7.2 Insurance claims and costs arising from HRA footpaths

On average, over the past two years the Council has paid £20,538 per year on insurance claims associated with HRA owned footpaths, with the average claim costing £5,868. The need to continue to invest in reducing the costs of accidents via improved management systems, work environment and training is recognised and as a result we plan to implement a series of actions throughout 2014-15 to mitigate this risk. It must be highlighted that initial outlay costs may be greater than anticipated costs of average annual claims but over a period of several years this investment is likely to be recovered through reducing costs of claim.

A summary of claims received as a result of slips, trips and falls on HRA owned footpaths is contained in the following table over page:

HRA Liability PI Claims Performance 2008/09 to 2013/14							
Incident Year	Claims Rec'd	Number On-going	Number Closed	Number Repudiated	Percentage Repudiated	Number Paid	Total Paid £ (inc costs)
2011/12	19	4	15	10	53%	5	32,282
2012/13	28	22	6	5	18%	1	8,495
2013/14	10	9	1	0	0%	1	300

The costs over the past 3 years have been relatively small, this is mainly due to the type of injuries sustained as a result of the slip, trip and falls and the number of claims still outstanding. At the current time we have a reserve for outstanding claims of £264,080. Based on value and percentage of claims paid (including processing cost per claim) the potential average liability per year would be in the region of £47,000. In determining future management of risk associated with claims arising from slips, trips and falls on HRA land/ footpaths the likelihood of future claims and cost has to be considered. At the current time given the limited asset management information on location and condition of HRA footpaths this is considered to be an area of medium to high risk for the service.

A meeting has taken place with Highways to establish a future approach to management of HRA footpaths.

Below is an overview of three options considered to mitigate costs arising from Personal Injury claims on HRA footpaths and achieve compliance with CIPFA guidelines for Infrastructure assets currently planned to be adopted in 2015-16 financial year.

7.2 Options to consider

Option 1 (Preferred Option) – Comprehensive review of footpaths owned by HRA and management system adopted

This option focuses on establishing location and condition of all HRA owned footpaths across the borough, it is proposed over the 12 month period to:

- Establish location and condition of footpaths in HRA ownership
- Assessing the risk associated with HRA footpaths, this will be based on condition of the asset and footfall.
- Establishing an inspection and maintenance regime on the basis of risk assigned to each footpath.
- Factoring in future maintenance costs of HRA footpaths into the 30 Year Business Plan
- Negotiate with Highways the cost of ongoing inspection and maintenance regime once all footpaths in HRA ownership have been identified.
- Updating RMBC Land Terrier with details of HRA footpaths

It should be noted that there has never been a planned approach to management of HRA footpaths which has subsequently resulted in the current lack of information on these assets. This situation is not dissimilar to most other Local Authority housing providers. It will therefore take a minimum of 12 months to put in place an effective system to manage the assets, ensure compliance with planned CIPFA accounting guidance for infrastructure assets and mitigate costs of future claims arising for Personal injury.

By adopting Option 1 the Council will hold information which can be used for:

- scenario planning and option appraisal to model and understand the cost consequences of different maintenance strategies
- prioritising work programmes to maximise the return on a given level of investment
- reducing the amount of unplanned, reactive maintenance
- reducing the number and value of successful third-party claims
- complying with its statutory obligation to produce financial information based on the current value of its infrastructure assets

Option 2 – Pro-active Assessment by Housing Champions

This will expand the current approach to maintenance of communal areas on estates where estate Caretakers and Housing Champions will report issues of Graffiti, litter, over grown areas and hazardous footpaths on an 'eyes and ears' forms.

The roll out of the approach across all estates managed by the HRA will allow us to improve the condition of footpaths without the need for appointment of a dedicated surveyor. This option does allow us to mitigate costs of slips, trips and falls through identifying footpaths in poor condition and putting in place a maintenance regime.

The main weakness of this approach is that we will not benefit from detailed condition surveys and location plans (due to Estate Officers not having the appropriate technical knowledge and experience) that would assist in future management of the assets so mitigating long term risks associated with personal injury claims from slips, trips and falls. We would only be able to update the Land Terrier with basic information on location of the footpath through data being passed to the Strategic Housing and Investment Team. This approach also does not ensure we are prepared for the planned changes to the CIPFA accounting guidance for infrastructure assets from 2015-16.

Option 3 – Reactive maintenance

This will maintain the current ad hoc approach where we will continue to repair footpaths on a reactive basis following a report from members of the public or staff about a footpath in a dangerous condition. More often this is reported following a slip, trip or fall on the footpath as part of a Personal injury claim. This approach will continue to result in personal injury claims and as the assets age, will potentially culminate in more frequent incidents of personal injury and increased reactive maintenance costs. This approach also does not ensure we are prepared for the planned changes to the CIPFA accounting guidance for infrastructure assets from 2015-16.

The annual cost of reactive maintenance to footpaths outside the curtilage of properties is approximately £10,000.

8.0. Finance

There is a compulsory policy excess of £100,000 on each and every claim which means that the vast majority of claims are met directly from the authority's Insurance Fund.

To assist our attempts to prevent/ minimise claims, our claims handlers, Gallagher Bassett, provide 10 free days Risk Management or Loss Control Consulting services.

The costs of each option are detailed below:

Option 1 (Preferred) - Comprehensive review of footpaths owned by HRA and management system adopted

The estimated cost to identify footpaths in HRA ownership and implement a subsequent programme of inspection is estimated to be approximately £50,000 in year one (2014-15).

1 X Surveyor (Band H)	£32,138
Office Costs	£7,000
Mileage etc.	£500
Footpath Repairs	£10,000

Through implementing an ongoing inspection programme there will be a requirement for ongoing budget to maintain and upgrade high risk footpaths. Given we do not

currently have details of footpaths in HRA ownership it is difficult to quantify likely maintenance costs for budgeting purposes in 2014-15. A prudent estimate would be £10k based on current rate per sq.m for footpath repairs being £30 and approximate spend for annum to date. Once we have a record of footpaths in HRA ownership and condition then we anticipate being able to negotiate ongoing inspections through an SLA with Street pride so we have a consistent approach to inspection and maintenance of footpaths throughout the authority.

It has been agreed by the Director of Finance that £25,000 of the cost will be met from the Finance budget as this approach will ensure we are able to accommodate the planned changes to how infrastructure assets are accounted for.

Option 2 - Pro-active Assessment by Housing Champions

The estimated cost of implementing a pro-active assessment by Housing Champions would be approximately £25,000 per year. This is assuming there would be an increase in the number of footpaths referred for immediate repairs (this would be greater than the number of repairs generated by dedicated surveyors) as officer's would be basing assessments on non-technical knowledge and it would be more difficult to maintain a consistent approach/ interpretation of guidance.

Option 3 – Reactive maintenance

The annual cost of the reactive maintenance regime is £10,000 per annum. By remaining with a reactive maintenance approach this cost would continue (with increase for inflationary uplift).

9. Risks and Uncertainties

The Council does not currently have a pro-active approach to managing risks arising from slips, trips and falls on HRA footpaths, as a result this is an area of medium to high risk for the authority. This could impact adversely on the authority's claims experience, reputation, premiums payable and place greater demand and pressures on the Insurance Fund and Directorate budgets

Positive action in this area should result in a decrease in the number of claims and settlement costs, a subsequent reduction in employee hours/ costs incurred in investigating claims and a greater likelihood of reduced insurance premiums in the future as a consequence of an improved claims history.

Implementation of the planned surveying programme will allow accurate valuation of infrastructure assets ready for adoption of revised accounting guidelines currently planned for 2015-16.

11. Policy and Performance Agenda Implications

Claims Management procedures play an important role in both informing and influencing all elements of Risk Management. Risk Management is one of the dimensions of good Corporate Governance. It is all encompassing and impacts on all areas of the Council's Policy and Performance Agenda.

12. Background Papers and Consultation

HRA 30 Year Business Plan

CIPFA Code of Practice on transport infrastructure assets

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