



CABINET

Monday, 15 April 2019

10.00 a.m.

**Council Chamber, Rotherham Town Hall,
Moorgate Street, Rotherham. S60 2TH**

Cabinet Members:-

Leader of the Council
Deputy Leader of the Council,
Children's Services and Neighbourhood Working Portfolio
Adult Social Care and Health Portfolio
Cleaner, Greener Communities
Corporate Services and Finance Portfolio
Housing Portfolio
Jobs and the Local Economy Portfolio
Waste, Roads and Community Safety Portfolio

Councillor Chris Read
Councillor Gordon Watson

Councillor David Roche
Councillor Sarah Allen
Councillor Saghir Alam
Councillor Dominic Beck
Councillor Denise Lelliott
Councillor Emma Hoddinott

Rotherham
Metropolitan
Borough Council 

CABINET

Venue: Council Chamber - Rotherham Town Hall, Moorgate Street, Rotherham, South Yorkshire S60 2TH

Date and Time: Monday, 15th April, 2019 at 10.00 a.m.

Agenda Contact James McLaughlin, Head of Democratic Services
01709 822477 or james.mclaughlin@rotherham.gov.uk

This meeting will be webcast live and will be available to view via the [Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Democratic Services Officer of their intentions prior to the meeting.

A G E N D A

1. Apologies for Absence

To receive apologies from any Member who is unable to attend the meeting.

2. Declarations of Interest

To invite Councillors to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

3. Questions from Members of the Public

To receive questions from members of the public who wish to ask a general question in respect of matters within the Council's area of responsibility or influence.

Subject to the Chair's discretion, members of the public may ask one question and one supplementary question, which should relate to the original question and answered received.

Councillors may also ask questions under this agenda item.

4. Minutes of the Previous Meeting (Pages 1 - 11)

To receive the record of proceedings of the Cabinet meeting held on 18 March 2019.

5. Exclusion of the Press and Public

There are no agenda items which require the exclusion of the press or public.

ADULT SOCIAL CARE AND HEALTH

6. Response to Recommendations from Scrutiny Workshop: Adult Residential and Nursing Care Homes (Pages 13 - 21)

Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That the Cabinet response to the recommendations of the Health Select Commission's report in respect of Adult Residential and Nursing Care Homes, as set out in Appendix A, be approved.

CHILDREN'S SERVICES AND NEIGHBOURHOOD WORKING

7. Response to Recommendations from Improving Lives Select Commission - Spotlight Review of the Ofsted Inspection of Adult Community Learning (Pages 23 - 28)

Report of the Strategic Director of Children and Young People's Services

Recommendation:-

1. That the Cabinet's response to the spotlight review following the Ofsted Inspection of Adult Community Learning be approved and the up to date position noted.

CORPORATE SERVICES AND FINANCE

8. February 2018/19 Financial Monitoring Report (Pages 29 - 45)

Report of the Strategic Director of Finance and Customer Service

Recommendations:-

1. That Cabinet:
 - i. Note the forecast General Fund outturn position;
 - ii. Note the actions being taken to reduce the forecast overspend;
 - iii. Note the updated capital programme 2018/19 to 2021/22;
 - iv. Note the capital grant funded budget inclusions and variations as detailed within the updated Capital Programme.
 - v. Approve the alternative budget savings proposals for the Regeneration and Environment directorate as referenced in Paragraph.2.4.4.

HOUSING

9. Homelessness and Rough Sleepers Prevention Strategy (Pages 47 - 96)

Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That the proposed Homelessness Prevention and Rough Sleeper Strategy 2019 – 2022 be approved.
2. That the Strategy be reviewed annually to provide an update of progress against the six aims.

10. Selective Licensing – Designation of sites in Parkgate and Thurgroft (Pages 97 - 172)

Report of the Strategic Director of Regeneration and Environment

Recommendations:-

1. That the strong evidence and public support for the Selective Licensing of Private Rented properties in Thurgroft and Parkgate be noted.
2. That the two areas in Thurgroft and Parkgate, as detailed in Appendix 1 of this report, be designated as Selective Licensing Areas under Part 3 of the Housing Act 2004, through the designation orders in Appendix 6.
3. That the Selective Licensing Conditions contained in Appendix 3 be adopted in the new designation orders for all new licences granted across Rotherham.
4. That the proposed licence fee structure for the Thurgroft and Parkgate areas, as set out in paragraph 6.1 of the report, be approved.

JOBS AND THE LOCAL ECONOMY

11. Rationalisation of the Property Portfolio - Land Adjacent to Chislett Community Centre - Asset Transfer Request Outside of the Adopted Policy (Pages 173 - 180)

Report of the Strategic Director of Regeneration and Environment

Recommendations:-

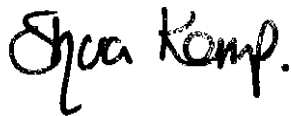
1. That the request for an Asset Lease agreement as detailed within the report be approved.
2. That the Acting Assistant Director – Planning, Regeneration and Transport be authorised to negotiate the terms of the request and the Assistant Director of Legal Services be authorised complete the necessary documentation.

**12. Recommendations from Overview and Scrutiny Management Board
(Pages 181 - 182)**

To receive a report detailing the recommendations of the Overview and Scrutiny Management Board in respect of the above items that were subject to pre-decision scrutiny on 10 April 2019.

13. Date and Time of Next Meeting

The next meeting of the Cabinet will be held on Monday 20 May 2019 at 10.00 a.m. in Rotherham Town Hall.

A handwritten signature in black ink that reads "Sharon Kemp". The signature is written in a cursive, flowing style.

SHARON KEMP,
Chief Executive.

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THE CABINET
Monday, 18th March, 2019

Present:- Councillor Read (in the Chair); Councillors Alam, Allen, Beck, Hoddinott, Lelliott and Roche.

Also in attendance Councillor Steele (Chairman of the Overview and Scrutiny Management Board)

An apology for absence was received from Councillor Watson.

116. MINUTE'S SILENCE

A minute's silence was observed as a mark of respect following the attack on the two mosques in New Zealand.

117. DECLARATIONS OF INTEREST

There were no declarations of interest to report.

118. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) A member of the public described his concerns about the allocation of housing, his perceived breaches of the law, influence of staff for property suitability, waiting times, tenant suitability and adaptations.

The Leader acknowledged the member of the public concerns, but pointed out allocations were all carried out appropriately. The Council's Choice Based Lettings (CBL) scheme advertised all available properties and if a tenant was eligible could express an interest in properties.

If the member of the public had any examples he wished to share then the Cabinet Member and the Housing staff would be happy to pick this up.

(2) Councillor Cooksey, Ward Member for Rotherham East, referred to the report on the agenda relating to the proposed Public Space Protection Order for Fitzwilliam Road, Rotherham. She had noticed that one of the recommendations was for Cabinet to receive a further report in June of this year before a final decision was made. Following that decision she asked how long would it then take for the implementation of the Public Space Protection Order.

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, thanked the Rotherham East Ward Members for putting this proposal together. If approval for consultation was approved then a report for a final decision would be submitted to Cabinet in June, 2019.

The report was seeking approval to proceed to public consultation. If the report submitted to Cabinet then in June, 2019 was approved with Rotherham's experience in terms of introducing Public Space Protection Orders with the protocols, the guidelines for officers and all the support in terms of resource required was currently in place so implementation could happen fairly quickly especially as the summer months would be fast approaching when noise and disturbance would be more prevalent with people being outside.

119. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the Cabinet meetings held on 21st January and 18th February, 2019, be agreed as true and correct records of the proceedings.

120. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the Agenda Item 11 on the grounds that the appendices involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

121. DETERMINATION OF PROPOSALS TO MAKE PRESCRIBED ALTERATIONS TO THE WILLOWS SCHOOL

Further to Minute No. 72 of the meeting of the Cabinet held on 17th December, 2018, consideration was given to the report which sought the approval of proposals to make prescribed alterations to the Willows School, following the period of statutory consultation, in line with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 by increasing the number of places available and changing the age range of the school.

The proposals that were consulted upon were to formally increase the registered number of places at the school from 100 to 120 to reflect the actual number of pupils now on roll at the school as a result of oversubscription and the additional ten places being provided and, to change the upper age limit at the school from 16 to 19 by prescribed alteration, to enable continuity of education.

It was also pointed out that the Dedicated Schools Grant (High Needs Budget) was significantly overspent in this area. Indications were that there would continue to be significant increases in out of authority placements should 'in authority' capacity not be increased, leading to further demand on high needs funding allocation as 'out of authority' placements were significantly more expensive than 'in authority' placements.

There were twenty representations received during the statutory consultation period. Responses were broadly supportive of the proposals and made reference to the benefits and opportunities that would be available to pupils attending the school and being able to continue their Post 16 education in a familiar environment.

Resolved:- (1) That, following a period of statutory consultation and consideration of representations received, approval be granted to make prescribed alterations to the Willows School by permanently changing the registered number of places at the school from 100 to 120 and changing the upper age limit at the school from 16 to 19.

(2) That the Secretary of State for Education be informed accordingly.

122. RESPONSE TO CHILDREN'S COMMISSIONERS TAKEOVER CHALLENGE SCRUTINY REVIEW: WORK EXPERIENCE

Further to Minute 37 of the meeting of Council held on 25th July, 2018 consideration was given to the report which responded to the findings and recommendations from a spotlight review undertaken by Rotherham Youth Cabinet under the auspices of the Children's Commissioner's Takeover Challenge regarding improving access to work experience opportunities for all young people in Rotherham.

The recommendations sought assurances that:-

- The Council, schools and partners would work together to develop an improved offer of work experience, interaction with employers and volunteering opportunities for all young people from 2019.
- That any specific needs of young people with mental health needs and/or special educational needs and disability who were in mainstream schools were taken into account in developing the offer, as well as those of young people in special schools.
- That from 2019 onwards Rotherham Youth Cabinet receive updates twice a year from schools regarding progress with the new offer.

Whilst all the recommendations were accepted it was acknowledged that some of what the Youth Cabinet was requesting was not current Government policy. However, the Council would support the Youth Cabinet in its influence to Government and partners to support schools to deliver high quality work experience via the Employment and Skills Plan.

The Rotherham Employment and Skills Plan would serve to assist in the mitigation of risks that may arise from the acceptance of the recommendations from the Youth Cabinet and it was anticipated that the Overview and Scrutiny Management Board would maintain oversight of the implementation of the agreed actions and provide challenge in respect of risks that may arise.

The Chair of the Overview and Scrutiny Management Board was pleased the work of the Youth Cabinet was recognised and urged all Cabinet Members to attend the next meeting of the Children's Commissioner Takeover Challenge Day on 2nd April, 2019.

Resolved:- That the Cabinet's response to the spotlight review of work experience under taken by the Rotherham Youth Cabinet be approved.

123. COUNCIL PLAN 2018-2019 QUARTER 3 PERFORMANCE REPORT

Consideration was given to the Council Plan which was the core document that underpinned the Council's overall vision and which set out the headline priorities, outcomes and measures that would demonstrate delivery of the vision. The process for monitoring of performance against the vision was set out in the Council's Performance Management Framework which explains to all Council staff how robust performance monitoring should be carried out.

The Performance Report and Performance Scorecard included in Appendix A provides an analysis of the Council's current performance against fourteen key delivery outcomes and seventy measures and was based on the currently available data including an overview of progress on key projects and activities which contributed to the delivery of the Council Plan.

At the end of the third quarter (October to December 2018) 24 measures had either met or had exceeded the target set in the Council Plan. This represented 42% of the total number of measures where data was available or where targets have been set. This was another successive slight decline in performance as 45% of measures hit their targets in quarter two and 47% in quarter one. The Priority area with the highest proportion of targets met was Priority 4 (Extending opportunity, Prosperity and planning for the future) where 67% of measures are marked as on target.

The direction of travel was positive for 36 (58%) of the measures calculated in this quarter. This was a slight improvement compared to the 57% figure for last quarter and suggested that, although there had been an increase in the number of targets marked as "off track", overall performance was improving.

Cabinet Members highlighted the headline progress made to deliver against the key delivery outcomes and any action arising:-

Councillor Alam reported on overall performance which had remained constant and the direction of travel positive in this quarter. Sickness absence had continued on an upward trend and had exceeded the annual target. Action was being taken to review current management of long term sickness.

Councillor Beck reported on the number of new homes delivered during the year via direct Council intervention. The measure allowed the Council to track the amount of homes delivered which the Council could actually influence. So far there have been 97 against a year-end target of 109. Officers were confident this target would be achieved, whilst acknowledging the Council had little influence in terms of housing growth within the private sector.

Councillor Roche confirmed that with the new service provider now in placement improvements in the successful completion of drug – non opiate users would be seen within six months and be available in the final quarter of the year and would remain off target.

Where there were challenges action plans have been produced and were monitored by officers. Rotherham was just outside the top quartile range and needed just one more successful exit to compare favourably with the England average.

The proportion of people subject to a safeguarding risk who felt their outcomes had been met had improved to 99% against a target of 96%.

The measure relating to the number of people who were provided with information and advice at the first point of contact was performing well and on target. A new operating model was in the process of being developed which would produce a framework which would improve outcomes for people in the future.

Councillor Allen confirmed the number of engagements with the Council's culture and leisure facilities had already exceeded its target and the service would be pushing itself even further next year to improve performance.

The new camping and caravan park at Rother Valley Country Park was due to welcome its first customers at Easter. Performance would be monitored by the improving Place Select Commission in due course.

No complaints had been received about grounds maintenance and street cleansing in Quarter 2. In Quarter 3 there was just one on grounds maintenance, but on the other hand there were three compliments. The service were not being complacent and a very positive meeting had been held last week with managers from the Streetpride Services to look further what measures could be introduced to better reflect a connection with Streetpride to locality based work.

Councillor Lelliott reported on a well performing area with the number of new businesses supported by the Council which was also linked to the survival rate of new businesses over a three year period.

The number of planning applications determined within the specified period was also on target.

An area for improvement was the percentage of vacant floor space in the town centre. Officers were working to address this. Problems with retail in the town centre were not just a Rotherham problem, but an issue nationally with the high street.

Councillor Hoddinott explained some of the indicators were not moving in the right direction, but discussions were taking place with services around fly tipping, missed bins and anti-social behaviour.

The direction of travel was improving for the percentage of positive outcomes for hate crime cases, which was welcomed. Work would continue with the Police about addressing hate crime and positive outcomes for victims.

The Chair was confident Quarter 4 would see an improving picture and ensure targets would be delivered upon.

Resolved:- (1) That the overall position and direction of travel in relation to performance be noted.

(2) That consideration be given to measures which have not progressed in accordance with the target set and the actions required to improve performance, including future performance clinics.

(3) That the performance reporting timetable for 2018-2019 be noted.

124. NEW APPLICATION FOR BUSINESS RATES DISCRETIONARY RELIEF FOR THE REALLY NEET PROJECT

Consideration was given to the report which detailed an application for the award of a business rate discretionary relief for The Really Neet Project Ltd. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12th December, 2016).

Resolved:- That 100% discretionary relief be awarded to The Really Neet Project Ltd, 1 Chemist Lane, Rotherham S60 1NA for the period 1st April, 2018 to 31st March, 2020.

125. ROTHERHAM'S HOUSING STRATEGY 2019-22

Consideration was given to the report which detailed the new Housing Strategy 2019-22. The strategy had been developed in consultation with tenants and residents, officers and key stakeholders and set out the updated strategic priorities for housing over the next three years.

Following extensive consultation with partners and stakeholders, four strategic priorities have emerged and would form the key areas of focus in the Housing Strategy:-

- Providing new homes to meet Rotherham's housing need.
- Investing in Rotherham's existing housing and communities.
- Improving people's health, wellbeing and independence through housing.
- Working in partnership to deliver the housing vision and to increase opportunities for all.

The Council was in the middle of its Housing Growth Programme where £57 million had been committed to deliver 576 new homes in an attempt to provide housing for people in need.

A key theme that would continue to be taken forward over the period of this new strategy was to create communities and thriving neighbourhoods through the building of homes for people as there was a direct link between inequality and deprivation and the presence of poor housing.

Standards were rising through the provision of good quality housing and the selective licensing scheme, which was already in operation in several areas of the borough. This was now moving forward to include additional areas.

Stakeholders and Elected Members, through the Scrutiny process, had fed into the consultation and the service was now doing what it could to push forward with the strategy over the next three years.

The Housing Strategy would be monitored by the Strategic Housing Forum with a clear set of actions which the progress would be monitoring against.

Thanks and appreciation was given to staff for the work over the last six to nine months in bringing this together into the format now for consideration.

Resolved:- That the Housing Strategy 2019-22 be approved.

126. SITE CLUSTER PROGRAMME AMENDMENTS

Further to Minute No. 24 of the meeting of the Cabinet and Commissioners held on 16th July, 2017, consideration was given to the report which detailed how the Site Clusters innovative development model was increasing and accelerating the amount of new housing and providing a range of additional benefits to Rotherham, including specialist accommodation and extensive employment and training opportunities.

The programme was progressing very well and all seven sites were now under construction and delivering to the agreed construction programme.

At the point of reporting to Cabinet in 2017, the total scheme cost could only be estimated. The sites were extremely challenging and extensive ground remediation work had been necessary to make them developable. Other unforeseeable costs have arisen from utilities diversions and an industry-wide increase in the cost of materials and labour.

The Council must now decide whether to reduce the programme to ensure the original budget was not exceeded, or to increase the budget to enable all 217 homes to be built, and to receive the full range of benefits afforded by this innovative partnership.

It was suggested the contract be renegotiated to a fixed, guaranteed maximum price, which would ensure no further risk of cost increased for the Council.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, subject to the Section 151 Officer being requested to share the learning from this project in respect of the tender and contract agreement process and to ensure that larger scale projects undertaken across the authority were well managed and controlled.

Resolved:- (1) That the proposed revised funding profile for the Site Clusters Programme as set out in Appendix 2, which includes an overall increase to the project budget and a net additional impact on HRA reserves of £4.99m, be approved and Council be asked to approve the revision to the Capital Programme accordingly.

(2) That officers be authorised to renegotiate the contract with Wates to a fixed maximum price contract, subject to the cost being containable within a revised funding envelope as set out in Appendix 1.

127. AREA HOUSING PANEL REVIEW

Consideration was given to the report which set out the basis for a review of the current Area Housing Panel arrangements, in the context of the new neighbourhood working approach. It proposed that the current geographical arrangements for Area Housing Panels were reviewed and recommendations brought forward for Cabinet consideration later in the year.

Reference was made to the current arrangements for the allocation and governance of the annual Area Housing Panel budget and the options considered for the structuring of the budget from 2019/20, including revised governance processes.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process who were in support of the recommendations, subject to the proposed second report in respect of arrangements for 2020/21 and beyond being brought for scrutiny prior to consideration by Cabinet and that the governance arrangements and clarity in respect of delegated decision making be addressed in the future report to be considered by Cabinet.

Cabinet Members welcomed the ongoing neighbourhood working process which would ensure Councillors were in a position to take action on the concerns of their residents on a local basis. Change would be varied, but Councillors would need to be fully engaged with the people who lived in their communities to deliver on their expectations and this was just the latest tool that would assist.

Resolved:- (1) That the annual Area Housing Panel budget for 2019/20 be allocated at Ward level.

(2) That a base budget of £8k be set per Ward, with the remaining annual budget provision then to be allocated to Wards, based upon the percentage of Council homes within each Ward.

(3) That a further report setting out recommendations for the new organisational and budget arrangements for Area Housing Panels from 2020/21, be presented to Cabinet.

128. ADOPTION OF SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 RELATING TO 'SEXUAL ENTERTAINMENT VENUES'

Further to Minute No. 10 of the meeting of Council held on 5th December, 2018, consideration was given to the report which outlined a proposal to adopt the amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 that classified lap dancing clubs and similar establishments, as 'sexual entertainment venues'.

Extra time was allowed for the consultation to cover the Christmas period for responses to be provided and covered a broad spectrum of considerations that a public view was desired upon. The consultation was publicised through a range of channels including social media, press releases, online promotion and written correspondence.

From the responses it was clear that there was a public desire to adopt powers to improve the licencing and regulation of 'sex establishments' including 'sexual entertainment venues'.

Approval was, therefore, sought to consider the findings of the public consultation on the adoption of the powers and to recommend that Council adopted the powers, to support more effective licensing of such venues and reflect the views of local communities.

It was anticipated that if the powers were adopted, then Cabinet would be able to consider the adoption of a specific Policy relating to 'sex establishments' including 'sexual entertainment venues' to ensure proper regulation and control.

Resolved:- (1) That Council be recommended to pass a resolution to adopt powers contained within Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

(2) That Council be recommended that the appointed day for the provisions coming into effect is one month and one day from that resolution being made.

(3) That Council be recommended to delegate responsibility for the discharge of the adopted functions in relation to individual licences of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to the Licensing Board.

129. PROPOSED PUBLIC SPACE PROTECTION ORDER - FITZWILLIAM ROAD, ROTHERHAM EAST

Consideration was given to the report which introduced a potential Public Space Protection Order for the area surrounding Fitzwilliam Road, within Rotherham East, as a part of the Eastwood Deal with evidence available to support potential implementation, alongside a proposed process to meet the legal requirement in relation to due process, including statutory consultation.

This would be the second Public Space Protection Order; the first of which being in the town centre and whose area bordered onto Fitzwilliam Road. There were similar issues affecting both areas so it was important that there was not displacement from one area to another.

Ward Councillors were thanked for their neighbourhood working and engagement with residents and how best the common complaints could be tackled through statutory process enforcement.

There were a number of proposals for consideration within the Public Space Protection Order for the Fitzwilliam Road area, as a result of reports, anecdotal information, public and officer feedback in the area:-

- Restrictions on alcohol
- Restriction on use of foul and abusive language.
- Vehicle nuisance.
- Requirements around maintaining gardens in a condition that does not impact on the quality of life of those in the locality.
- Restricted access to open spaces/groups of people at certain times (Eldon Rd fields, Pocket Park).

- On-street noise that is likely to cause a disturbance. Excessive Noise emanating from properties
- Requirement for business to maintain a tidy curtilage.

The process of consultation would require discussion with key stakeholders, such as the Police and the Police and Crime Commissioner, alongside interested groups, the public and residents in the area to see how they felt about these measures and the issues in the area.

The consultation cover a range of methods including traditional surveys, weekly drop ins at various locations, face to face contact with community organisations that operate in the area, press releases and would involve discussing further with Ward Members about what it should cover and how this would fit in with neighbourhood working to fully engage with residents

In terms of that consultation this was a very diverse population so translation and language barriers would need to be factored in to ensure everyone in the area engage in the consultation

A further report would then be brought back to Cabinet in June, 2010 for a decision with implementation as soon as possible thereafter.

Resolved:- (1) That consultation proposing a Public Space Protection Order based on the conditions contained in this report and specifically Section 3 be approved.

(2) That a further report be submitted in June 2019, to consider the outcomes and conclusions drawn from the consultation alongside the evidence referenced in this report and completed equality impact assessment, for a final decision to be made.

130. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Consideration was given to the circulated report, the contents of which were included as part of the relevant item and the details included accordingly.

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Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet Meeting 15 April 2019

Report Title

Response to Recommendations from Scrutiny Workshop: Adult Residential and Nursing Care Homes

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

This report sets out the response to the recommendations from the scrutiny workshop undertaken in April 2018 by the Health Select Commission to consider residential and nursing care home for adults aged over 65. The purpose of the workshop was to consider progress in bringing about improvements to safety, quality and effectiveness in the sector.

Under the Overview and Scrutiny Procedure rules, the Cabinet is required to respond to any recommendations made by scrutiny and this report is submitted to meet that requirement.

Recommendations

1. That the Cabinet response to the recommendations of the Health Select Commission's report in respect of Adult Residential and Nursing Care Homes, as set out in Appendix A, be approved .

List of Appendices Included

Appendix A – Cabinet Response – Adult Residential and Nursing Care Homes

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Health Select Commission – 13 June 2019

Council Approval Required

No

Exempt from the Press and Public

No

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1. Background

- 1.1 The Health Select Commission agreed to schedule a scrutiny workshop on residential and nursing care home provision for older people in their 2017-18 work programme to consider progress in bringing about improvements to safety, quality and effectiveness in the sector.
- 1.2 It was also an opportunity to explore the impact of the Care Home Support Service, as the care home sector is one of the transformation initiatives under the Rotherham Integrated Health and Social Care Place Plan, a significant part of the Select Commission's work programme.

2. Key Issues

- 2.1 In light of their findings following the workshop, the Health Select Commission made the following four recommendations:

(1) That briefings should be provided for Ward Members on issues relating to any care home in their ward at an early stage.

(2) That Council officers liaise with the Care Quality Commission regularly around Registered Managers in care homes to identify potential concerns.

(3) That all care homes be encouraged to work with the Care Home Support Service and Clinical Quality Advisor to raise standards.

(4) That care home staff be encouraged to attend organised training sessions and that the take up and the impact of training be monitored.

3. Options considered and recommended proposal

- 3.1 The recommendations from the Health Select Commission scrutiny workshop have been accepted by Adult Care and the actions outlined in Appendix A will be implemented as part of the on-going requirements for the service.

4. Consultation on proposal

- 4.1 There is no requirement for consultation with regard to this activity.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The response from Cabinet to the review recommendations will be reported back to the Health Select Commission on 29 May 2019.

6. Financial and Procurement Advice and Implications

- 6.1 None arising directly from this report

7. Legal Advice and Implications

- 7.1 There are no direct legal implications arising from this report.

8. Human Resources Advice and Implications

- 8.1 Officer time is needed to implement the actions, but there are no further implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The focus of the review was on older people in residential and nursing care homes and there are therefore no implications for Children and Young People.

10. Equalities and Human Rights Advice and Implications

- 10.1 There are no direct equalities or human rights implications arising from this report.

11. Implications for Partners

- 11.1 Rotherham Clinical Commissioning Group are involved in commissioning services and the Care Home Support Service and Clinical Quality Advisor are based at Rotherham Hospital.
- 11.2 Positive partnership working is the key to raising quality in the sector with a need to involve providers as well as other agencies to gain commitment and buy-in.

12. Risks and Mitigation

- 12.1 Safe, quality care for older people living in residential or nursing care homes is vital. The work of partners through commissioning and contract management, the Quality Board and the Care Home Support Service contributes to improving standards

13. Accountable Officer(s)

Nathan Atkinson, Assistant Director, Adult Care, Housing and Public Health
 Jacqueline Clark, Head of Strategic Commissioning, Adult Care Housing and Public Health

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	29/03/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Graham Saxton	27/03/19
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	26/03/19
Assistant Director of Human Resources (if appropriate)	N/A	N/A
Head of Procurement (if appropriate)	N/A	N/A

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Cabinet's Response to Scrutiny Workshop: Adult Residential and Nursing Care Homes

Recommendation	Cabinet Decision <i>(Accepted/ Rejected/ Deferred)</i>	Cabinet Response <i>(detailing proposed action if accepted, rationale for rejection, and why and when issue will be reconsidered if deferred)</i>	Officer Responsible	Action by (Date)
1) That briefings should be provided for Ward members on issues relating to any care home in their ward at an early stage.	Accepted	Officers have for some time liaised with Ward members over issues in Care homes. Briefings to Ward members where deviation from quality and regulatory standards are prepared for the Strategic Director of Adult Care, Housing and Public Health and disseminated to Ward members where appropriate. The process of termination of a care home contract due to quality concerns was recently discussed with Ward members, as was the provider led closure of another care home. Ward members were advised of the process and procedures to be undertaken and their queries were addressed at a dedicated meeting.	Nathan Atkinson (Assistant Director, Strategic Commissioning)	On-going requirement
2) That RMBC Officers liaise with the Care Quality Commission regularly around Registered Managers in care homes to identify any potential concerns.	Accepted	The recommendation reaffirms activity already conducted by Officers. The Care Quality Commission's (CQC) Inspection Manager attends the Quality Board and CQC inspectors meet with the Principal Contracts Officer on a 6 weekly basis. Contract Compliance Officers (CCOs) liaise regularly with CQC Inspectors and discuss a number of issues which arise around registered managers. CCOs meet with registered managers at least six monthly to discuss quality and contract compliance.	Jacqui Clark (Head of Prevention and Early Intervention Commissioning)	On-going requirement

Recommendation	Cabinet Decision <i>(Accepted/ Rejected/ Deferred)</i>	Cabinet Response <i>(detailing proposed action if accepted, rationale for rejection, and why and when issue will be reconsidered if deferred)</i>	Officer Responsible	Action by (Date)
3) That all care homes be encouraged to work with the Care Home Support Service and Clinical Quality Advisor to raise standards.	Accepted	<p>The recommendations reiterate the need to continue with a multi-agency response. The Clinical Quality Advisor, though an NHS employee, is an active member of the Contract Compliance Team and supports Quality Assurance Framework activity. She is part of the multidisciplinary team (MDT) that works collaboratively to consider issues that arise in care homes in particular that relate to health.</p> <p>The Clinical Quality Advisor has been instrumental for example in medication audits and tissue viability issues that arise and she was part of the MDT involved in the Special Measures Improvement Plan that led to the termination of the contract with two care homes. She also carries out training to increase skills in care planning, pressure area care, Malnutrition Universal Screening Tool and Moving and Handling and use of Equipment.</p> <p>Providers are actively encouraged to embrace this offer and any reluctance to engage informs soft intelligence to feed into the provider risk matrix.</p>	Jacqui Clark (Head of Prevention and Early Intervention Commissioning)	On-going requirement
4) That all care home staff be encouraged to attend training sessions and that the take up and impact of training be monitored.	Accepted	The Council has had a long standing commitment to supporting the independent sector with training, and this recommendation endorses that approach. Training schedules of the staff working in care homes are monitored by the Contract Compliance Officers.	Jacqui Clark (Head of Prevention and Early Intervention Commissioning)	On-going requirement

Recommendation	Cabinet Decision <i>(Accepted/ Rejected/ Deferred)</i>	Cabinet Response <i>(detailing proposed action if accepted, rationale for rejection, and why and when issue will be reconsidered if deferred)</i>	Officer Responsible	Action by (Date)
		<p>Care Home managers provide their training matrix to be verified by the CCOs. This identifies the training undertaken by staff including mandatory training i.e. Safeguarding, Medication Management, Moving and Handling, Mental Capacity Act. Specialist training also undertaken i.e. Caring for people who experience the symptoms of dementia is identified.</p> <p>Training that is due/overdue is also monitored. Where it is considered that the care home falls short in certain aspects of care then the training of staff is taken into account.</p> <p>Providers are expected to pay staff to attend training and many employ their own trainers via independent training organisations and utilise Skills for Care – a workforce development body for social care in England.</p> <p>A recent audit was carried out in respect of training undertaken in Dignity Challenge – Providers appoint champions – who are staff with enhanced knowledge or skills in certain areas who can support and advise staff. CCOs also examine evidence of good practice, team meeting minutes, care plans, customer experience surveys, resident activities etc. These audits inform the provider risk matrix score.</p>		

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Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet – 15 April 2019

Report Title

Response to Recommendations from Improving Lives Select Commission –
Spotlight Review of the Ofsted Inspection of Adult Community Learning

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jon Stonehouse, Strategic Director of Children and Young People's Services

Report Author(s)

John Stonehouse, Strategic Director of Children and Young People's Services
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Ward(s) Affected

Borough-wide

Summary

This report responds to the findings and recommendations of a spotlight review undertaken by the Improving Lives Select Commission in March 2018 which followed the Ofsted Inspection of Adult Community Learning in June 2017. The purpose of the review was to seek assurance that there was a clear understanding of the issues leading to the inadequate judgement in June 2017; that the issues arising from the inspection have been addressed; and that there are clear plans in place to ensure that adult learners have pathways to secure employment or skills training. The conclusions and recommendations made by Members are based on information gathered from the spotlight review and examination of related documentation.

The report and recommendations were submitted to Council in July 2018.

Under the Overview and Scrutiny Procedure Rules, the Cabinet is required to respond to any recommendations made by scrutiny and this report is submitted to meet that requirement.

Recommendations

1. That the Cabinet's response to the spotlight review following the Ofsted Inspection of Adult Community Learning be approved and the up to date position noted.

List of Appendices Included

Appendix A Cabinet's Response to the Spotlight Review following the Ofsted Inspection of Adult Community Learning

Background Papers

Report of the Improving Lives Select Commission – Spotlight Review following the Ofsted Inspection of Adult Community Learning

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 24 April 2019
Council – 22 May 2019

Council Approval Required

No

Exempt from the Press and Public

No

Response to Recommendations from Improving Lives Select Commission – Spotlight Review of the Ofsted Inspection of Adult Community Learning

1. Background

1.1 The review report presented the findings of spotlight review which Members had undertaken in March 2018 following the Ofsted Inspection of Adult Community Learning in 2017. The purpose of the review was to seek assurance that:-

- there was a clear understanding of the issues leading to the inadequate judgement in June 2017;
- the issues arising from the inspection have been addressed; and
- there were clear plans in place to ensure that adult learners had pathways to secure employment or skills training.

1.2 The conclusions and recommendations made by Members are based on information gathered from the spotlight review and examination of related documentation.

1.3 The review report was submitted to Council on 25 July 2018, which represented the formal publication of the report. Under the Overview and Scrutiny Procedure Rules, the Cabinet is required to respond to any recommendations made by scrutiny and this report is submitted to meet that requirement.

2. Key Issues

2.1 There are five broad recommendations arising from the review, which are detailed in Appendix A. The schedule provides detail in respect of whether the recommendations are agreed, not agreed or deferred. Where recommendations are agreed, the schedule details what action will be taken, by when and who will be responsible.

3. Options considered and recommended proposal

3.1 The recommendations in the scrutiny review have all been accepted and work has already progressed in relation to the relevant actions.

4. Consultation

4.1 Work has been undertaken with Rotherham and North Notts College in relation to their role in the contribution to the Employment and Skills Plan. The relevant council officers have been consulted with in relation to the 5 point action plan.

5. Timetable and Accountability for Implementing this Decision

5.1 Each of the 5 actions has its own specific timescale and accountability sits with each of the named lead officers.

6. Financial and Procurement Advice and Implications

6.1 There are no financial or procurement implications

7. Legal Advice and Implications

7.1 There are no legal implications

8. Human Resources Advice and Implications

8.1 There are no human resources implications

9. Implications for Children and Young People and Vulnerable Adults

9.1 The delivery of the Adult Community Learning agenda is to ensure that those families including the BME and Roma communities have access to high quality learning to move them into employment.

10. Equalities and Human Rights Implications

10.1 Adult community learning has the potential to extend equality of opportunity to those excluded from employment opportunities including women, individuals from black and ethnic minority communities, those for whom English is a second language, and people with disabilities. Adult learning can be a key stepping stone to enable individuals to access further education, employment or skills development.

11. Implications for Partners

11.1 Delivery of Adult Community Learning was transferred to Rotherham and North Notts (RNN) College and as a partner they have contributed to the development of the Education & Skills Strategy

12. Risks and Mitigation

12.1 There are no specific risks in relation to the delivery of the relevant actions.

13. Accountable Officer(s)

Jon Stonehouse, Strategic Director of Children and Young People's Services

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	29/3/2019
Strategic Director of Finance & Customer Services	Graham Saxton	28/3/2019
Assistant Director of Legal Services	Stuart Fletcher	28/3/2019
Head of Procurement	Lorna Byne	25/3/2019
Assistant Director of Human Resources and Organisational Development	Amy Leech	25/3/2019

Cabinet's Response to Spotlight Review of the Ofsted Inspection of Adult Community Learning

Recommendation	Cabinet Decision <i>(Accepted/ Rejected/ Deferred)</i>	Cabinet Response <i>(detailing proposed action if accepted, rationale for rejection, and why and when issue will be reconsidered if deferred)</i>	Officer Responsible	Action by (Date)
1. That areas of concern raised in external inspections or reviews are referred to the relevant scrutiny commission on a timely basis, alongside a plan detailing what action is proposed to address identified areas of improvement	Accepted	Performance information is shared with scrutiny through quarterly performance reports and includes information about areas of underperformance and action being taken to address these. A significant number of peer reviews and inspections take place in the council each year. These will be received and logged corporately. Where inspections raise areas of concern, Scrutiny will have the opportunity to review these and subsequent improvement plans on a timely basis	Strategic Directors, Jackie Mould, Head of Performance, Intelligence and Improvement	Establish log from February 2019 As required following an inspection or review.
2. That the Corporate Performance, Intelligence and Improvement Team ensures that learning from the reporting of areas of concern and in particular the issues arising from this spotlight review, are applied to inform how performance management information is shared and acted upon	Accepted	Performance management information is shared through the quarterly performance reports and are discussed within each directorate leadership team on a monthly basis. SLT / AD performance sessions chaired by the Chief Executive now take place on a quarterly basis to highlight and discuss areas of underperformance and agree any action needed. In future the performance, intelligence and improvement team will receive and log any peer reviews and inspections that are undertaken and it is the responsibility of each Strategic Director to ensure that these are acted upon. Internal audit are responsible for auditing a sample of recommendations each year.	Jackie Mould, Head of Performance, Intelligence and Improvement	Quarterly
3. That future performance reports and scorecards should signpost Members clearly to areas of declining performance and actions taken to address these	Accepted	Quarterly performance reports have been redesigned to clearly highlight areas of declining performance. Quarterly reports now include areas of under performance and the action being taken to address any issues and improve performance.	Jackie Mould, Head of Performance, Intelligence and Improvement	Completed and ongoing

<p>4. That further details are provided to the Improving Places Select Commission to clarify how Council priorities linked to the skills agenda and community engagement will be delivered by Rotherham and North Notts College and how outcomes will be reported to Members</p>	<p>Accepted</p>	<p>A 'Skills Strategy' is currently being consulted upon. This will include how adult learning contributes to the development of skills in the borough. Rotherham and North Notts College will contribute to the development of the Strategy. RNN including the ACL team have been fully consulted in the development of the Employment Skills Plan and will be a member of RTP sub-group which will oversee delivery. Plan goes to April 2019 RTP Board for consideration and approval</p>	<p>Simeon Leach, Economic Strategy and Partnerships Manager</p>	<p>Ongoing due April 2019</p>
<p>5. That the Council's representatives on the Sheffield City Region Combined Authority Scrutiny Panel are asked to keep oversight of the devolution of adult education provision to ensure good outcomes for Rotherham learners</p>	<p>Accepted</p>	<p>This is a matter for the Council's representatives to report back to Members and the relevant scrutiny body in Rotherham on the outcomes of scrutiny activity relating to adult education provision.</p>	<p>James McLaughlin, Head of Democratic Services</p>	<p>Completed</p>

Committee Name and Date of Committee Meeting

Cabinet – 15 April 2019

Report Title

February Financial Monitoring Report 2018/19

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Authors

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Ward(s) Affected

Borough-Wide

Report Summary

This report sets out an improved financial position compared to that previously reported to Cabinet in February 2019. It is based on actual costs and income for eleven months of the financial year with forecasts for the final month of 2018/19. Financial performance is a key element within the assessment of the Council's overall performance framework, and is essential for the achievement of the objectives within the Council's Policy Agenda. For that reason, this report is part of a series of monitoring reports for the current financial year which are brought forward to Cabinet on a regular basis.

In February 2019, the Council reported that it needed to identify a further £0.507m of cost reduction actions by the financial year-end in order to achieve a balanced budget. The current revenue position after eleven months shows an improved position on that previously reported, however £0.126m of cost reduction actions are still required by the financial year-end in order to achieve a balanced financial outturn, after taking account of the £10m budget contingency approved within the 2018/19 budget. This is a reduction of £0.381m in comparison to the £0.507m cost reductions reported in February 2019. This is largely due to the improved forecasts for Assistant Chief Executive and Adult Care Services.

The overspending against budget in Children's and Young People's Services Directorate is continuing in the current financial year as a result of demand for services outstripping budget capacity. The forecast overspend on Children's Services has remained broadly consistent with the last report at £15.704m

The number of Looked after Children hearings also places significant pressure on Legal Services within the Finance and Customer Services Directorate, with the current forecast overspend for Legal Services standing at £1.253m. The Finance and Customer Services Directorate overall is forecasting to outturn within budget after putting into place a range of actions to mitigate the legal service forecast overspend.

The Adult Care Services Directorate are on track to bring their overspend down to £5.399m. A combination of increased client numbers, the rising cost of care packages, and delays in delivery of savings plans have led to pressure on budgets across all client groups. A recovery plan has been developed to address previously undelivered savings and project plans are currently being finalised with the expectation that further savings will be identified from this activity.

Regeneration and Environment Directorate is forecasting a balanced budget, although it is facing challenges from a combination of declining business from the School Meals service and challenges with delivery of budget savings, including transport and property savings.

Mitigating savings and actions identified to date are set out in Table 1 and described in Paragraphs 2.2 to 2.9 of the report.

Recommendations

That Cabinet:

1. Note the forecast General Fund outturn position;
2. Note the actions being taken to reduce the forecast overspend;
3. Note the updated capital programme 2018/19 to 2021/22;
4. Note the capital grant funded budget inclusions and variations as detailed within the updated Capital Programme.
5. Approve the alternative budget savings proposals for the Regeneration and Environment directorate as referenced in Paragraph.2.4.4.

List of Appendices Included

None

Background Papers

Revenue Budget and Council Tax Setting Report for 2018/19 to Council 28th February 2018

Revenue Budget 2018/19 May Financial Monitoring Report to Cabinet 9th July 2018

July Financial Monitoring Report 2018/19 to Cabinet 17th September 2018

September Financial Monitoring Report 2018/19 to Cabinet 19th November 2018

December Financial Monitoring Report 2018/19 to Cabinet 18th February 2019

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Overview and Scrutiny Management Board – 24 April 2019

Council Approval Required

No

Exempt from the Press and Public

No

February Financial Monitoring Report 2018/19

1. Background

- 1.1 As part of its performance and control framework the Council is required to produce regular and timely reports for the Strategic Leadership Team and Cabinet to keep them informed of financial performance so that, where necessary, actions can be agreed and implemented to bring expenditure in line with the approved budget for the financial year.
- 1.2 Delivery of the Council's Revenue Budget, Medium Term Financial Strategy (MTFS) and Capital Programme within the parameters agreed by Council is essential if the Council's objectives are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.
- 1.3 This report is part of a series of financial monitoring reports to Cabinet for 2018/19, setting out the projected year-end revenue budget financial position in light of actual costs and income for eleven months of the financial year. This report includes, with revenue forecasts, details of capital spending and the projected capital outturn position.
- 1.4 In February 2019, the Council reported that it needed to identify a further £0.507m of cost reduction actions by the financial year-end in order to achieve a balanced budget. The current revenue position after eleven months shows an improved position on that previously reported, however, £0.126m of cost reductions are still required in order to deliver a balanced financial outturn after taking account of the £10m budget contingency approved within the 2018/19 budget.
- 1.5 The Final Local Government Finance Settlement 2019/20 confirmed funding to local authorities from a surplus on the Business Rates Accounts Levy. The Council's allocation is £0.969m, which, subject to ratification of the appropriate legislation, will be provided in 2018/19. This has been taken into account in latest forecasts.
- 1.6 In addition, Government announced on 28th January 2019 some upfront funding allocations to support councils with regard to EU Exit. The Council's allocation is £210k, split as £105k in 2018/19 and £105k in 2019/20. The £105k funding for 2018/19 has also been taken into account in supporting the budget.

2. Key Issues

- 2.1 Table 1 below shows, by Directorate, the summary forecast revenue outturn position after management actions which have already been quantified and implemented.

Table 1: Forecast Revenue Outturn 2018/19 as at February 2019

Directorate / Service	Budget 2018/19	Forecast Outturn 2018/19	Forecast Variance over / under (-)
	£'000	£'000	£'000
Children & Young People's Services	58,591	74,295	+15,704
Adult Care & Housing	58,425	63,824	+5,399
Public Health	16,014	16,014	0
Regeneration & Environment Services	44,264	44,264	0
Finance & Customer Services	15,571	15,571	0
Assistant Chief Executive	6,965	6,278	-687
Central Services, Capital Financing and Treasury Management	12,245	7,645	-4,600
SUB TOTAL	212,075	227,891	+15,816
Budget Contingency (£4.8m budget, £5.2m reserves)	4,800	(5,200)	-10,000
TOTAL	216,875	222,691	+5,816
Additional in-year cost reduction activity :			
Forecast of reduced severance costs frees up Capital Receipts to fund revenue transformation expenditure			-700
Use of Directorate balances			-3,916
Additional funding from Business Rates National Levy Account			-969
Funding for EU Exit			-105
= Further actions required to reduce total expenditure to within Budget Contingency			+126
Dedicated Schools Grant			5,310
Housing Revenue Account (HRA)	82,312	82,312	0

The following section (paragraphs 2.2 to 2.9) provide further information regarding the key reasons for forecast under or overspends within Directorates, the progress of savings delivery and how the Council plans to deliver a balanced budget by the end of the financial year.

2.2 Children's & Young People's Directorate (£15.704 forecast overspend)

2.2.1 Children & Young People Services face significant financial pressures in their placement budgets and in the delivery of key social work services, due to the number of children in the care system.

2.2.1 The budget pressure had been increasing month on month due to a steady rise in LAC numbers, but numbers and the budget are now stabilising (the budget position forecasting a financial pressure of £15.7m since October 2018) linked to the various projects instigated by the Directorate. At the end of February the projected overspend remains at £15.7m which in the main reflects pressures on staffing, transport and placement budgets.

2.2.2 The direct employees budgets stands at £40.9m and is a combination of core and grant funded services. The projected overspend is £618k across the directorate, which is a £182k favourable movement from the previous period. The main pressures arise from a combination of staffing and agency costs in children's social care (£763k) and business support (£833k). This is primarily due to the number of agency workers across the service during this financial year and delays in implementing the new staffing structure (part of the £362k overspend in Early Help). However, there has been a positive month-on-month reduction in the number of agency staff in Children's Social Care from 63 in April 2018 to 19 at the end of February 2019.

2.2.3 A significant element of the non-pay budgets relates to placements (£23.430m) with an estimated spend of £36.475m (excluding DSG funded placements). The financial pressure at the end of February is £12.584m, an adverse movement of £447k this period, which is mainly due to a reduction in estimated CCG income (£461k). Whilst the Right Child Right Care initiative and other demand management strategies are having a positive impact, the initial target levels of reduction of children in care are not being met and the reductions which are being achieved have been offset by new admissions into care. Another element of the placement strategy is to reduce the number of children in high cost placements by stepping down into lower cost placements e.g. independent fostering to in-house foster care. However, this reduction is not being achieved as planned and is having a significant impact on the placement pressures.

2.2.4 Other major budget pressures have also been incurred linked to the increase in the number of Looked After Children this financial year. Transport costs (car allowances, public transport and vehicles) are forecast to overspend by £670k whilst Section 17 & 23 payments are projected to overspend by £250k; the latter being financial assistance to safeguard and promote a child's welfare. Detailed spend analysis is being undertaken to monitor Section 17 and 23 payments, with a task and finish group in place and undertaking work to support a reduction in spend.

- 2.2.5 The budget pressure of £15.7m is based on numbers remaining stable and not increasing between now and the year end. Various projects are now in place and the impact is being closely monitored.
- 2.2.6 It should be noted that the position has been exacerbated by a significant amount of placements that have arisen from the complex child protection work and associated interventions with further cases related to Operation Stovewood.
- 2.2.7 A challenging examination of the budget continues to take place, recognising the need for these to be thoroughly reviewed, discussed and considered so that the Directorate can bring forward options for immediate implementation. Proposals are being actively pursued to identify savings having due regard for the continued safeguarding of vulnerable children.

2.3 Dedicated Schools Grant

- 2.3.1 The High Needs Block (HNB) is £31.2m and is under significant pressure due to rising numbers of children supported in specialist provision and the rising costs of Education Health Care (EHC) plans. Consequently, the central DSG reserve has changed over a two-year period from a £1m reserve deficit at the end of 2015/16 to £10.7m deficit at the end of the 2017/18 financial year.
- 2.3.2 The forecast at the end of February 2019 shows an in-year overspend of £5.3m based on minimal anticipated growth and therefore if the pressures on EHCs continue this will incur further financial pressures
- 2.3.3 Both the Early Years and the Schools' block are expected to be broadly in line with allocations in 2018/19.
- 2.3.4 The forecast overspend of £5.3m will increase the DSG central reserve from £10.7m to a deficit of £16.0m. The DSG High Needs Block recovery plan in place is currently being reviewed as part of the 2019/20 budget setting process which includes disapplication funds (£2.8m), now approved by the Secretary of State, and the impact of the Special Educational Need and Disability (SEND) / Social Emotional Mental Health(SEMH) strategies to improve the HNB financial sustainability.
- 2.3.5 The key areas of focus to reduce the overspend are:
- A revised Special School funding model;
 - A review of high cost, out of authority education provision to reduce cost and move children back into Rotherham educational provision;
 - Work with schools and academies to maintain pupils in mainstream settings wherever possible;
 - A review of inclusion services provided by the Council;
 - To redirect funding from the schools block into the high needs block in 2019/20.

2.4 Regeneration and Environment Directorate (Forecast balanced budget)

2.4.1 The Regeneration and Environment Directorate has approved savings of £2.765m to deliver in 2018/19 as well as savings requirements from previous years. This is a challenging position for the Directorate, and in order to meet this challenge, the Directorate will continue the tight financial discipline that enabled it to outturn within budget in 2017/18. Budget monitoring has, however, highlighted some significant pressures, many of which arise from delays in delivery of savings.

2.4.2 The major pressures are as follows:

- Facilities Management (£1.000m). The 2018/19 budget includes a £1m saving on property arising from service reviews within other Council services. A pressure of £875k is being reported in respect of this saving, as a result of delays in concluding the service reviews. The savings are expected to be achieved in the long term, but their delivery has been delayed. In addition, a pressure of £140k is being reported in respect of a saving to let office space at Riverside House, as a result of the proposed tenant withdrawing.
- Catering service (£338k). This mainly arises from a continuing impact of the loss of contracts resulting from academy conversions, where academy chains have alternative provider arrangements in place.
- Street Scene Services (£549k). This is mainly in respect of continuing additional demand pressures on Home to School transport, which was also a pressure in 2017/18.
- Centenary Market (£240k). This is in respect of the number of void units within the Market, which reflects the wider pressures on the retail trade within the town centre.

2.4.3 In order to try to mitigate these pressures the Directorate Management Team has continued to keep a tight control on budgets, limit officers to essential spending and have identified some non-recurring underspends including:

- Holding vacant posts where this can be done without significantly impacting on service delivery;
- Line by line scrutiny of all significant budgets;
- Additional income in Building Consultancy;
- Other windfall income, including additional garden waste income
- Maximisation of capital resources;
- Review of provisions and maximisation of grant funding
- Training to be approved at Departmental Leadership Team

It is envisaged that these actions will enable the Directorate to deliver a balanced budget by the financial year end.

2.4.4 Following these reviews, it has been determined that a number of outstanding savings for the R&E Directorate cannot be delivered as originally agreed and alternative savings are now proposed as set out below :

Savings Ref No	Description	Value £000
R&E5	Transformation of Community Safety and Street scene	53
R&E11	Sponsorship for Christmas Illuminations	36
R&E4a	Review of proactive food hygiene inspections & potential for shared service	55
R&E4c	Review of trading standards and potential for shared service	60
R&E21	Sponsorship for seasonal bedding	21
CCR1	Review of transport and fleet operations	3
CCR5	Fixed Penalty Notices SLA with Doncaster	78
	Rotherham Show (part only)	7
	TOTAL OF SAVINGS NOT BEING DELIVERED	313
Proposed alternative savings		
	Additional income from :	
	• Caretaking	(35)
	• Highways Licences	(50)
	• Business Centres	(25)
	• Cleaning	(62)
	• Bulky Waste	(10)
	• Green Spaces	(21)
	Deletion of 2 x vacancies in business unit and reduction in training budget	(110)
	TOTAL ALTERNATIVE SAVINGS	(313)

Cabinet are asked to agree the above alternative savings replacing those originally approved.

2.5 Adult Care & Housing (£5.399m overspend)

2.5.1 Adult Care and Housing Services are currently forecasting an overspend of £5.399m in 2018/19 (after allocation of £5.9m of the additional Better Care Funding). This has reduced from the previously reported £5.647m, mainly driven through effective budget management, plus internal/external challenge to the necessity of spend and value for money tests against the Better Care Fund plan for 2018/19.

2.5.2 Whilst there were no new budget savings for Adult Care agreed as part of the 2018/19 budget setting process, there are £3.224m of savings agreed in previous years to take effect in 2018/19, in addition to the £7.346m agreed in 2017/18. The forecast overspend for 2018/19 includes an anticipated shortfall of £6.995m in the delivery of these accumulated budget savings within the current financial year.

2.5.3 The main reasons for the delayed delivery of savings are the complexity, rather than the volume of new cases (including transition) – as the overall customer base has been relatively static. Also, contributing to the delay is historical assessment practice across all cohorts; in terms of over reliance on residential care, poor application of self-directed support and over provision of care hours. In addition reviewing team resources have had to be diverted to due to market failure over recent months.

- 2.5.4 The main budget pressures continue to be in respect of: Residential Care (+£4.6m), Domiciliary Care (+£1.3m) and the provision of Direct Payments/Managed accounts (+£0.2m), this includes pressures from anticipated delays in achieving budgeted savings.
- 2.5.5 These pressures have been reduced by underspends from higher than anticipated staff turnover within Commissioning and Assessment and Care Management (-£640k).
- 2.5.6 Neighbourhood Services (Housing General Fund) latest forecast is a favourable variance against budget, and this is included in the overall Directorate position. This is as a result of one-off savings generated from the housing repairs contracts.
- 2.5.7 Adult Care recognises that the primary pressures on its budget centre on previously undelivered savings. As a result, a suite of high level project plans have been developed to address the savings challenge which includes reviewing Learning Disability Services (My Front Door), right sizing care packages and resource/operating models.

Digital Transformation, Workforce Development and the Intermediate Care and Re-ablement Pathways will be enablers to these. This will be in line with the Rotherham Integrated Health and Social Care Place plan priorities.

Public Health (Forecast Balanced budget)

- 2.5.8 The Public Health ring fenced specific grant was reduced by a further £430k to £16.304m for 2018/19.
- 2.5.9 The latest forecast is an overall balanced budget, which includes a planned transfer from the Public Health Grant reserve of £441k in order to achieve a balanced budget. There are some forecast pressures within Sexual Health and Tobacco control but these are being offset by underspends within Drugs and Alcohol and Children's Obesity contracts, together with staff vacancies with the Public Health team.
- 2.5.10 Budget savings agreed as part of the budget setting process for 2018/19 totalling £0.653m are forecast to be fully achieved in year.

2.6 Finance & Customer Services (Forecast Balanced Budget)

- 2.6.1 Whilst F&CS Directorate is continuing to forecast a balanced outturn position, the Directorate has an underlying overspend of £1.253m as a result of the ongoing pressures on Legal Services from Children's Services. Significant challenges exist within this department from the continued demand for legal support with child protection hearings and court case costs relating to Looked After Children. Recruitment to vacancies is now nearing completion, but in the interim, there has been a heavy reliance this year on locum solicitors alongside a temporary arrangement with Sheffield City Council, which has come at a premium cost.

- 2.6.2 It is envisaged that these financial pressures will not diminish until the current resourcing problems are concluded, and the volume of social care proceedings reduces further. Work is ongoing to identify ways of reducing demand for legal advice, coupled with a management restructure within the department, with the aim of better controlled use of resources.
- 2.6.3 Legal Services also have pressures in respect of Statutory Costs, where the forecast overspend is currently projected at £107k as a result of the volume of statutory and planning notices. A review into the demand drivers for this area identified that a significant proportion of the costs relate to roads and highways. Consideration is being given to a better alignment of costs and responsibility in order to control spend.
- 2.6.4 Within Customer Information and Digital Services (CIDS), vacancies are deliberately being held across the service whilst a complete review of Digital Services management and staffing structures is implemented. This is being undertaken alongside consideration of current commitments and service demand. The legacy savings decisions that have been causing pressure within CIDS have now been resolved, with just one saving due to be completed in 2019/20.
- 2.6.5 Within Finance, reduced volume and value of staff absence claims from the Schools Traded Service has reduced the forecast overspend on this scheme from £211k at the last report to £125k as at February. The pressure in-year is being offset by vacancy control across the wider finance function, along with restrictions on overtime within Revenues and Benefits.
- 2.6.6 The recovery of Housing Benefit overpayments is now projected to deliver income in excess of budget of £300k as a result of robust recovery processes.
- 2.6.7 As a result of robust and rigorous management actions, the Directorate had identified and implemented mitigating actions to reduce the underlying overspend to £122k as at the end of February. Other mitigating funding and cost reductions have been identified to cover this remaining pressure and ensure that the Directorate delivers a balanced budget by the end of the financial year.

2.7 Assistant Chief Executive (£0.687m Forecast Underspend)

- 2.7.1 The Assistant Chief Executive's Directorate are forecasting a budget underspend of £0.687m, which is an increase of £133k since the last report.
- 2.7.2 Within the HR service, where there is naturally a high staff turnover, vacancies have been held for as long as possible to assist with the overall financial position of the Council, whilst over-achievement of income from salary sacrifice schemes has delivered a further £50k budget benefit.
- 2.7.3 Vacancies within Business and Innovation Team have been offset by expenditure to support the delivery of service transformation across the Council.

2.7.4 It should also be noted that a restructure within HR consultancy has delivered an in-year saving that will be removed from the budget in 2019/20 to contribute to future funding pressures.

2.8 Central Services (£4.6m forecast underspend)

2.8.1 As highlighted in previous financial reports to Cabinet and Council over the past year, a thorough review has been undertaken of all the Council's Central Services Budgets and Provisions, Corporate Funding and Accounting and Apportionments. This includes the classification of expenditure between revenue and capital and between HRA and General Fund. Savings from these reviews fed into the updated Medium Term Financial Strategy reported to Cabinet in December 2018. Capital financing decisions made as part of the 2017/18 financial outturn, along with further savings from treasury management activity, reviews of PFI funding and payment profiles, business rates relief grant income and finalisation of inflation funding requirements results in a further saving of £4.6m in 2018/19.

2.8.2 The Final Local Government Finance Settlement 2019/20, announced in January 2019, confirmed details of additional funding to local authorities from the Government's Business Rates Levy Account. The Council's allocation is £0.969m which is taken into account in reducing the forecast outturn overspend to £0.126m.

2.8.3 In addition the Government announced on 28th January 2019 some upfront funding allocations to support councils with regard to EU Exit. The Council's allocation is £210k, split as £105k in 2018/19 and £105k in 2019/20. The £105k funding for 2018/19 has also been taken into account within the budget.

2.9 Achieving a Balanced Budget in 2018/19

2.9.1 A range of actions as outlined in the Budget Report 2018/19 to Cabinet and Council in February 2018 have been implemented

2.9.2 Strategic measures have been put into place as part of mitigating budget pressures. These include:

- Further controls on recruitment and a reduction in the use of agency staff
- Reductions on general spend across all Council services
- Review of financing options, including PFI schemes and staff severance payments
- Use of Directorate balances with re-provision for any liabilities to be funded by those balances being re-provided in future years.

It is anticipated that these and other actions implemented across the financial year will achieve a balanced financial outturn after taking account of the £10m Budget Contingency. The final outturn position will be finalised as part of completing the draft financial statements for 2018/19 by the end of May. A Financial Outturn report for 2018/19 will be submitted to Cabinet in July.

2.10 Housing Revenue Account (HRA) – (Forecast Balanced Budget)

2.10.1 The Housing Revenue Account is a statutory ring-fenced account that the Council has to maintain in respect of the income and expenditure incurred in relation to its council dwellings and associated assets. The approved budget included a revenue contribution to capital expenditure of £9.970m, and a contribution of £4.528m from the HRA reserves to provide an overall balanced budget. The forecast is that this will still remain the case.

2.10.2 However, there are currently a number of pressures including the following:-

- forecast increase in the cost of borrowing due to increase in bank interest rates (£185k)
- projected overspend on rent, rates and taxes due to an increase in voids (£30k)
- reduced fee income as a result of lower than anticipated Right to Buys (£26k)
- Costs re closure of neighbourhood offices (£30k)
- Increased system licence costs (£52k)
- Site clusters marketing costs (£123k)

2.10.3 These pressures are being mitigated as follows:-

- A reduction in the provision for bad debt as a result of improved collection rates (£256k)
- Additional rent income as a result of quicker turnaround of void properties (£230k)

3. Updated Capital Programme 2018/19 to 2021/22

3.1 The Capital Programme 2018/19 totals £99.750m, split between the general fund £57.862m and HRA £41.888m. Anticipated spend for 2018/19 has reduced overall by (£3.394m) from the position reported to Cabinet and Council in February 2019. The movement is based on the latest profiles of expenditure against schemes, factoring in slippage to future years of (£3.928m), and the addition of new inclusions to the capital programme, through grant approvals or as part of the Council's Budget Setting Report, totalling £0.534m.

3.2 The main items of slippage are within the Regeneration and Environment programme and include:

- Beighton Link Road – The exchange agreement for the purchase of the land has not yet completed, as such initial construction costs are now profiled into 2019/20 resulting in slippage of £1.087m.
- The Council was awarded grant of £900k towards the Parkway Widening scheme with a grant condition that the funding had to be used in 2018/19. This has meant that £400k of the Council's funding for the scheme is reprofiled into the latter half of the programme of works.
- Fleet Management – the £1.096m funding for the purchase of new fleet rather than continue to spot hire or lease hire is rephased into 2019/20 to match the timescale for the delivery of the fleet.

- £0.365m of Forge Island Flood Defences funding is reprofiled into 2019/20 pending the necessary external approvals required to enable construction to start on site.

3.3 Additional grant funded schemes are added to the Capital Programme on an ongoing basis in accordance with the Financial and Procurement Procedure Rules. In addition a number of new capital proposals, requiring corporate borrowing, have been added to the capital programme as set out in the Council's Budget Setting Report 2019/20. Grant schemes added since the report to Cabinet in February are listed below.

Table 2: New Grant Funded Schemes & Capital Proposals to be approved via the Budget Setting Report.

Directorate/Scheme	2018/19 £M	Post 2018/19 £m
Regeneration & Environment		
The Council has been awarded an additional DFC grant of £0.534m, this grant is to be used for minor works for equipment/buildings within Schools.	0.534	0.000
Total Additions	0.534	0.000

Table 3: Updated Capital Programme 2018/19 to 2022/23

Directorate	2018/19 Budget £m	2019/20 Budget £m	2020/21 Budget £m	2021/22 Budget £m	2022/23 Budget £m	Total Budget £m
General Fund Capital						
Children and Young People's Services	9.822	10.751	10.715	4.220	4.700	40.208
Assistant Chief Executive	1.338	0.210	0.210	0.210	0.210	2.178
Adult Care & Housing	4.069	6.237	11.993	6.066	3.921	32.286
Finance and Customer Services	5.187	3.976	4.828	1.775	1.775	17.541
Regeneration and Environment	35.446	49.621	41.129	18.113	6.238	150.547
Capitalisation Direction	2.000	2.000	2.000	2.000	0.000	8.000
Total General Fund Capital	57.862	72.795	70.875	32.384	16.844	250.760
Total HRA Capital						
	41.888	42.036	28.113	22.275	22.275	156.587
Total RMBC Capital Programme						
	99.750	114.831	98.988	54.659	39.119	407.347

3.5 Forecast position of Capital Programme 2018/19

The £99.750m of capital expenditure is funded as shown in the table below;

Table 4: Funding of the approved Capital Programme

Funding Stream	2018/19 Budget £m
Grants And Contributions	23.176
Unsupported Borrowing	26.391
Capital Receipts	6.295
Capital Receipts – Flexible Use	2.000
Total Funding - General Fund	57.862
Grants And Contributions	3.325
Housing Major Repairs Allowance	12.559
Capital Receipts	2.435
Revenue Contribution	23.569
Total Funding – HRA	41.888
Total	99.750

3.6 Capital Receipts

3.6.1 The Council continues to undertake a comprehensive review of its assets and buildings portfolio with the aim of rationalising both its operational and non-operational asset holdings. This may contribute to future capital receipts which are earmarked to support the revenue budget. Use of the new capital receipts flexibilities, introduced from the 1st April 2016, can be used to fund expenditure relating to transforming Council services to generate future revenue efficiency savings.

3.6.2 As at the end of February 2019 General Fund Capital receipts of £1.091m have been generated. This includes loan repayments of £0.637m which cannot be used flexibly to support the revenue budget as only those receipts raised by the disposal of property, plant and equipment can be utilised.

3.6.3 The forecast for the year-end total of capital receipts available for flexible use is between £1.1m and £1.7m following a recent auction for a number of properties.

4. Options considered and recommended proposal

4.1 The Council is currently forecasting a need to identify a further £0.126m of savings to enable a balanced financial outturn for 2018/19. To any extent that further savings are not identified and a balanced budget is not achieved for 2018/19, there will be an impact on the Council's reserves. Within the current financial climate, effective and careful use of reserves is ever more critical to the Council's ability to maintain a robust balanced budget.

5. Consultation on proposal

- 5.1 The Council consulted extensively on budget proposals for 2018/19. Details of the consultation are set out within the Budget and Council Tax 2018/19 report approved by Council on 28th February 2018.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Strategic Directors, Managers and Budget Holders will ensure ongoing tight management and close scrutiny of spend for the remainder of this financial year.

- 6.2 Financial Monitoring reports are taken to Cabinet meetings during the year.

7. Financial and Procurement Advice and Implications

- 7.1 The current forecast identifies a need for additional actions and savings required to reduce expenditure by a further £0.126m in order to deliver a balanced financial outturn for 2018/19, after taking account of the £10m Budget Contingency.

- 7.2 If budget and planned savings and spend reductions are not delivered as intended, there will be an impact on the Council's reserves, as any expenditure in excess of budget impacts reserves levels. Control over spending is therefore critical to both a robust Reserves Strategy and Medium Term Financial Strategy. All savings are being closely monitored and tracked, with all areas at risk of shortfall subject to review to identify alternative options.

- 7.3 Failure to achieve planned savings and to contain revenue expenditure within the agreed budget for this financial year will have further implications for financial years 2019/20 and 2020/21, in the context of the proposals set out in the Budget and Council Tax Report 2019/20.

- 7.4 There are no direct procurement implications arising from this report.

8. Legal Advice and Implications

- 8.1 No direct legal implications

9. Human Resources Advice and Implications

- 9.1 No direct implications

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 This report includes reference to the cost pressures on both Children's and Adult's Social care budgets.

11. Equalities and Human Rights Advice and Implications

- 11.1 No direct implications.

12. Implications for Partners

12.1 No direct implications. As management actions are developed some of these may impact upon Partners. Timely and effective communication will therefore be essential in these circumstances.

13. Risks and Mitigation

13.1 At a time of economic difficulty and tight financial constraints, managing spend in line with the Council's Budget is paramount. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain a top priority if the Council is to deliver both its annual and medium term financial plans while sustaining its overall financial resilience.

14 Accountable Officer(s)

Graham Saxton, Assistant Director – Financial Services

Nikki Kelly, Finance Manager – Corporate Services

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	29/03/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Graham Saxton	28/03/19
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	28/03/19
Assistant Director of Human Resources (if appropriate)	N/A	N/A
Head of Procurement (if appropriate)	N/A	N/A

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Committee Name and Date of Committee Meeting

Cabinet – 15 April 2019

Report Title

Homelessness Prevention and Rough Sleeper Strategy 2019-22

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

This report presents the new draft Homelessness Prevention and Rough Sleeper Strategy 2019-22. The strategy has been developed in consultation with council staff, stakeholders and residents, and sets the key strategic priorities over the next three years.

Recommendations

1. That the proposed Homelessness Prevention and Rough Sleeper Strategy 2019 – 2022 be approved.
2. That the Strategy be reviewed annually to provide an update of progress against the six aims.

List of Appendices Included

- Appendix 1 Draft Homelessness Prevention and Rough Sleeper Strategy 2019-22
- Appendix 2 Homelessness Prevention and Rough Sleeper Strategy Action Plan
- Appendix 3 Feedback from the consultation
- Appendix 4 Equalities Impact Assessment

Background Papers

Homelessness Prevention Strategy 2014-2018

Housing Allocation Policy

Crisis's Plan "Everybody In: How to end homelessness in Great Britain

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 10 April 2019

Council Approval Required

No

Exempt from the Press and Public

No

Rotherham's Homelessness Prevention and Rough Sleeper Strategy 2019-22

1. Background

- 1.1. In 2012 the Homelessness Prevention Strategy 2014-2018 was formally signed off and published in March 2014, this followed a thorough consultation process. The strategy was updated in November 2016 and progress has been good.
- 1.2 The Homelessness Prevention Strategy 2014-18 has provided the framework throughout the Council and its partner agencies to support and advise homeless households and those threatened with homelessness, with the aim of preventing homelessness wherever possible, moving people on to more settled accommodation as soon as possible, and to provide appropriate support.
- 1.3 The Council is justifiably proud of the success of the Homelessness Prevention Strategy 2014-2018 and some achievements include:
 - The Council is now spending £50m on new Council housing.
 - The Council are purchasing factory built temporary emergency single person housing which is expected to be on site during the late autumn.
 - The Homelessness team has been working with Children and Young Peoples Services and other partners to improve the 16/17 year old protocol.
 - A street outreach service has been procured to identify an accurate rough sleeper position in Rotherham.
 - The Homelessness team have employed a Resettlement Officer to work specifically with rough sleepers and an Employment Solutions Officer to support and help people get back into work.
 - A Homelessness Forum has been set up called "Side by Side" since March 2017.
 - The Housing Allocations Policy has been reviewed to ensure homeless households receive the highest priority.
 - Homelessness Advice Outreach services have been increased where necessary.
 - Tenancy Support Officers have been introduced to support people in temporary accommodation since November 2018.
 - The Housing Options team have continued to work closely with landlords and letting agents to increase housing options in the private rented sector.

- The Council has been successful in gaining funding to provide accommodation with support in the community for single people and families who could not access refuges.
 - The Homelessness team have increased temporary supported accommodation which is self-contained flats and houses from 29 units to 50. In addition, the provision of accommodation for people fleeing domestic abuse has increased by 2 fully furnished houses and 2 more houses are currently being set up.
 - The Homelessness team had set up a Winter Shelter in partnership with the Fire and Rescue Service to provide a safe and warm space for Rough Sleepers at one of the local fire stations. There is now a process in place if it is necessary to use the Winter Shelter in the future.
 - The Homelessness team have started to scope options to set up a Property Guardian Scheme which is expected to open in March 2019 and this will accommodate 2 rough sleepers.
 - In 2016/17 the Council worked closely with providers and stakeholder in the Side by Side co-production focus groups to deliver four pathways of support to vulnerable people who are at risk of homelessness or are homeless.
- 1.4 The new strategy covering April 2019 to March 2022 has been drafted and attached as Appendix 1. The strategy is based on a sound evidence base and meets the increased demand and legislative requirements of the Homelessness Reduction Act 2017, it also reflects the views of people living and working in Rotherham.
- 1.5 The draft Homelessness Prevention and Rough Strategy 2019-2022;
- has been developed in consultation with key stakeholders
 - recognises the key issues affecting homelessness
 - sets out how the Council will work in partnership to prevent homelessness
 - demonstrates alignment to other key strategies and plans
 - provides residents with a clear and accessible document setting out how the Council is striving to end homelessness in Rotherham
- 1.6 The draft Homelessness Prevention and Rough Sleeper Strategy 2019-2022 bring together in a single document, the key homelessness prevention aims and objectives from other key strategic plans, including the Housing Strategy and the Housing Allocation Policy.

2 Key Issues

- 2.1 There have been changes in legislation since the last strategy but the Council continue the clear focus on early intervention to prevent homelessness and offer effective homelessness services, creating less disruption for people experiencing this difficult situation.

- 2.2 New legislation the Homelessness Reduction Act 2017, is clearly recognised in terms of preventing or relieving homelessness for everyone, not just those in priority need. The impact is that the Council are able to help more people sooner and therefore preventing crisis situations.
- 2.3 Since April 2018, there has been an increase usage of temporary accommodation, some of the occupants have complex needs so the Council need to accommodate households longer to give more time to try and relieve their homelessness by seeking alternative accommodation with the appropriate support.
- 2.4 The Government continues to prioritise homelessness and this will also be supported through Rotherham's Homelessness and Rough Sleeper Strategy 2019-22, together with Rotherham's Housing Strategy which has ambitions to develop new products and increase supply of affordable and social rented new homes.
- 2.5 Nationally, Crisis has written a plan to end homelessness. The plan called "Everybody In: How to end homelessness in Great Britain" details how to end homelessness in Great Britain. Rotherham's Homelessness and Rough Sleeper Strategy has embedded solutions which are detailed in Crisis' plan.

These are to:

- Prevent homelessness
 - Offer rapid housing solutions
 - End rough sleeping
 - Making welfare work
- 2.6 There are 6 aims in the Homelessness Prevention and Rough Sleeper Strategy 2019-22:
1. To support people with complex needs
 2. To prevent homelessness and offer rapid housing solutions to get people in urgent need rehoused quicker
 3. To increase support for young people to prevent homelessness
 4. To end rough sleeping and begging
 5. To improve access to tenancy support, employment and health support services
 6. To ensure there is sufficient decent emergency accommodation
- 2.7 Some of the key actions to be delivered over the next three years are as follows;
- Evaluate the impact of the changes to the Housing Allocation Policy for people at risk of homeless.
 - The ambition is to work with housing partners to extend the Housing First Model to enable more people to access the service by increasing the number of available units.

- Provide a digital web based service to help people find landlords who have available properties.
- Ensure “Early Help Assessments” are completed by housing to prevent families being evicted.
- Implement “Tenancy Health Checks” in Council homes to prevent problems from escalating and tenancies being jeopardised.
- Maintain decency of temporary accommodation and ensure accommodation meets the needs of the client group eg: those with a dog and or a disability

3 Options considered and recommended proposal

- 3.1 The social, economic and political environment in relation to housing and homelessness issues changes quickly and Homelessness Strategies become dated, requiring regular review. It is important that the Council monitor external factors and continues to demonstrate an understanding of local issues. It is recommended that this Homelessness Prevention and Rough Sleeper Strategy be finalised and published following approval by Cabinet and be reviewed annually.

4 Consultation on proposal

- 4.1 The strategy has been developed in consultation with a wide range of partners and stakeholders. Over the past 12 months, in preparation for the new Homelessness Prevention and Rough Sleeper Strategy the Council has listened and acknowledged the views of people with lived experience of homelessness. To help shape the strategy the Council have held forums, worked with members, staff and volunteers from a range of local organisations, as well as officers across all directorates. Feedback from the consultation is detailed in Appendix 3.

5 Timetable and Accountability for Implementing this Decision

- 5.1 The draft Strategy has also be distributed back to those who have been involved in its development; this includes public health, directorates within the Council, Support Providers, Commissioning, RSLs, Strategic Housing Forum and the Side by Side Homelessness forum.
- 5.2 Once completed the draft strategy will be presented to Cabinet for a final decision in April 2019, and it will then be published on the Council’s website.
- 5.3 A progress report to monitor the impact of the policy changes will be presented back to Cabinet in 12 months’ time following implementation.

6 Financial and Procurement Advice and Implications

- 6.1 The Council spends circa £1.6m per annum on Homelessness. This includes spend of circa £1m on Housing Related Support, which supports the overall strategy.

- 6.2 There are no direct procurement implications specific to this report. However where third party support is required to deliver against the new strategy, this must be procured in compliance with the Public Contracts Regulations 2015 and the Council's own Financial and Procurement Procedure Rules.

7 Legal Advice and Implications

- 7.1 The Homelessness Prevention and Rough Sleeper Strategy 2019-22 has been prepared in accordance with the Homelessness Reduction Act 2017. This Act sets out two new duties, namely the Homelessness Prevention Duty and the Homelessness Relief Duty which the Council must comply with. The Strategy describes how the Council will comply with these duties.

8 Human Resources Advice and Implications

- 8.1 None

9 Implications for Children and Young People and Vulnerable Adults

- 9.1 The Children and Young Peoples Service have been consulted and had an input into the draft Homelessness Prevention and Rough Sleeper Strategy 2019-22
- 9.2 Specific accommodation requirements for young people will form part of a Care and Support Accommodation Plan 2019.

10 Equalities and Human Rights Advice and Implications

- 10.1 Consultation process – Consultation was broadly representative of Rotherham's diverse communities.
- 10.2 An equality impact assessment has been completed. See Appendix 4

11 Implications for Partners

- 11.1 The draft Homelessness Prevention and Rough Sleeper Strategy 2019-22 includes projects that will be delivered in partnership with other Directorates particularly Adult Services and Children and Young People Services.
- 11.2 The Governance of this strategy will be via the Strategic Housing Partnership which includes representatives from Council services, housing associations, developers, support providers, health services, police voluntary and community organisations.
- 11.3 The Strategic Housing Partnership will receive quarterly progress updates against the Preventing Homelessness and Rough Sleeping Action Plan and associated impact measures and other supportive evidence. Where there is little evidence of sufficient progress The Strategic Housing Partnership will hold relevant agencies to account and may request further remedial action plans.

12 Risks and Mitigation

- 12.1 There is a risk that some elements of the document will become out of date, though as national legislation and policy continues to change under the current Government. Where this happens the Council will include a note on the Council's website explaining any updates.

13 Accountable Officers

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

Tom Bell, Assistant Director of Housing Services

Sandra Tolley, Head of Housing Options Services

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	29/03/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Graham Saxton	28/03/19
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	28/03/19

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This report is published on the Council's [website](#).

Rotherham

Homelessness Prevention and Rough Sleeper Strategy 2019 - 2022

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Foreword

I am pleased to introduce Rotherham's Homelessness Prevention and Rough Sleeper Strategy. This defines how the Council intends to tackle homelessness and support those at risk of becoming homeless over the next 3 years.

Preventing homelessness in Rotherham continues to be one of the Council's highest priorities. Having a home is the first step in helping the most disadvantaged people who approach us for assistance.

Homelessness is an ever increasing problem in Rotherham and the Council are now seeing a rise in demand for homelessness services as people find themselves facing a housing crisis and need our help. This is demonstrated in the Homelessness Team's caseload figures which over the course of 2017/18 more than doubled (from 132 to 403 households open to the team).

Understanding and tackling the root causes of homelessness is at the heart of this strategy. We need to ensure that the right services and support are in place as quickly as possible to allow people not only to secure a decent quality home, but to have the skills and knowledge to deal with the challenges they may face in day-to-day life to sustain accommodation.

It is imperative that suitable accommodation is available to relieve homelessness so the Council are working with housing providers and private landlords to increase the availability of new homes to replace affordable homes as a result of the Right to Buy.

During the last two years the Council has:

- Increased temporary accommodation provision from 29 units to 50.
- Increased good quality welfare advice and support services for homeless people and rough sleepers through additional advice outreach services.
- Improved working relationships with the voluntary sector such as working alongside Shiloh.
- Developed positive relationships with private landlords in order to improve standards and the availability of private rented homes.

I would like to extend sincere thanks to our statutory and voluntary sector partners for their continued support. The Council knows that if it wants to eradicate homelessness it needs to work together across sectors and across borough boundaries. Effective joint working arrangements within the borough and across the South Yorkshire region are key to our ability to offer options and opportunities to prevent and resolve homelessness at the earliest opportunity. The Council will continue to build upon and further develop our partnership arrangements to ensure that it maximises our resources and continue to meet the needs of people who use our service.

Councillor Dominic Beck
Cabinet Member for Housing

Introduction

The Homelessness Prevention and Rough Sleeper Strategy 2019-2022 sets out the Council's long term vision for addressing the root causes of homelessness. The strategy seeks to develop a partnership approach to reducing homelessness over the next three years, working with all stakeholders and most importantly people who have experienced homelessness in order to develop effective solutions and to increase the range of available options.

The strategy has been developed in consultation with key partners including homelessness forums, elected members, staff and volunteers from a range of local organisations. It takes into account the recent legislative changes and the increasing demand being evidenced through presentations to the Council's Housing Options Service.

The Vision

- *To end homelessness in Rotherham*
- *Everyone has a place to call home*
- *The right support is in place at times of crisis to prevent homelessness occurring*

What is homelessness?

The legal definition of homelessness is that a household has no home in the UK or anywhere else in the world available and reasonable to occupy¹. Individuals do not have to be living on the street to be homeless - even if they have a roof over their head they can still be without a home.

Whilst rough sleeping is the most visible form of homelessness and will be perceived by many as representative of homelessness generally, it in fact represents one of the smallest percentages of homelessness in Rotherham.

The following housing circumstances are examples of homelessness:

- without a shelter of any kind, (sleeping rough)
- with a place to sleep but temporary, (in institutions or a shelter)
- living in unsecure housing (threatened with severe exclusion due to insecure tenancies, eviction, domestic violence, or staying with family and friends – ‘sofa surfing’)
- living in inadequate housing (illegal campsites in unfit housing, in extreme overcrowding)

What are the causes of homelessness?

For individual households, homelessness has many causes and often multiple interrelated factors. These can be ‘structural’ factors such as financial hardship, housing availability and access to welfare benefits, or ‘individual/personal’ factors such as family breakdowns, drug/alcohol problems, bereavement, experience of violence or abuse and their accommodation becoming unsuitable due to age or disability.

For most people who are at risk of, or experiencing homelessness, there is not a single intervention that can tackle this on its own, at population, or at an individual level. Co-ordinated multi-agency action is often required to enable people to access suitable support and deal with their personal challenges in order to sustain stable and suitable accommodation.

¹ <https://www.gov.uk/government/publications/homelessness-applying-all-our-health/homelessness-applying-all-our-health>

National Context

The Government's Homelessness Reduction Act 2017, implemented the most significant changes to homelessness law in decades. The principle of the Act is to help more people sooner and to prevent repeat homelessness. It effectively combines two new duties onto the original statutory rehousing duty. These are the Homelessness Prevention Duty and the Homelessness Relief Duty. The other changes to the homelessness legislation are:

- The Act extends the period an applicant is "threatened with homelessness" from 28 to 56 days. This means more homeless applications are triggered for people with a housing problem and risk of homelessness who meet the legal definition of 'may become homeless in the next 56 days'.
- The Act places a new duty on local authorities to help prevent the homelessness of all families and single people, regardless of priority need, who are eligible for assistance and threatened with homelessness.
- There is a duty for 'specified public bodies' with the agreement of the homeless person to refer them to the Council's homeless service that will need to take a homeless application, effective from 1st October 2018.
- There are no local connection criteria at the 56 day prevention stage.
- The new duty requires a local housing authority to meet the person or family and agree the actions that will form a written personal housing plan.

The Ministry of Housing, Communities and Local Government are currently consulting on proposals to improve support for Veterans (March 2019). These proposals:

- Make it clear that local authorities are expected to dis-apply any local connection requirement from divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence.
- Set out how local authorities can ensure that members of the Armed Forces and Veterans suffering from mental ill health are given appropriate priority for social housing.
- Set out how local authorities can identify applications from Members of the Armed Forces and Veterans to ensure that they are considered appropriately.

The Council's Housing Allocation Policy already complies with all of the above proposals; however the Council intends to improve information and awareness so that Members of the Armed Forces and Veterans are aware of the policy.

In 2018 the national homelessness charity Crisis, published their new plan called “Everybody In: How to end homelessness in Great Britain”². This was developed in collaboration with homelessness experts, world-wide research and pulled upon their 50 years of experience to outline evidence-based solutions that can end homelessness. This strategy has embedded the solutions detailed in the Crisis’s plan which are to:

- **Prevent homelessness** - The best way to tackle homelessness is to stop it happening in the first place.
- **Offer rapid housing solutions** – The Council can’t prevent all cases of homelessness, so when people do lose their homes they need a rapid response to find somewhere safe and secure to live.
- **End rough sleeping** - Rough sleeping is the most visible and damaging form of homelessness. It rightly causes the most concern among the public, decision makers, and advocates for homeless people in the charity sector. Rough sleeping is not usually the first form of homelessness people experience. However, tackling it must be central to our plan to end homelessness, given the extreme dangers posed to people living on our streets.
- **Making Welfare work** - To end homelessness, those who cannot afford housing must be given enough assistance to do so. And adequate support must be available to help homeless people into work where it’s appropriate for them.

² https://www.crisis.org.uk/ending-homelessness/plan-to-end-homelessness/?gclid=EAlaIqobChMI-6qQtLbc4AIVprXtCh0ChACKEAAYASAAEgJ7W_D_BwE

The Local Picture

Since the Government's Homelessness Reduction Act 2017 came into force in April 2018, the Rotherham picture has reflected the increasing trend being experienced nationally. The numbers of households who have lost their home, the use of temporary accommodation, the numbers of homeless presentations and the number of people sleeping rough have all seen an increase.

This is demonstrated in the Homelessness Team's caseload figures which over the course of 2017/18 more than doubled (from 132 to 403 households open to the team). In total, over the duration of 2017/18, the team prevented 714 households from becoming homeless either by assisting them in remaining in their existing home or through support in moving to a new home. Full outcome breakdown is detailed below:

Homelessness Prevention Outcome	Number of household in 2017/18
Assisted to remain in their existing home <i>(through crisis intervention, negotiation with family/friends, resolving benefit issues, working with private sector provider etc.)</i>	204
Moved to supported accommodation	131
Moved to private rented accommodation with the help of rent in advance or bond	84
Moved to private rented accommodation without support for upfront costs	85
Moved to social housing (either Council or Housing Association)	210
Total	714

During 2017/18 homelessness acceptances also increased by over 20% from 100 to 122. This relates to people who are homeless, eligible, in priority need, not intentionally homeless and who have a local connection. The main reason for homelessness is from people whose private rented tenancy has come to an end. The other primary reasons for homelessness are; family or parental evictions and domestic abuse/other forms of violence.

There has been an increasing demand from homeless households waiting for suitable accommodation which leads to sofa surfing. The Council currently have 722 applicants on the Council's Housing Register who have told us they have a homelessness issue and worryingly, 215 are families with children.

Vulnerable young people (aged under 25), are at particular risk of homelessness with approximately 7 presentations each month. These can include but are not limited to: lack of adequate income, access to affordable housing, family break-up and

experience of a traumatic event of domestic violence. This is particularly evident in those who were previously a Looked After Child in the care system.

The Youth Offending Team have also provided evidence that approximately 5 young offenders aged 16/17 have no accommodation and a further 4 young offenders are in need for support when they are being released from prison each month. The Council must work with accommodation support providers to ensure the correct level of suitable provision exists in Rotherham. That support must be put in place prior to release, to give young people the best possible start.

There has been increased demand for temporary accommodation to respond to the immediate issues of some of those facing homelessness. The increase in demand for temporary accommodation is due to people fleeing domestic abuse or having a physical or mental ill health need or have lost their private rented tenancy. As at the end of October 2018, there were 38 people were living in temporary accommodation compared to 21 in October 2016. Often those people using Council temporary accommodation have very complex or multiple needs which this can make the search for a permanent home more difficult leading to a longer stay in the temporary provision. Finding a permanent home with the right support to sustain the tenancy is essential to prevent further episodes of homelessness.

The incidents of people sleeping rough in Rotherham, when compared to neighbouring authorities, is low. The official 2018 annual return identified 5 individuals (2 in 2017). However, as this is based on a single 'sample night', the Council commissioned a rough sleeper outreach service to gain a more accurate figure; this found over 12 months 19 rough sleepers in Rotherham. All of were aged over 25 with the majority of these are men (16 individuals) and of a White British background (15 individuals). Although relatively low in numbers the suffering of people who experience rough sleeping is overwhelming. It severely affects their physical and mental health and personal safety. Research demonstrates that those affected by homelessness are ten times more likely to die than those of a similar age in the general population. The average age of death for homeless people is just 47 years old.

The national welfare reform changes have increased the financial vulnerability for residents on low incomes or receiving benefits this in turn impacts on their housing options as they struggle to find the upfront costs of accessing accommodation. This is clearly evident in Council tenant's rent arrears; with the average arrears for a tenant on Universal Credit being 84% higher than other tenants (£727 compared to £395) this presents a significant risk to income collection and manifests itself through increased bad debt provision. The forecast arrears balance for new Universal Credit claims is £320,000 for 2018-19.

Voice and Consultation

The strategy has been developed in consultation with a wide range of partners and stakeholders. Over the past 12 months the Council has listened to and acknowledged the views of people with lived experience of homelessness. To help shape the strategy the Council has held forums, worked with members, staff and volunteers from a range of local organisations, as well as seeking the input from officers across all directorates. Feedback from the consultation is detailed in Appendix 3. The main themes arising from the consultation were for the Council to increase homelessness prevention methods, increase tenancy support, improve access to information and end rough sleeping and begging.

Some of the key messages from the consultation included the need to:

- Support young people to access the right accommodation
- Provide appropriate support for people with complex needs
- Support victims of domestic abuse
- Provide appropriate temporary accommodation
- Prevent homelessness to reduce the impact on health
- Ensure there is easier access to services via digital methods and/or outreach
- Prevent evictions and early intervention
- Prevent the loss of private rented accommodation
- Reduce the number of aggressive beggars who are begging for money in a manner considered to be unduly intimidating.

Current Service Offer

Working in Partnership

Working in Partnership is an overarching principle of this strategy. The Council is one of a number of organisations including major public bodies, such as the police, health agencies, education and the fire and rescue service, local businesses and the voluntary and community sector who will be working together to achieve the aims of the strategy.

Positive multi-agency working is already being undertaken with the Adult Social Care, the Police and the Homelessness Team to specifically and proactively support help rough sleepers.

Partnerships will be maximised and will operate in a coordinated way to prevent homelessness and build on strong working relationships, common assessments and referral processes. The Council will also share information effectively to deliver better outcomes for homeless people

Housing is also part of the South Yorkshire Multi-agency Accommodation Hub-Strategic Group whose purpose is to improve multi-agency support in relation to offender accommodation during prison sentence and on release.

The aim is to ensure that no one is discharged from services without appropriate accommodation in place. For example prisons, mental health services and hospitals.

Rotherham Homelessness Service

Since the introduction of the Homelessness Reduction Act 2017, the Council has reshaped and continues to develop its homelessness service.

The service now has an increased focus on the quality of assessments and the development of Personal Housing Plans. These are a vital part of the initial contact and allow for the identification and addressing of the root causes and risks relating to homelessness early in the process. Increasing access to support at an earlier stage enables any intervention to be as effective as possible before the point of homelessness.

In recognition of this there has also been an increased investment in pre and post tenancy support services. New and existing tenants have the support in place to ensure that they have access advice and support with welfare benefit entitlement to be able to secure and sustain a tenancy. An Employment Solutions Officer has also been appointed to improve access to employment, education or training to ensure people have the means to pay housing rent and other associated costs of running a home.

The Homelessness Team currently work alongside Shiloh the charity that operates a Homelessness Day Centre. The centre supports local people facing homelessness. Shiloh offers support to adults who are homeless or at risk of becoming homeless by working with partner organisations to provide opportunities to help bring about

positive change in the lives of homeless people. Rough sleepers tend to go to Shiloh for a hot meal during the day but at night they sleep rough or sofa surf. Some of the rough sleepers lead chaotic lifestyles which makes it difficult to sustain a tenancy and independent living. As a result of this the Council has a provision of emergency housing.

Emergency Housing

The Council has a duty to provide emergency housing for people who may be eligible, homeless and in priority need of housing if they have nowhere else to stay. In addition to the Homelessness services available during working hours, the Homelessness “Out of Hours Service” is set up to help people move into temporary accommodation at weekends or during the night.

In 2018 the Council increased its temporary accommodation from 29 to 50 units. These units are fully furnished emergency homes, which include a mixture of flats, bungalows and houses and all can be accessed at any time by a key code. These properties are visited weekly to undertake a safe and wellbeing check and housing plans are completed for all using the properties to ensure there is a pathway to alternative suitable permanent housing.

There is currently a known gap in provision of emergency accommodation for rough sleepers with dogs. Dogs Trust’s Hope Project provides help with the cost of veterinary treatment for any dog whose owner is homeless but there is no emergency housing where a dog owner can take their pet. The Homelessness Prevention and Rough Sleeper Action Plan will address this gap in provision.

Rough Sleepers

Those on the streets are at greater risk of weather related illnesses particularly in the winter. Rotherham has a flexible approach to triggering and co-ordinating the Severe Weather Emergency Protocol (SWEP) and also do not follow a fixed approach solely based on temperature. An emergency shelter is provided to keep rough sleepers safe when the SWEP is triggered. It will also be triggered when factors such as wind, heavy rain and ice chill is forecasted.

The Homelessness Team had set up a Winter Shelter in partnership with the Fire and Rescue Service to provide a safe and warm space for Rough Sleepers at one of the local fire stations. There is now a process in place if it is necessary to use the Winter Shelter in the future.

Housing Strategy and Services

The Rotherham Housing Strategy 2019-22 sets out the Council’s commitment to increase and accelerate the supply of new homes to meet local need. It includes the development of care and support ready housing and makes a commitment to piloting new ways of working, and working in partnership to address issues such as homelessness and the need for more affordable homes.

The Housing Strategy 2019-2022 will help enable people to secure homes they can afford. Increasing demand for affordable housing means that some households find it difficult to access or sustain social or private rented accommodation.

Changes have also been made to the Council's Housing Allocation Policy, which should have a positive impact and improve the Council's ability to respond to the demand for accommodation from homeless households and for those people with other urgent housing need. These changes increase the higher banding status for homelessness households and increase the quota for properties advertised in the urgent housing need group (Band 2) from 50% to 60%.

Housing Selective Licensing

The Housing Selective Licencing Scheme is set up in Eastwood, Maltby, Dinnington, Thurcroft and Parkgate. The scheme has improved the conditions and quality of private rented housing in these areas. It is important that any housing offer is of good quality. Poor housing can have a negative impact on people's lives. The Council housing stock is of high quality with all properties consistently meeting the Government's decent home standards. However, quality can vary within the private sector. The Council's Selective Licencing Team are improving standards, tackling low housing demand and significant and persistent levels of antisocial behaviour related to the private rented sector in detailed areas. Levels of anti-social behaviour have fallen significantly in the selective licensing areas, and at a faster rate than the borough average.

Housing Support for Young People (aged under 25)

The local Early Help Assessment forms the basis of a shared partnership approach in helping young people who do not meet statutory intervention threshold. By sharing information and offering support when families/young people begin to experience difficulties (e.g. rental debt, antisocial behaviour etc.) their needs are addressed promptly and can effectively help to reduce the risk of escalation. Housing Services are currently funding two Early Help workers within Children and Young People's Services. The role is to work closely with the Housing Income Team to offer support to families who are at risk of homelessness.

Last year the Leaving Care Team was successful in receiving grant funding from Department for Education to develop a local 'House Project for Care Leavers'. The project enables young people to project manage, design, and get involved in maintenance and decorating their own property.

Complex Needs

The Council currently commission Housing Related Support to deliver a preventative programme to assist individuals with multiple needs where traditional statutory services have not been effective, (e.g. chaotic lifestyles or a history of failed tenancies). Many of these people require support packages to gain their independence and obtain suitable permanent accommodation or to help them sustain their current tenancies where there is a greater risk of homelessness.

Housing Related Supported services aim to achieve the following outcomes:

- More people living independently without support.
- A reduction in the number of people experiencing repeat homelessness, relapse and an escalation of negative behaviour.
- Improve the health and wider wellbeing of those accessing the service.
- Improving support for people experiencing domestic abuse

Rotherham's Housing First Scheme

Housing First concept is an established approach to long-term homelessness for the most complex and disengaged elements of the homeless population. There are 3 key elements to the model:

1. **The offer of mainstream housing.** The housing is offered on the basis that support is available, but continued occupation is not dependent on continued engagement with the support offered. The terms of tenancy do have to be abided by and people on Housing First should be subject to normal housing management processes.
2. **The support offered is much different to conventional Housing Related Support (HRS).** It is explicitly less goal-based and focuses on the building of relationships of trust and patient but persistent engagement with people on their own terms. This requires a highly-skilled and intensively managed set of staff, with sufficient time and space to build and maintain relationships with a group of people who can be highly chaotic.
3. **There are no time limits for the offer of support.** The key is for the support staff to persist and ensure that they are available to help at the point when people ask for help.

In April 18 the Council with partners from South Yorkshire Housing Association and Target Housing launched a Housing First Scheme providing a home for people, with highly complex needs, who were homeless or sleeping rough in the Rotherham area. The scheme offers housing to people first, with no conditions around receiving support with the belief that securing a stable home-base can be the starting point for the achievement of positive change. Whilst there are no conditions for the people receiving the accommodation the providers will always offer support, and persist with this offer.

The 7 principles for Rotherham's Housing First pilot are to ensure that:

- People have a right to a home
- Flexible support is provided for as long as it is needed
- The provision of housing and support should be separated
- Individuals should be given choice and control
- An active engagement approach is used
- The service is based on people's strengths, goals and aspirations
- A harm reduction approach is used.

Since the launch of the scheme 20 people with complex needs have been accommodated and there are 14 on the waiting list. The majority of people are now engaging more effectively with a range of support services. This creates the necessary condition for progress on issues such as reducing anti-social behaviour and anxiety leading to self-harm to be achieved. A six month review of the pilot was carried out by Homelessness Link and concluded that it had a positive impact and was operating within the principles of Housing First.

Delivering a new approach to addressing homelessness and rough sleeping

The strategy sets out a new approach to ensure that in Rotherham:

- No one sleeps rough; whether they are in tents, cars or, at worst, on the streets.
- Everyone has a safe, stable place to live: so that nobody is in emergency accommodation without a plan to quickly move into permanent housing.
- When homelessness is predictable the Council can prevent it: so that no-one leaves their home or is forced to leave a state institution like prison with nowhere to go.
- Those who cannot afford housing are given advice and support with welfare benefits. Help is provided so that homeless people can access employment where it is appropriate for them.

This will be delivered in partnership through **six overarching aims** based on the local picture, views of people with lived experience of homelessness and consultation with a partners and stakeholders.

These aims are;

1. To support people with complex needs.
2. To prevent homelessness and offer rapid housing solutions to get people in urgent need rehoused quicker.
3. To increase support for young people to prevent homelessness.
4. To end rough sleeping and begging.
5. To improve access to tenancy support, employment and health support services.
6. To ensure there is sufficient decent emergency accommodation.

In support of the Strategy the Preventing Homelessness and Rough Sleeping an action plan has been developed. The action plan will continue to develop and will be updated over the lifespan of this document to reflect changes or emerging demand. The action plan sets out the detail, ownership and timeframe on how the six aims will be achieved. The following tables provide a high level summary of the key actions and associated impact measures and outcomes.

Summary Aims, key actions and impact measures (for the next 3 years)

Aim	1. To support people with complex needs
Actions	<ul style="list-style-type: none"> ▪ The ambition is to work with housing partners to extend the Housing First Model to enable more people to access the service by increasing the number of available units. ▪ Work in partnership with support providers to ensure there is a whole person approach to support people with complex needs ▪ Develop joint working arrangements with adult social care, children's social care, mental health and substance misuse services. ▪ Provide a resettlement/floating support package for every person with complex needs to support them in accessing independent tenancies
Impact Measures	<ul style="list-style-type: none"> ▪ Reduce the number of homeless people with complex needs awaiting accommodation ▪ Reduction in the number of people with complex needs who present as homeless within 12 months of previously being accommodated
Outcome	<ul style="list-style-type: none"> ▪ No one sleeps rough; whether they are in tents, cars or, at worst, on the streets

Aim	2. To prevent homelessness and offer rapid housing solutions to get people in urgent need rehoused quicker
Actions	<ul style="list-style-type: none"> ▪ Improve access to information for people including landlords about services to prevent homelessness ▪ Provide a digital web based service to help people find Private Landlords who have available properties ▪ Evaluate the impact of the changes to the Housing Allocation Policy for people at risk of homeless ▪ Expand selective licensing areas for private rented accommodation ▪ Improve the referral pathway and service for people being discharged from hospital without suitable housing accommodation ▪ Improve information on how to access to social housing for members of the Armed Forces, Veterans, and their families ▪ Monitor the local causes of homelessness to align resources and services

Impact Measures	<ul style="list-style-type: none"> ▪ Increase the proportion of households supported by the Homelessness Team who are prevented from becoming homeless within 56 days ▪ Reduction in the number of applicants on the Council's Housing Register who have told us they have a homelessness issue ▪ Increase in the number of applicants assisted to move to private rented accommodation
Outcome	<ul style="list-style-type: none"> ▪ When homelessness is predictable the Council can prevent it: so that no-one leaves their home or is forced to leave a state institution like prison with nowhere to go.

Aim	3. To increase support for young people to prevent homelessness
Actions	<ul style="list-style-type: none"> ▪ Provide information for young people on their housing options to prevent homelessness ▪ Undertake housing advice sessions in special schools and colleges ▪ Continue to fund an Early Help Support Worker in Children and Young People's services ▪ Co-design the Children and Young Person's Housing Related Support service which will be procured in 2019 and jointly monitor performance with Commissioners. ▪ Provide a planned approach to rehousing prior to all young offenders leaving prison who have a local connection to Rotherham ▪ Set up 10 properties as part of the House Project for Care Leavers ▪ Ensure Early Help Assessments are completed by housing for families to prevent families being evicted
Impact Measures	<ul style="list-style-type: none"> ▪ Reduction in the number of young people (aged under 25) requiring Homelessness Team support ▪ Reduction in the number of young people who received homelessness support (aged under 25) who require support again within 12 months of being accommodated
Outcome	<ul style="list-style-type: none"> ▪ When homelessness is predictable the Council can prevent it: so that no-one leaves their home or is forced to leave a state institution with nowhere to go.

Aim	4. To end rough sleeping and begging
Actions	<ul style="list-style-type: none"> ▪ Explore the development of an “Alternative Giving Scheme” which aims to reduce rough sleeping and begging ▪ Ensure people have access to ongoing support if required when they move out of temporary accommodation into their own tenancy. ▪ Continue to work with partners to ensure continued advice and support for rough sleepers ▪ Consult with homeless rough sleepers to identify barriers to services ▪ Conduct quarterly rough sleeper counts and continue to undertake weekly outreach to connect people to services ▪ Provide outreach work in key locations ▪ Ensure there is sufficient capacity and support available to run SWEP (Severe Weather Emergency Protocols) all winter. ▪ Work closely with community protection and the police to carry out assertive outreach to beggars and to consider taking enforcement action when appropriate.
Impact Measures	<ul style="list-style-type: none"> ▪ Reduce the number of rough sleepers in Rotherham ▪ Increase the engagement rate of people identified as rough sleepers with support services
Outcome	<ul style="list-style-type: none"> ▪ No one sleeps rough; whether they are in tents, cars or, at worst, on the streets. ▪ All people begging will not be homeless

Aim	5. To improve access to tenancy support, employment and health support services
Actions	<ul style="list-style-type: none"> ▪ Ensure all people presenting as homeless who have substance misuse issues are referred straight away to commissioned treatment services ▪ Connect people to employment, training, volunteering ▪ Implement ‘Tenancy Health Checks’ to prevent problems from escalating and tenancies being jeopardised. ▪ Provide a planned approach via the South Yorkshire Accommodation Hub to rehousing prior to all offenders leaving prison who have a local connection to Rotherham ▪ Explore the introduction of a family mediation service ▪ Ensure people have speedy access to money advice, debt services and gambling support when needed

Impact Measures	<ul style="list-style-type: none"> ▪ Ensure all people presenting as homeless who have substance misuse issues are referred to commissioned treatment services within 24 hours ▪ Increase the proportion of individuals successfully connected to employment, training, volunteering opportunities ▪ Ensure no one is discharged from partner services without appropriate accommodation in place. (Including prisons, young offenders' institutes, rehabilitation centres, mental health services and hospitals).
Outcome	<ul style="list-style-type: none"> ▪ Improved health and financial resilience so that there are more options to access work and training opportunities. ▪ Those who cannot afford housing are given advice and support with welfare benefits. Help is provided so that homeless people can access employment where it is appropriate for them.

Aim	6. To ensure there is sufficient decent emergency accommodation
Actions	<ul style="list-style-type: none"> ▪ Address the gaps in temporary emergency accommodation provision by setting up temporary accommodation for dog owners and for people being discharged from hospital without suitable accommodation ▪ Provide an alternative option to refuge accommodation for those who this is not the most appropriate form of accommodation ▪ Carry out a regular safe and well-being checks ▪ Maintain decency of temporary accommodation
Impact Measures	<ul style="list-style-type: none"> ▪ Reduce the number of households accessing temporary accommodation ▪ Reduce the average time spent in temporary accommodation
Outcome	<ul style="list-style-type: none"> ▪ Everyone has a safe, stable place to live: so that nobody is in emergency accommodation without a plan to quickly move into permanent housing.

Resourcing the Strategy

In preparation for the delivery of this strategy the Council and partners have committed resources to tackle and prevent all forms of homelessness including:

- **Affordable Housing** – The council are investing £56m into the Rotherham affordable housing programme
- **Investing in Staff** – Three additional staff have been appointed in the Homelessness Team to help manage the increased volume of case work.
- **Out of Hours Homelessness Service** – The telephone service operates from 5pm to 8am Monday to Friday and 24/7 over the weekends and Bank Holidays. It is now run by staff that have experience in homelessness assessments and also have a full knowledge of homelessness legislation.
- **Using our assets** – To assist with the Council’s statutory duty to offer temporary accommodation the Council has used Council assets to increase the portfolio of temporary accommodation from 29 to 50 units.
- **Increasing Housing Options** - The Council has recently reviewed its Housing Allocation Policy to give more priority to homeless households on the housing register.
- **External Funding Bids** – Over the past three years the Council has been successful in accessing additional Government Grant funding. A new sub regional funding bid covering Rotherham, Barnsley and Doncaster has been submitted for a rough sleeper initiative programme.
- Over the past 3 years we have been successful in accessing additional Government Grant funding:

Grant	17/18	18/19	19/20
Domestic Abuse	200,000	14,573	0
Flexible Homelessness Support	102,519	117,430	172,524
New Burdens	65,537	60,030	74,120
Rough Sleeper	37,500	37,500	0
Hcllc	9,200	946	0
Cold Weather			6,270
Totals	414,756	230,479	252,914

- **Street Outreach** - The Council has recently commissioned a rough sleeper outreach service up to the end of March 2019. We will continue to seek alternative funding by bidding for external grants from the Ministry of Communities and Local Government. In the absence of additional funds we will use existing officers within the Homelessness Team to undertake early morning checks in the Town Centre.

The Street Outreach service provides information of people found to be sleeping rough. They work intensively with rough sleepers on Mondays, Wednesdays and

Fridays, starting at 6am to 9am to assist in finding accommodation, help to make benefit claims and seek medical help that may be needed.

- **Extreme Cold Weather Provision** – A winter shelter provision has been set up jointly with South Yorkshire Fire and Rescue Service and the Homelessness Team. The winter shelter provides a safe warm place in the Fire Station for rough sleepers. The service enables a swift response to help rough sleepers in Rotherham to stay overnight in a local Fire Station when the temperature is or feels like sub-zero.
- **Working with Partners** - The Council is working closely with partners and voluntary organisations to gather more information regarding individual circumstances. This will allow us to offer help and support at the earliest possible stage, and have more means of communicating with people due to extensive partnership working and through increased outreach work.

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Governance and Monitoring

Governance of this strategy will be via the Strategic Housing Partnership which includes representatives from Council services, housing associations, developers, support providers, health services, police voluntary and community organisations.

The Strategic Housing Partnership will receive quarterly progress updates against the Homelessness Prevention and Rough Sleeper Action Plan and associated impact measures and other supportive evidence. Where there is little evidence of sufficient progress the Strategic Housing Partnership will hold relevant agencies to account and may request further remedial action plans.

Additional management information relating to service demand and customer needs will be maintained and reported to Side-by-Side Homelessness Forum on a 6 weekly basis with more regular management oversight by the Housing Senior Management Team. The Side by Side Homelessness Forum's membership includes providers who work with homeless people. The Forum aims to work effectively together so that there is a clear local picture of homelessness issues in Rotherham. The Forum also increases the awareness of services, interventions available to reduce homelessness and rough sleeping.

Conclusion

This Homelessness Prevention and Rough Sleeper Strategy is Rotherham's response to a period of unprecedented change, including the Homelessness Reduction Act, public services facing significant financial challenges and social housing and welfare reforms. It builds on the recent achievements, whilst responding and adapting to the changing environment in which homelessness and support services are delivered.

The next three years will be very challenging given the wider economic climate and complex needs of local people who are at risk or experiencing homelessness. It is therefore essential that Rotherham continues to strengthen local partnership working and improve quality of joint support to help prevent and reduce homelessness.

To do this we will explore new models and approaches so that there is a shift in the focus from managing emergencies and crisis towards a way of working that supports prevention and sustainability of long term accommodation

Homelessness Prevention and Rough Sleeper Strategy 2019-22

Delivery Action Plan

Date of last update: 28/02/2019

Ref	Action	Lead	Target Date	Status	Update
Aim 1 – To Support People with Complex Needs					
1.01	The ambition is to work with housing partners to extend the Housing First Model to enable more clients to access the service by increasing the number of available units.	Commissioning Team Homelessness Team	March 2021		
1.02	Work in partnership with support providers to ensure there is a whole person approach to support people with complex needs	Homelessness Team	December 2019		
1.03	Develop joint working arrangements with adult social care, children's social care, and mental health and substance misuse services.	Strategic Housing Partnership Side by Side Homelessness Forum	December 2019		
1.04	Provide a resettlement/floating support package for every person with complex needs to support them in accessing independent tenancies	Homelessness Team Housing Management Team	March 2020		
Aim 2 – To prevent homelessness and offer rapid housing solutions to get people in urgent need rehoused quicker					
2.01	Improve access to information for people including landlords about services to prevent homelessness	Homelessness Team	March 2020		
2.02	Provide a digital web based service to help people find Private Landlords who have available properties	Housing Advice and Assessment Team	March 2020		
2.03	Expand selective licensing areas for private rented accommodation	Community Safety and Street Scene Team	March 2021		
2.04	Evaluate the impact of the changes to the Housing Allocation Policy for people at risk of homeless	Housing Advice and Assessment Team	Annual review		
2.05	Improve the referral pathway and service for people being discharged from hospital without suitable housing accommodation	Housing Occupational Therapy Team Homelessness Team	December 2019		

Appendix 2

Ref	Action	Lead	Target Date	Status	Update
2.06	Improve information on how to access to social housing for members of the Armed Forces, Veterans, and their families	Housing Advice and Assessment Team	December 2019		
2.07	Monitor the local causes of homelessness to align resources and services	Homelessness Team	Monthly		
Aim 3 – To increase support for young people to prevent homelessness					
3.01	We will provide information for young people on their housing options to prevent homelessness	Housing Advice and Assessment Team	September 2019		
3.02	Undertake housing advice sessions in special schools and colleges	Homelessness Team	Ongoing		
3.03	Provide a planned approach to rehousing prior to all young offenders leaving institutions who have a local connection to Rotherham	Homelessness Team Youth Offending Team	Ongoing		
3.04	Continue to fund a social worker in the Early Help team	Housing Income Team	Annual Review		
3.05	Ensure Early Help Assessments are completed by housing for families to prevent families being evicted	Housing Income Team Housing Management Team	December 2019		
3.06	Co-design the Children and Young Person's Housing Related Support service which will be procured in 2019 and jointly monitor performance with Commissioners.	Commissioning Team Homelessness Team	December 2019		
3.07	Set up 10 properties as part of the House Project for Care Leavers	Housing Advice and Assessment Team	June 2020		
Aim 4 – To end rough sleeping and begging					
4.01	Explore the development of an "Alternative Giving Scheme" which aims to reduce rough sleeping and begging	Homelessness Team	March 2020		
4.02	Ensure people have access to ongoing support if required when they move out of temporary accommodation into their own tenancy.	Resettlement, Temporary Accommodation and Support Team	March 2020		
4.03	Continue to work with partners to ensure continued advice and support for rough sleepers	Homelessness Team	March 2020		
4.04	Consult with homeless rough sleepers to identify barriers to services	Homelessness Team	March 2020		

Appendix 2

Ref	Action	Lead	Target Date	Status	Update
4.05	Conduct quarterly rough sleeper counts and continue to undertake weekly outreach work in key locations to connect people to services	Homelessness Team	Quarterly		
4.06	Provide outreach work in key locations	Homelessness Team	Monthly		
4.07	Ensure there is sufficient capacity and support available to run SWEP (Severe Weather Emergency Protocols) all winter.	Homelessness Team	June 2019, then annually		
4.08	Work closely with community protection and the police to carry out assertive outreach to beggars and to consider taking enforcement action when appropriate.	Homelessness Team Community Protection Policy	March 2020		
Aim 5 – To improve access to tenancy support, employment and health support services					
5.01	Provide a planned approach via the South Yorkshire Accommodation Hub to rehousing prior to all offenders leaving prison who have a local connection to Rotherham	Homelessness Team South Yorkshire Accommodation Hub	March 2020		
5.02	Ensure all individuals presenting as homeless who have substance misuse issues are referred straight away to commissioned treatment services	Homelessness Team	December 2019		
5.03	Connect people to employment, training, volunteering	Housing Income Team	December 2019		
5.04	Ensure people have speedy access to money advice, debt services and gambling support when needed	Financial Inclusion Team	December 2019		
5.05	Explore the introduction of a family mediation service	Homelessness Team	June 2020		
5.06	Implement 'Tenancy Health Checks' to prevent problems from escalating and tenancies being jeopardised.	Housing Operations Team	August 2019		
Aim 6 – To ensure there is sufficient decent emergency accommodation					
6.01	Set up 6 "Step up Step Down properties" for hospital discharges	Home and Property Services Team Homelessness Team	March 2020		
6.02	Set up 6 Modular builds for short stay accommodation for single person	Home and Property Services Team Homelessness Team	March 2020		
6.03	Set up 2 assessable temporary accommodation units for people with a disability	Home and Property Services Team	March 2020		

Appendix 2

Ref	Action	Lead	Target Date	Status	Update
		Homelessness Team			
6.04	Set up a dog friendly temporary emergency accommodation	Home and Property Services Team Homelessness Team	March 2020		
6.05	Set up 4 dispersed properties for people fleeing domestic abuse	Home and Property Services Team Homelessness Team	March 2020		
6.06	Maintain decency of temporary accommodation	Home and Property Services Team	April 2019 – Ongoing		
6.07	Carry out a regular safe and well-being checks for all households placed into temporary accommodation	Tenancy Support and Resettlement Team	April 2019 – Ongoing		

Appendix 3

Homelessness Prevention and Rough Sleeper Strategy 2019-2022

Consultation

Consultation began in November 2017. Consultation was carried out with Rotherham residents, Council staff and a wide range of partners and stakeholders.

Consultation summary

Consultation took the form of;

- Attendance at community events
- Online and face to face surveys
- Emails
- Discussions at various groups and forums where information went on to be cascaded via wider sessions
- Social media coverage
- Circulation of the draft strategy
- Desktop review of existing consultation evidence

Consultation methodology

The consultation was promoted, both externally (of the council), and internally. External consultation was conducted between November 2017 and March 2019 via community events, conferences, meetings, and the council website using an online survey.

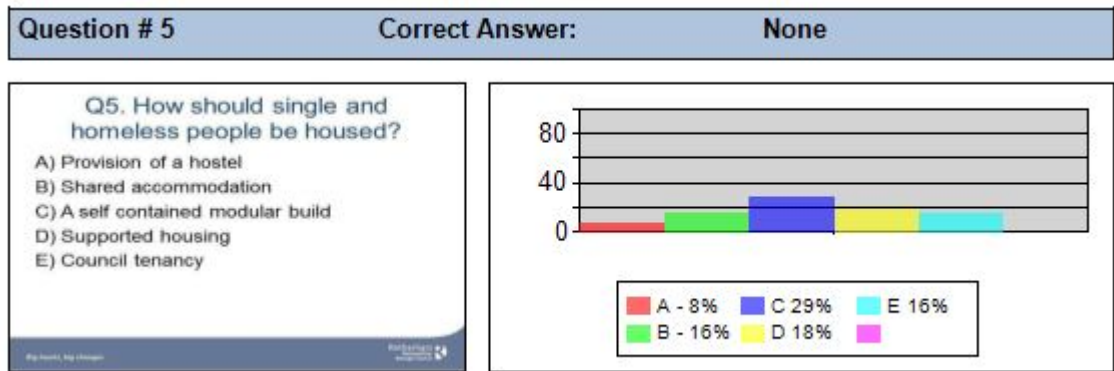
Internal pre-consultation took place with housing officers and related services by way of meetings, briefings and an online survey ran throughout July to October 2018. Wider internal consultation followed in the form of a shared draft strategy for comment in February 2019, where many services have provided valuable input into the strategies development.

The following presents an overview of the responses to this consultation;

1. Tenants conference 03/07/18

Over 200 people attended the tenant's conference where a presentation was given on the next Housing Strategy and the Homelessness Strategy.

The views of tenants were gathered using an electronic voting system as well as paper surveys. Question 5 asked: How should single and homeless people be housed? The results are detailed below;



Where attendees represented an organisation or tenant groups, they were asked to share the information wider and provide feedback.

2. Landlords Forum 24/09/18

Representatives from 12 landlords were provided with an overview of the key themes and where private sector will fit in. The group were provided with the online survey to complete as part of the consultation and the Forum were happy to receive updates on the progress of the revised Strategy at future meetings.

One of the landlords also represents local landlords at the Strategic Housing Forum where the draft of the Strategy was presented.

3. Housing Hub feedback

The key themes of the Homelessness Strategy were discussed at a number of 'Housing Hub' community sessions over the summer. The Housing Hub was used to engage with tenants on a range of housing related issues and to promote further tenant involvement opportunities. Events were held in local communities with hundreds of local residents attending each event. Feedback was positive in terms of the key themes emerging. Attendees were encouraged to provide feedback via a survey or email.

4. Rotherham Show 08/09/18

The Housing Options Service attended the Rotherham Show to speak to attendees about key housing issues including new build development and the emerging themes of the Homelessness Strategy. The show attracts around 70,000 visitors over the weekend. The team were able to discuss the strategy with attendees and collated feedback via a survey which has shaped the themes and key priorities of the strategy.

5. Key consultation partners 04/12/18

The draft strategy has been disseminated to the Health and Wellbeing Board, Housing Support Providers, Housing Associations and the Armed Forces Covenant Group.

6. Strategic Housing Forum 05/12/18

The themes of the strategy were presented at the forum. Attendees included representatives from across council directorates, housing associations, landlord sector, developers and supported housing providers. The strategy was well received and comments were made on specific areas including, homelessness, selective licensing and the private rented sector. All of which have been incorporated in the draft.

It was agreed that progress would be reported back to the group on a quarterly basis and the Forum would be responsible for holding the council and partners to account for delivering the strategy.

Where attendees represented another organisation, they were asked to share the information wider and provide feedback.

7. Rotherham Side by Side Homelessness Prevention Forum

The Side by Side Homelessness Forum's membership includes providers who work with homeless people. The Forum aims to work effectively together so that there is a clear local picture of homelessness issues in Rotherham. The Forum provided valuable input over a number of meetings and their feedback helped in the shaping of the strategies development.

8. The Mayoral Homelessness Summit

The Summit brought homelessness experts and practitioners in our region together. Attendees learnt about what was happening in other parts of the region and shared experiences and best practice of what does and doesn't work. Delegates had the opportunity to attend a number of workshops throughout the day, and feedback from the workshops has helped to shape the strategy. The workshops included:

- Housing First – can we develop a City Region approach?
- What can we learn from progress in Greater Manchester?
- How can we engage with the private rented sector and what should we expect from landlords?
- Can local housing providers sign up to the nine commitments in Everybody In?
- What is best practice in relation to the Homeless Reduction Act and the Duty to refer?
- Where is there best practice locally to tackle rough sleeping?

Some of the other key messages from the consultation included the need to:

- Support young people to access the right accommodation
- Provide appropriate support for people with complex needs
- Support victims of domestic abuse

- Provide appropriate temporary accommodation
- Prevent homelessness to reduce the impact on health
- Ensure there is easier access to services via digital methods or outreach
- End rough sleeping and begging
- Prevent evictions and early intervention
- Consider a “no eviction” policy from social housing
- Prevent the loss of private rented accommodation
- Reduce the number of aggressive beggars who are begging for money in a manner considered to be unduly intimidating.

**APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy
2019-2022**

**RMBC - Equality Analysis Form for Commissioning, Decommissioning,
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(CDDPPSSF)**

Under the Equality Act 2010 Protected characteristics are Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity. Page 6 of guidance. Other areas to note see guidance appendix 1	
Name of policy, service or function. If a policy, list any associated policies:	Homelessness Prevention and Rough Sleeper Strategy 2019 -2022
Name of service and Directorate	Housing Options, Adult Social Care, Housing and Public Health Directorate
Lead manager	Sandra Tolley, Head of Housing Options and Jill Jones Homelessness Manager
Date of Equality Analysis (EA)	19 February 2019
Names of those involved in the EA (Should include at least two other people)	Sandra Tolley, Head of Housing Options Jill Jones, Homelessness Manager Kim Firth, Homelessness Coordinator Sonia Dyson, Resettlement and Temporary Accommodation Coordinator Zaidah Ahmed, Corporate Equalities and Diversity Officer
Aim/Scope (who the Policy /Service affects and intended outcomes if known) See page 7 of guidance step 1	
<p>The Homelessness Reduction Act 2017 is the most significant changes to homelessness law in decades. The principles of the Act are to help more people sooner and to prevent repeat homelessness. The Council is committed to this approach and will continue to focus on homelessness prevention.</p> <p>The Homelessness Prevention and Rough Sleeper Strategy sets out the Council's long term vision for addressing the root causes of homelessness, and seeks to develop a partnership approach to reducing homelessness over the next three years.</p> <p>It has been developed in consultation with key partners and takes into account recent legislative changes and the impact on increased demand for homelessness services.</p> <p>The intended outcomes of the Strategy are to:</p> <ul style="list-style-type: none"> • Support young people to access the right accommodation • Ensure there is provision of appropriate support for people with complex needs • Support victims of domestic abuse • Provide appropriate temporary accommodation • Prevent homelessness to reduce the impact on health • Make it easier to access services via digital methods or outreach • End rough sleeping • Prevent evictions and early intervention • Reduce the loss of private rented accommodation 	

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- Reducing the number of aggressive beggars

Rotherham reflects the national trend in the number of households who have lost their home. The usage of temporary accommodation, the numbers of homeless presentations and the number of people sleeping rough continues to increase.

The financial impact of welfare reform has had a negative impact on people on low income and those that depend on benefits. Poor housing or a lack of suitable housing can have a negative impact on people's lives including their ability to maintain good health and wellbeing, educational achievement, access to support services, and employment opportunities.

It is essential that the root causes and risks relating to homelessness are identified early so the right type of support and intervention can be put in place before a person reaches the point of becoming homelessness.

The Homelessness Prevention and Rough Sleeper Strategy 2019 -2022 will aim to:

1. Support people with complex needs
2. Prevent homeless and offer rapid housing solutions to get people in urgent housing need rehoused quicker
3. Increase support for young people to prevent homelessness
4. Tackle and end rough sleeping and begging
5. Improve access to tenancy support, employment and health support services
6. Ensure there is sufficient decent emergency accommodation

A successful policy would see:

- Families having a stable home which give the best start in life for children, and vulnerable adults.
- A reduction in the time spent living in temporary accommodation
- A reduction in the usage of temporary accommodation by homeless households will therefore reduce expenditure
- Families with children prevented from becoming homeless
- An increase in the number of homeless households prevented from becoming homeless
- Households on low incomes being helped to affordable housing.
- Good quality, stable homes help people to avoid financial hardship and can have a significant impact on people's health and wellbeing
- People are happy with the waiting time to move home

The Homelessness Prevention and Rough Sleeper Strategy 2019 -2022 impacts on all wards

**APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy
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What equality information is available? Include any engagement undertaken and identify any information gaps you are aware of. What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics? See page 7 of guidance step 2

Key facts and statistics

- 263,400 people live in Rotherham Borough, about half living in and around the main urban area of Rotherham. The remainder live in smaller towns such as Wath, Dinnington and Maltby, and in numerous large villages and rural communities, all of which have their own distinct identities.
- 120,600 Rotherham residents are in employment whilst 106,000 people have workplaces in the Borough, giving a net outflow of 14,700 workers. One in five workers who live in Rotherham are employed in Sheffield and another one in five work elsewhere outside Rotherham.
- 45,259 children attend 117 Rotherham schools.
- One in four residents (25.2%) are aged 60 years or over and 22,500 people (8.5%) are aged 75 years or over. Rotherham has 56,900 children aged 0-17 (21.6% of the population).
- Rotherham's Black and minority ethnic (BME) population was 8.1% in 2011 and is now estimated at around 11%. The central area of Rotherham is far more ethnically diverse than the rest of the Borough. The largest minority ethnic group is Pakistani & Kashmiri (4% of the population), followed by the Slovak & Czech Roma (1.5% of the population). Rotherham also has smaller Black African, Indian, Chinese, Irish and Arab communities, all with between 500 and 2,000 people.
- The 2011 Census showed that 56,588 (22%) of Rotherham's population had a long term health problem or disability and 11.3% said their day-to-day activities were limited a lot by long term conditions (8.3% nationally). In November 2016, 30,306 Rotherham residents (11.6%) claimed Disability Living Allowance (16,680), Personal Independence Payment (6,100) or Attendance Allowance (7,516).
- One in six homes is rented from the council and although house prices have risen over the years, they are about half the national average.
- In the past 12 months homelessness acceptances has increased from 100 to 122. From the 122 households accepted as homeless, 67% of the main applicants were between the ages of 25 to 44. Acceptances are those people who are homeless, eligible, in priority need, not intentionally homeless and who have a local connection.
- The main reason for homelessness is from people whose private rented tenancy has come to an end. The other top reasons for homelessness are family or parental evictions and domestic abuse/other forms of violence.

APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy 2019-2022

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- The incidents of people sleeping rough are still low in Rotherham compared to the Sub Region. In Rotherham, there were 19 people identifies as sleeping rough during the last 12 months. Of these 16 were men and 2 women and all were over the age of 25. Their nationality was 15 were White British, 2 were Eastern Europeans and 2 refused to disclose. 17 had a local connection to Rotherham and 2 had a local connection to Barnsley.
- The annual return for rough sleepers in 2017 was 2. This is because it was an actual count of Rough Sleepers on a particular night.
- The demand for temporary homeless accommodation is increasing. The table below shows the comparison over the past 3 years at the end of October each year:

Month and year	October 2016	October 2017	October 2018
Nos in temporary accommodation	21	33	38

The main reasons for temporary accommodation being used in the past 12 months are due to people:

- fleeing domestic abuse
- having physical health problems
- having mental ill health
- losing their tenancy

During 2017/18 there were 714 households prevented from becoming homeless, of these 124 were assisted to remain in their existing homes mainly due to:

- crisis intervention - providing emergency support
- negotiation with family and friends
- providing assistance to remain in private or social rented accommodation
- assistance in resolving housing benefit issues

Of the 714 households there were 510 households that were prevented from becoming homeless by helping to secure alternative housing as follows:

Moved to Supported accommodation	131
Moved to private rented accommodation with the help of rent in advance or bond	84
Moved to private rented accommodation without support for upfront costs	85
Moved to Social housing (either Council or Housing Association)	210

The review of the Homelessness Prevention and Rough Sleeper Strategy 2018 -2022 involved detailed consultation with a number of key stakeholders including the Council, Councillors, staff, partners, residents and voluntary groups.

**APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy
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The Strategy review took into account demographic information, supply and demand for properties. An assessment of waiting time to be rehoused for those who are homeless.

Engagement undertaken with customers. (date and group(s) consulted and key findings)

See page 7 of guidance step 3

The proposed changes to the Homelessness Prevention and Rough Sleeper Strategy 2019 -2022 has been discussed with elected members at:

September 2018 – Improving Places Select Commission. As part of the consultation a presentation was presented to members who were supportive of the proposals. The Panel were concerned about the impact of Universal Credit.

The findings are that the impact on rent arrears is now starting to become evident at individual account level, with the average arrears for a tenant on Universal Credit being £726.92 compared to £395.12 for other tenants i.e. the average arrears for a tenant on Universal Credit is 84% higher than other tenants. This presents a significant risk to income collection and manifests itself through increased bad debt provision. The forecast arrears balance for new Universal Credit claims is £625k for 2018-19. To mitigate this risk all new tenants who are eligible for Universal Credit have to make a claim and set up either a Direct Debit or a Recurring Card payment for rent prior to being issued with the keys for their new home.

Local partners have not reported any significant increase in demand for services following the roll out of the Universal Credit Full Service. For instance, whilst the Citizens' Advice Bureau has seen over a 120% increase in uptake of services this is not directly attributable to Universal Credit as there has only been a 1% increase in demand for benefits advice since the same period last year. For context, Citizens' Advice Bureau have only provided 92 pieces of advice about Universal Credit since July 2018, this comprises only 2% of the 4,125 issues that have been dealt with during that time.

Foodbank use has remained fairly constant, at levels seen before the rollout of the Universal Credit Full Service. Before the rollout there were on average 79 referrals per month. In the three months following rollout, there have been 74, 84 and 80 vouchers issued respectively i.e. no increase in the average number of referrals.

September 2018 - Other engagement/consultation has been undertaken at the Rotherham Show

APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy 2019-2022

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	<p>March, July and September 2018 - The Side by Side Partnership who are predominantly providers who work with homeless households have been consulted. They were supportive of the aims and the group highlighted further work will be required to prevent homelessness in the development of the Homelessness Prevention and Rough Sleeper Strategy 2019 - 2022</p> <p>October 2018 - Rotherfed who lead on Tenant Involvement have been consulted and also the Quality Challenge Group. Both groups were supportive of the draft proposals</p> <p>December 2018 - Strategic Housing Partnership were consulted. A presentation was made highlighting the proposals and the benefits for Rotherham people.</p> <p>Staff across both Children' and Adult Services have been provided with briefing papers relating to homeless households in Rotherham.</p> <p>The Strategy changes:</p> <ul style="list-style-type: none"> a) Bring benefits for other directorates and partners, particularly in reducing homelessness for families with children and contributing to local targets on homelessness prevention and financial inclusion / capability. b) Ensure that members, Council officers, partners and local people can be confident that the new Strategy will help local people access affordable housing quicker. <p>Further actions required –</p>
<p>Engagement undertaken with staff about the implications on service users (date and group(s)consulted and key findings) See page 7 of guidance step 3</p>	<p>The Homelessness Prevention and Rough Sleeper Strategy 2019 - 2022 has been developed with support from Council Officers and input from the Strategic Leadership Team.</p> <p>Councillors, staff and partners play a vital role in the review of the Homelessness Prevention and Rough Sleeper Strategy 2019 - 2022.</p> <p>The draft Homelessness Prevention and Rough Sleeper Strategy 2019 – 2022 has been circulated to a range of stakeholders, including; services across the Council, Rotherfed, public health, housing associations, the police, health, community protection,</p>

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	<p>Shiloh, support providers, Rotherham’s Armed Forces Covenant group.</p> <p>Following approval the new Strategy will be effectively communicated to staff and members and the new Homelessness Prevention and Rough Sleeper Strategy 2019 – 2022 will be published and made available online.</p>
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The Analysis

How do you think the Policy/Service meets the needs of different communities and groups? Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity. Rotherham also includes Carers as a specific group. Other areas to note are Financial Inclusion, Fuel Poverty, and other social economic factors. This list is not exhaustive - see guidance appendix 1 **and** page 8 of guidance step 4

The new Homelessness Prevention and Rough Sleeper Strategy 2019 – 2022 should have a positive impact on all communities. However the impact will need to be reviewed based on specific need.

The changes should improve the Council’s ability to respond to the demand for accommodation from homeless households so that they can move quicker into suitable housing. The strategy will help homeless people living in temporary accommodation to move on quicker.

The ‘hidden’ homelessness including people who are rough sleeping, or ‘sofa surfing’ will be assisted in accommodation and support services.

The exploration of the development of an alternative giving scheme will help to reduce rough sleeping and begging

By considering the expansion of the Housing First scheme and by working in partnership with support providers will ensure there is a whole person approach to support people with complex needs.

Joint working arrangements with adult social care, children’s social care, safeguarding, primary care, mental health and substance misuse will help people with drug, alcohol or gambling dependencies.

The provision of a resettlement/floating support package for every complex needs individual/rough sleeper will help individuals move into an independent tenancy

Analysis of the actual or likely effect of the Policy or Service:

See page 8 of guidance step 4 and 5

Does your Policy/Service present any problems or barriers to communities or Group? Identify by protected characteristics **Does the Service/Policy provide any improvements/remove barriers?** Identify by protected characteristics

**APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy
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What affect will the Policy/Service have on community relations? Identify by protected characteristics

The new Homelessness Prevention and Rough Sleeper Strategy 2019 – 2022 should remove barriers to Social Housing. For example changes have been made to the Council's Housing Allocation Policy, which should have a positive impact and improve the Council's ability to respond to the demand for accommodation from homeless households and for those people with other urgent housing need. The Council will review the impact of the Allocation Policy changes on people who are at risk of homelessness.

The Council will ensure there are housing options and support for adults and children affected by domestic abuse, ensuring accommodation and appropriate support is provided, and that information sharing and support provision is more accessible. as one of the aims to the amendments will give more priority to people in urgent need. For example by increasing the quota of properties advertised in Band 2 from 50% to 60% will mean that people in need of urgent rehousing will be able to move more quickly away from unsuitable living conditions.

Vulnerable people are offered and provided with tenancy support which is tailored to individual needs to help them sustain their tenancy and live in the community.

The effect of the new Strategy will be closely monitored on areas such as:

- The number of homeless households on the Housing Register
- The numbers of people prevented and relieved from becoming homeless
- The numbers of caseloads per Homelessness Officer
- The number of children living in temporary accommodation
- Length of stay in temporary accommodation
- An analysis of tenancy termination reasons
- Expenditure on temporary accommodation and hotels
- Reduce the number of Council tenancy evictions
- Reduction in rent arrears for cases that have received Tenancy Support
- The number of evictions averted as a result of Tenancy Support

Please list any **actions and targets** by Protected Characteristic that need to be taken as a consequence of this assessment and ensure that they are added into your service plan.

Website Key Findings Summary: To meet legislative requirements a summary of the Equality Analysis needs to be completed and published.

APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy 2019-2022

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

Equality Analysis Action Plan - See page 9 of guidance step 6 and 7

Time Period

Manager: Sandra Tolley, Head of Housing Options

Service Area: Housing Options, Adult Social Care Housing and Public Health Directorate Tel: 01709 255619

Title of Equality Analysis:

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic.

List all the Actions and Equality Targets identified

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
Monitor the number of households prevented and relieved from becoming homeless including the protected characteristics	All	Annual on 31/3/2020 and 31/3/2021
Consider homelessness statistics relating to the protected characteristics	All	Annual on 31/3/2020 and 31/3/2021
Monitoring the number of Council evictions relating to the protected characteristics	All	31/3/2020
Monitor the impact of the new Strategy by analysis the number of homeless households assisted to alternative housing according to their protected characteristic.	All	Annual on 31/3/2020 and 31/3/2021

APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy 2019-2022

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Complete further EIA's in the future should there be further changes to the policy	All	
Name Of Director who approved Plan	Tom Bell, Assistant Director of Housing	Date

*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups

Website Summary – Please complete for publishing on our website and append to any reports to Elected Members SLT or Directorate Management Teams

Completed equality analysis	Key findings	Future actions
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APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy 2019-2022

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

Completed equality analysis	Key findings	Future actions
<p>Directorate: Adult Social Care Housing and Public Health Directorate</p> <p>Function, policy or proposal name: The Homelessness Prevention and Rough Sleeper Strategy 2019-2022</p> <p>Function or policy status: New (new, changing or existing)</p> <p>Name of lead officer completing the assessment:</p> <p>Sandra Tolley Jill Jones</p> <p>Date of assessment: 19 February 2019</p>	<p>The Strategy was developed off the back of extensive consultation. It will not have a negative or adversely affect any communities or individuals.</p> <p>The Homelessness Prevention and Rough Sleeper Strategy 2019-2022 sets out the Council’s long term vision for addressing the root causes of homelessness, and seeks to develop a partnership approach to reducing homelessness over the next three years.</p> <p>It has been developed in consultation with key partners and takes into account recent legislative changes, and the impact on demand for homelessness services as a result of this.</p> <p>The 7 aims will; support people with complex needs, increase access to housing and rehousing people faster, prevent homelessness and increase support for young people, tackle and end rough sleeping and begging, create access to support, employment, improve the provision of temporary accommodation and sustain tenancies</p>	<p>Any future policy changes will be subject to an EA’s</p> <p>We will be monitoring the effect of the changes of the policy on areas such as:</p> <ul style="list-style-type: none"> • The number of homeless households on the Housing Register • The numbers of people prevented and relieved from becoming homeless • The numbers of caseloads per Homelessness Officer • The number of children living in temporary accommodation • Length of stay in temporary accommodation • An analysis of tenancy termination reasons • Expenditure on temporary accommodation and hotels • Reduce the number of Council tenancy evictions • Reduction in rent arrears for cases that have received Tenancy Support • The number of evictions averted as a result of Tenancy Support

APPENDIX 4 - The Homelessness Prevention and Rough Sleeper Strategy 2019-2022

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

DRAFT

Committee Name and Date of Committee Meeting

Cabinet – 15 April 2019

Report Title

Designation of Selective Licensing Areas – Parkgate and Thurcroft

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Authors

Lewis Coates, Head of Service, Regulation and Enforcement
01709 823117 or lewis.coates@rotherham.gov.uk

Matthew Finn, Community Protection Manager, Regulation and Enforcement,
01709 823134 or matthew.finn@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

At the Cabinet and Commissioners' Decision Making Meeting on 6 August 2018, Cabinet requested a public consultation to take place regarding the potential benefits of designating areas of Thurcroft and Parkgate for Selective Licensing of private rented housing.

This report provides detail of the feedback from the consultation with the majority of respondents expressing support for a mandatory selective licensing scheme. Based on the evidence of deprivation, anti-social behaviour and environmental issues in these areas, and the responses, comments and representations received, this report seeks approval from Cabinet to designate areas of Thurcroft and Parkgate as Selective Licensing areas.

Recommendations

1. That the strong evidence and public support for the Selective Licensing of Private Rented properties in Thurcroft and Parkgate be noted.
2. That the two areas in Thurcroft and Parkgate, as detailed in Appendix 1 of this report, be designated as Selective Licensing Areas under Part 3 of the Housing Act 2004, through the designation orders in Appendix 6.

3. That the Selective Licensing Conditions contained in Appendix 3 be adopted in the new designation orders for all new licences granted across Rotherham.
4. That the proposed licence fee structure for the Thurcroft and Parkgate areas, as set out in para 6.1 below, be approved.

List of Appendices Included

- Appendix 1 Area maps showing proposed designated areas
- Appendix 2 Analysis of Consultation for Selective Licensing in Parkgate and Thurcroft
- Appendix 3 Standard Condition review and revised Standard Conditions 2019
- Appendix 4 Fee structure and payment arrangements
- Appendix 5 Draft Designations for Proposed Selective Licensing Areas
- Appendix 6 Equalities Impact Assessment

Background Papers

Cabinet and Commissioner's Decision Making Meeting, 6th August 2018, minute 22

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 10 April 2019

Council Approval Required

No

Exempt from the Press and Public

No

Designation of Selective Licensing Areas – Parkgate and Thurcroft

1. Background

- 1.1 The quality of housing and health outcomes are inextricably linked. Deprivation in particular, has a direct impact on people's ability to choose the housing they live in and their ability to make informed choices about the housing conditions they accept.
- 1.2 Selective Licensing of private rented housing is a successful tool to improve management standards of property, ensuring that landlords play their part in providing safe and healthy homes. This helps to improve health outcomes by making property safer and will ultimately contribute to addressing high levels of deprivation in communities.
- 1.3 In August 2018, Cabinet and Commissioner's Decision Making Meeting requested that a public consultation take place to seek views on proposals to designate parts of Thurcroft and Parkgate for Selective Licensing of private rented housing. The two areas suffer from high levels of deprivation which Selective Licensing, through ensuring higher standards of private rented housing, could assist in tackling. The analysis of the available data showed that the two small areas within the Thurcroft and Parkgate localities, consisting of 407 privately rented houses, also have high levels of environmental complaints, neighbourhood anti-social behaviour and crime.

2. Key Issues

- 2.1 Deprivation
- 2.2 The Lower Super Output Areas (LSOAs) of 'Thurcroft Central and Brampton', and 'Parkgate', are ranked in the top 16% and 15% respectively of the most deprived areas in England. Both have significantly higher levels of private rented housing than the national average.
- 2.3 From the Indices of Multiple Deprivation the 'Thurcroft Central and Brampton' LSOA is most affected by a lack of employment, low educational attainment and poor health. 'Parkgate' is most affected by the same lack of employment, poor health and the quality of the outdoor environment.
- 2.4 To assess where interventions would have the greatest impact, the two LSOAs, along with Rawmarsh South (which is adjacent to Parkgate and part of the same residential locality), were analysed to identify patterns of crime and anti-social behaviour in 2015/2016 and 2016/2017. This analysis demonstrated that there is one area in Thurcroft and one area in Parkgate and Rawmarsh South, which suffer from higher levels of crime and anti-social behaviour than average. Moreover, there are clear trends, which show that these areas suffer from significant levels of environmental problems, such as fly tipping and littering.

- 2.5 The two areas of greatest concern have been identified on the proposed licensing area maps at Appendix 1. In the identified streets in Parkgate, 255 privately rented properties provide 61% of the housing stock. In Thurcroft, 153 properties in the area account for 64% of the housing stock. Both areas are therefore above the national average of 19.9% and meet the threshold for Selective Licensing under the deprivation criteria.
- 2.6 Consultation Responses
- 2.7 In August 2018, Cabinet and Commissioner's Decision Making Meeting requested that consultation be undertaken in respect of the proposed new designations. The consultation was open between October and December 2018, receiving a total of 366 responses with 61% of respondents supporting the introduction of Selective Licensing into areas of Thurcroft and Parkgate. Detailed analysis of the consultation is contained in Appendix 2.
- 2.8 Licence Fee Structure
- 2.9 Following a number of detailed responses and comments received about the licensing fee, a review has been carried out to ensure that the costs for the proposed scheme are appropriate and proportionate. This review recognised that good landlords, who provide safe homes and professionally managed properties, may be investing in high quality property management more than less scrupulous landlords.
- 2.10 It is therefore proposed that the proposed fees are changed, to reflect a more flexible fee recovery process, and to recognise the reduced regulatory burden from properties that are of a high standard.
- 2.11 A revised fee of £521 is proposed for a five year single occupied house Selective Licence, but with a reduction to £394 for high performing landlords. Additional fees will apply for late applications and to additional letting units in the same building. Full details of the fee structure can be found in Appendix 5.
- 2.12 The proposed licence fee is split, as required by legislation, into a £68 non-refundable application fee and a £453 licence maintenance fee. This is a 12% reduction in the previous full licensing costs and a 56% reduction in the non-refundable application fee element. The fee equates to as little as £3.13 per week for the maintenance element for high performing landlords, if paid monthly by direct debit over two years.
- 2.13 Providing an extended period for payment over two years presents a low risk to the income for the scheme. Longer payment terms would present greater risks, as income is required early in the scheme to ensure it is financially sustainable for the full five years. A longer payment period would not enable the Council to effectively plan the expenditure of the licence fee income.

2.14 Licence Conditions

2.15 The Supreme Court judgement, *Brown v Hyndburn Borough Council*, 2018, impacts directly on the conditions that can be applied to licences issued under a Selective Licensing designation. Critically the findings of the Court prohibit the imposition of discretionary conditions on Selective Licences relating to the safety of property, as these matters can be effectively dealt with under primary legislation.

2.16 The Supreme Court findings have been taken into account and the existing Selective Licensing conditions have been reviewed and updated. Appendix 3 provides an overview of the review of the original 49, followed by the listing of the updated 35 conditions that will be applied to new licences under the new designations.

2.17 Alternative Approaches

2.18 An alternative approach to the scheme has been proposed by a private company, the Home Safe Scheme. The company operates as a delivery partner, bringing some reductions in costs to landlords who apply for a Selective Licence through them. The company carry out monitoring and inspection of property, ensuring properties are brought up to the required standards. Consequently, the Council would be reliant upon the company to ensure that properties are inspected and improved. Given the level of experience of delivering a Selective Licensing scheme within the Council, the success of the current scheme, and the potential timescales for the implementation of such an arrangement, the Service do not recommend this approach (see section 3).

2.19 The National Landlords Association and Residential Landlords Association have proposed that the designations be delayed until the outcome of the Government Review of Selective Licensing is completed. However this review is not due to report until the summer of 2019, and any adjustments to the law have not been scheduled as yet. This would mean that any delay may be indefinite and there is a need for action now to tackle significant community issues and concerns.

3. Options considered and recommended proposal

3.1 Option 1 – Designate the two areas of Thurcroft and Parkgate for Selective Licensing with the new standard licensing conditions

3.2 The outcome of the consultation shows that generally respondents are in favour of licensing. Selective Licensing will provide a regulatory regime and finances to ensure properties are managed effectively to provide safe homes for tenants.

3.3 The Council has experience of managing successful Selective Licensing designations which provides a high level of confidence of success, both in terms of the licensing arrangements and enforcement outcomes.

3.4 Developing the designations for Selective Licensing in Thurcroft and Parkgate, will contribute to the Council's Housing Strategy through:

- Improving the management of houses in the private rented sector through licensing conditions and enforcement and;
 - Removing Category 1 hazards in relation to falls, excess cold and general disrepair through inspections.¹
- 3.5 Whilst Selective Licensing is focused on delivering health outcomes and safe homes for tenants in the private rented sector, the additional enforcement may also contribute to improving the local environment and addressing anti-social behaviour.
- 3.6 A formal designation ensures that the costs of both licensing and property management improvement is borne by the industry and not the Council. The proposed new designations would be self-financing in the same way that the existing designations are.
- 3.7 The designations would require all privately rented properties within the identified boundaries of the two areas, subject to statutory exemptions, to be licensed for up to five years and to comply with licence conditions. The conditions for the existing Selective Licensing designations, which formed part of the consultation, are enclosed with the draft designations at Appendix 6.
- 3.8 Under this option each property would receive an initial 'risk rating' visit to determine the priority for further full inspections. A full inspection is then carried out as part of the licensing scheme, and further, subsequent, inspections will be made to those properties identified as high risk throughout the life of the licensing scheme.
- 3.9 The areas of Parkgate and Thurcroft proposed to be designated for Selective Licensing are described in Figures A and B below, with the shaded areas representing the boundary of the proposed designations:

¹ http://www.rotherham.gov.uk/shf/downloads/file/18/housing_strategy_2016-19, Pg24

Figure A - Parkgate Proposed Selective Licensing Area

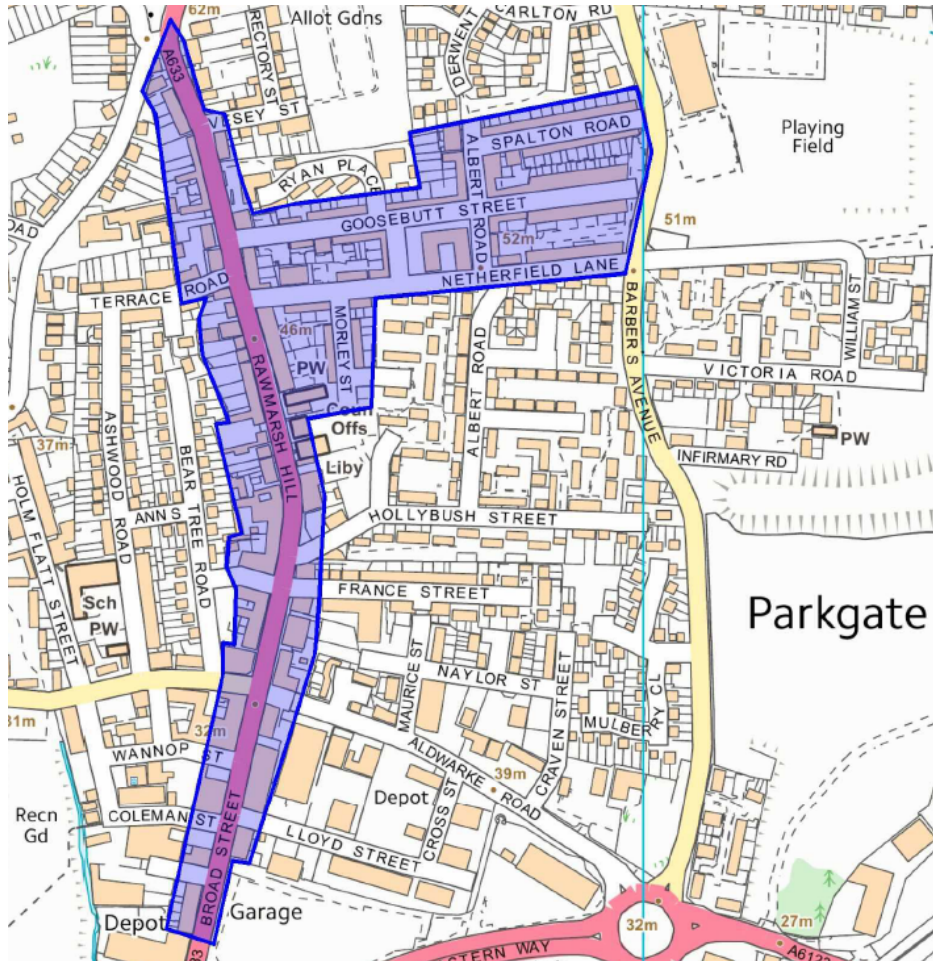
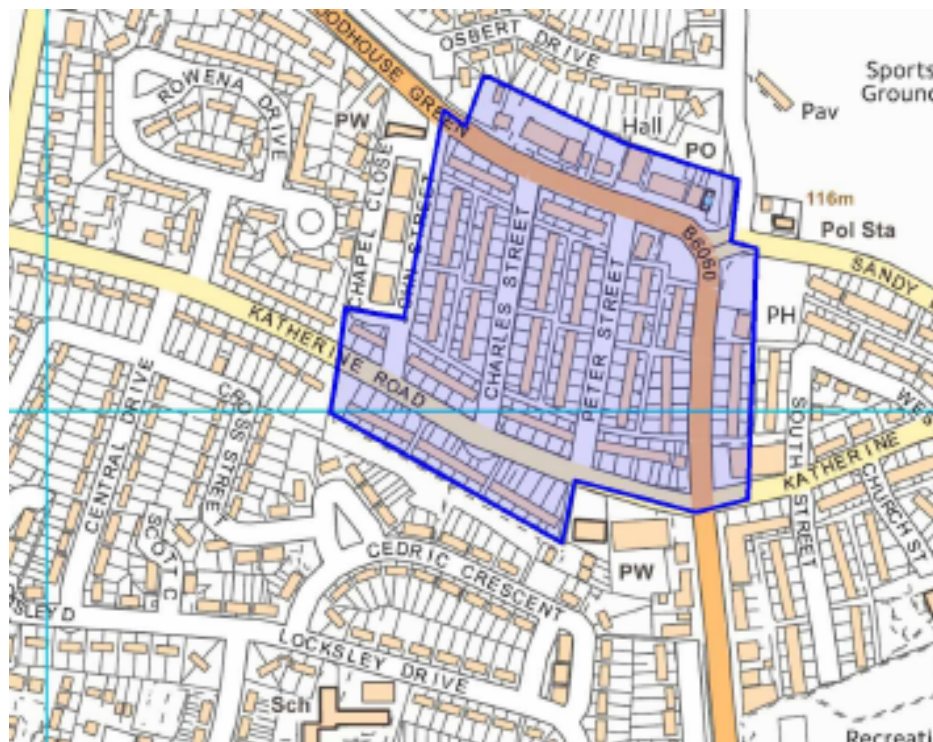


Figure B - Thurcroft Proposed Selective Licensing Area



3.10 Option 2 – Voluntary Landlord Quality Scheme

3.11 Voluntary alternatives to Selective Licensing were considered in 2014 prior to the designation of the existing Selective Licensing areas.

3.12 Whilst voluntary schemes for licensing would not require landlords to pay for licences and would prevent an additional burden on the sector, there would be concern that this approach would not deliver improvements to housing conditions, in particular because:

- There is no compulsion for landlords to register or any penalty for failing to register.
- Landlords who need to improve their properties have no obligation to join a scheme and consequently can avoid compliance until detected through routine enforcement methods.
- Previous attempts at voluntary accreditation schemes have not received sufficient take-up and have therefore been unsuccessful.
- There is a risk that this option once in operation may fail to meet the success factors required and a mandatory Selective Licensing scheme would be required.

3.13 Option 3 – Home Safe model for Selective Licensing

3.14 This option would seek to adopt proposals to operate a Home Safe style scheme, as some other local authorities have.

3.15 The Home Safe scheme typically offers fees ranging from £336 to £515 (incl. VAT) for the first property. Additional fees apply with small reductions (£10-£20) for each additional property. For landlords who fail to licence through that process or fail to abide by the scheme's terms and conditions, they would need to licence direct with the Council, attracting a full licensing fee. Breaches of Home Safe conditions may result in enforcement referrals to the Council by the scheme and a need to re-licence fully. The scheme proposes to support enforcement action for non-complaint landlords.

3.16 While this model would appear to offer landlords and the Council some benefits in terms of cheaper processing and inspections and longer payment terms for membership, any hazards found at properties would be dealt with wholly on an informal basis to begin with.

3.17 The Council's existing model benefits from a coordinated service with the existing Regulation and Enforcement teams and Police partners which would be difficult to realise with the Home Safe scheme. The Council specifies to landlords a time-limited period in which to comply with a detailed schedule of works. This approach has been highly successful in ensuring improvements are made quickly after inspections.

3.18 While the Home Safe Scheme model may have some benefits and, according to their submission, other areas have claimed improved standards, it does not appear to offer the level of assurances that the current direct Selective Licensing approach provides for Rotherham or provide a significant reduction in the costs of licensing for landlords compared with the minimum £398 fee proposed in this paper.

3.19 In addition, this scheme would require significant monitoring in terms of property inspections, assessments, quality assurance, and a degree of reality check inspections from the Council to ensure it was working appropriately. When combined with the requirement for the Council to licence a number of unknown additional properties in full, this means that the Council would not be able to fully plan for the costs of operating, with a consequent risk to the self-financing element of the service.

3.20 Preferred Option

3.21 It is proposed that Option 1 is the most appropriate course of action to ensure a sustainable and cost effective solution to improving management standards in the private rented sector in Thurgate and Parkgate and to contribute to reducing deprivation in these areas.

4. **Consultation on proposal**

4.1 If the designations are made the full outcome of the consultation will be published. In accordance with legal requirements the respondents to the consultation will be individually notified of the outcome.

4.2 The consultation process included the following:

- A comprehensive Selective Licensing consultation web with full details of the proposals and background reports.
- Direct contact with landlords, residents and businesses in Thurgate and Parkgate.
- Public and landlord drop in sessions in each proposed area and at Rotherham Town Hall.
- Meeting with the Rotherham & District Residential Landlords Association and the National Landlords Association at the local landlord forum.
- Direct contact with landlord associations and representatives through local meetings, and the Selective Licensing Steering Group meetings.
- Direct mail to all residential and business addresses in and around the proposed areas with an information pack pre-paid envelope and questionnaire replicating the online questionnaire.
- Direct mail to landlords (registered with Council Tax as landlord or owner or where the Regulation and Enforcement Service has contact details) who rent property in the proposed Selective Licensing areas to advise on the consultation and to seek responses online (or by post if they preferred).
- Direct mail to landlords and in the immediate area around the proposed areas to advise them of the consultation and details of how to respond.
- Emails to local letting agents, South Yorkshire Police and Rotherfed

- Emails to national interest groups such as landlord associations and Shelter;
 - Social media posts and press releases to promote the consultation as widely as possible.
- 4.3 Local Elected Members in Rawmarsh and Rother Vale Wards have been fully involved and consulted at all stages of the process.
- 4.4 Overall, 61% of respondents (221 responses) supported the idea of introducing Selective Licensing in these areas, with 18% (68 responses) disagreeing with the introduction. Of those supporting the introduction 68% of residents and businesses were in favour of introducing Selective Licensing in Thurcoft and Parkgate; 65% of landlords were against the proposals.

Agree or disagree with proposals to introduce Selective Licensing in the areas						
	Landlords	Private Tenants	Social Tenants	Owner Occupiers	Business	Total
Agree Strongly	NA	12	19	106	12	149
Agree	9	7	12	43	1	72
Neither agree nor disagree	10	24	15	17	5	71
Disagree	35	5	3	3	0	46
Strongly disagree	NA	11	1	5	5	22
No response	0	1	1	2	2	6

- 4.5 Further detail in relation to the consultation and responses is can be found in Appendix 2 to this report.

5. Timetable and Accountability for Implementing this Decision

- 5.1 For Option 1, the designation will take effect 3 months from the date of the decision. This time period is the minimum for the statutory notification period after the designations are made.
- 5.2 Public notices in local newspapers and Council offices are required within 14 days of the designation being made along with notification to consultation respondents and landlords.

- 5.3 All landlords of properties in the designation areas are known and will be contacted directly to invite them to licence by the date the designation comes into effect and no later than 12 weeks afterwards. Following this period, enforcement action will commence to secure licensing where landlords have not come forward.
- 5.4 The Assistant Director for Community Safety and Street Scene will be responsible for the delivery and implementation of the proposal.

6. Financial and Procurement Advice and Implications

- 6.1 The proposed fees in respect of these Selective Licensing areas are shown below:

Total licence fee per house	£521		
> Application fee element	£68		<i>Non-refundable, paid with the application</i>
> Maintenance fee element	£453		<i>Paid once a draft licence has been granted, can be spread by direct debit over 12 months</i>
Additional Unit maintenance fee	£132		<i>Applicable where there is an additional letting unit in the same building/house under the same ownership</i>
Rebate for early applications with fully compliant property	£127		<i>Available if the landlord applies within 12 weeks of the property being licensable, has no hazards which warrant intervention by the Council, and are found to be fully compliant with the statutory licence conditions (conditions 1-4).</i>
Late Application penalty fee	£136		<i>Paid with application fee - non-refundable</i>

- 6.2 These fees are consistent with the process for calculating the HMO licensing fees for 2019/20 as per the fees and charges agreed by Council within the 2019/20 budget.
- 6.3 The anticipated take up of the scheme along with planned spend over the period is shown in Appendix 5. All costs will be fully covered by the income generated and there is therefore no impact on Council budgets.
- 6.4 As the recommendation is to wholly deliver this work internally there are no direct procurement implications. However, consideration needs to be given to additional licences for existing IT systems and the purchase of minor items of equipment which must be done in compliance with the Council's Financial and Procurement Procedure Rules.

7. Legal Advice and Implications

7.1 Part 3 of the Housing Act 2004 sets out the scheme for licensing private rented properties in a local housing authority area. Under section 80 of the Act a local housing authority can designate the whole or any part or parts of its area as subject to selective licensing. Where a selective licensing designation is made it applies to privately rented property in the area.

7.2 A selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:

- Low housing demand (or is likely to become such an area);
- A significant and persistent problem caused by anti-social behaviour;
- Poor property conditions;
- High levels of migration;
- High level of deprivation;
- High levels of crime.

7.3 In considering whether to designate an area for selective licensing on the grounds above on property conditions, migration, deprivation and crime the local housing authority may only make a designation if the area has a high proportion of property in the private rented sector. Nationally the private rented sector currently makes up 19% of the total housing stock in England. When considering whether to make a selective licensing designation a local housing authority must first identify the objective or objectives that a designation will help it achieve. Secondly, it must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made. Only where there is no practical and beneficial alternative to a designation should a scheme be made.

7.4 In deciding whether to make a designation because the local authority considers the area suffers from a high level of deprivation, it is recommend that the local housing authority considers the following factors when compared to other similar neighbourhoods in the local authority area or within the region:

- Employment status of adults;
- Average income of households;
- Health of households;
- Availability and ease of access to education, training and other services for households;
- Housing conditions;
- Physical environment;
- Levels of crime.

7.5 Before making a designation, there are clear rules in relation to consultation and the Authority must fully consider any representations made during the consultation process.

- 7.6 Where the criteria is satisfied and a selective licensing scheme is made, a designation may be made for up to 5 years. Any designation cannot come into force until either 3 months after it is made or 3 months after it has been confirmed by the Secretary of State, where this is required. Section 83 of the Housing Act 2004 requires local housing authorities to publish a notice of the designation once it has been confirmed. A local housing authority must:
- Publish a notice within the designated area within seven days of the designation being confirmed.
 - Notify all those consulted on the proposed designation within two weeks of the designation being confirmed.
- 7.7 If a designation is made, then Section 84 of the Housing Act 2004 requires local housing authorities to:
- Review the operation of a designation made by them from time to time, and;
 - If following a review they consider it appropriate to do so, they may revoke the designation.

The Authority must ensure that the criteria for making a designation is met, before making any decision to adopt a selective licensing scheme. Where such a scheme is adopted, the Authority must ensure that it complies with all requirements set out in the legislation, including publication and reviews. As with all decisions of this nature, there is a possibility of legal challenge in the form of a judicial review; however the risk of such a challenge will be less where the Authority ensures that the legislation is complied with.

8. Human Resources Advice and Implications

- 8.1 There are no direct HR implications arising from these proposals. However, it will be necessary following the designation to consider the requirement for any additional staffing resources needed to implement the decision.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no direct implications for Children and Young People and Vulnerable Adults arising from this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 There are no identified adverse equalities and human rights advice implications. An Equality Impact Assessment is attached at Appendix 6.

11. Implications for Partners

- 11.1 Relevant partners and Directorates will be advised of the recommendations made in this report in addition to the formal consultation process.

12. Risks and Mitigation

- 12.1 If more than 20% of the private rented housing in the Borough or 20% of the geographical area of the Borough will be subject to licensing, approval for designations must be sought from the Secretary of State for Communities and Local Government.
- 12.2 There is a risk that landlords may increase rents in these areas to fund licence fees. However the cost of letting property may also increase due to other cost increases for landlords, as raised by a landlord representative organisation in their response to the consultation (Appendix 4). To help reduce costs, the proposed licensing fees have been revised (3.33 and Appendix 5) to account for changes in processes within the Council and to recognise the good work of high performing landlords.
- 12.3 Revised estimates, provided by research commissioned by the Council from the Building Research Establishment as part of the Council's duty to carry out an assessment of housing conditions in the borough, show that the private rented sector in Rotherham is comprised of 18,500 private rented properties. The proposed and current designations would only account for 15% of the private rented sector in Rotherham. The licensing designations are small and do not account for more than 20% of the geographical area of the borough.
- 12.4 There is little risk of budgetary shortfall. The Council is aware of all the licensable property in the proposed areas and has significant experience in successfully implementing these designations and securing applications.
- 12.5 An application for Judicial Review is still a risk. These have been successful where councils have failed to follow the correct consultation processes or have been unable to justify part of their scheme, proposals or evidence base. Although the previous designations in Rotherham were found to be sound at the Judicial Review in 2015, and this experience has helped develop these proposals, it is possible a further review could be sought. The comprehensive data and consultation process already followed mitigates against this risk.

13. Accountable Officer(s)

Tom Smith, Assistant Director, Community Safety and Street Scene
Paul Woodcock, Strategic Director, Regeneration and Environment

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	29/03/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Graham Saxton	28/03/19
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	28/03/19

	Named Officer	Date
Assistant Director of Human Resources (if appropriate)	John Crutchley	18/02/19
Head of Procurement (if appropriate)	Karen Middlebrook	06/03/19

*Report Authors: Lewis Coates, Head of Service, Regulation and Enforcement
01709 823117 or lewis.coates@rotherham.gov.uk*

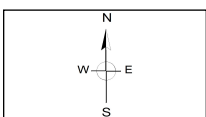
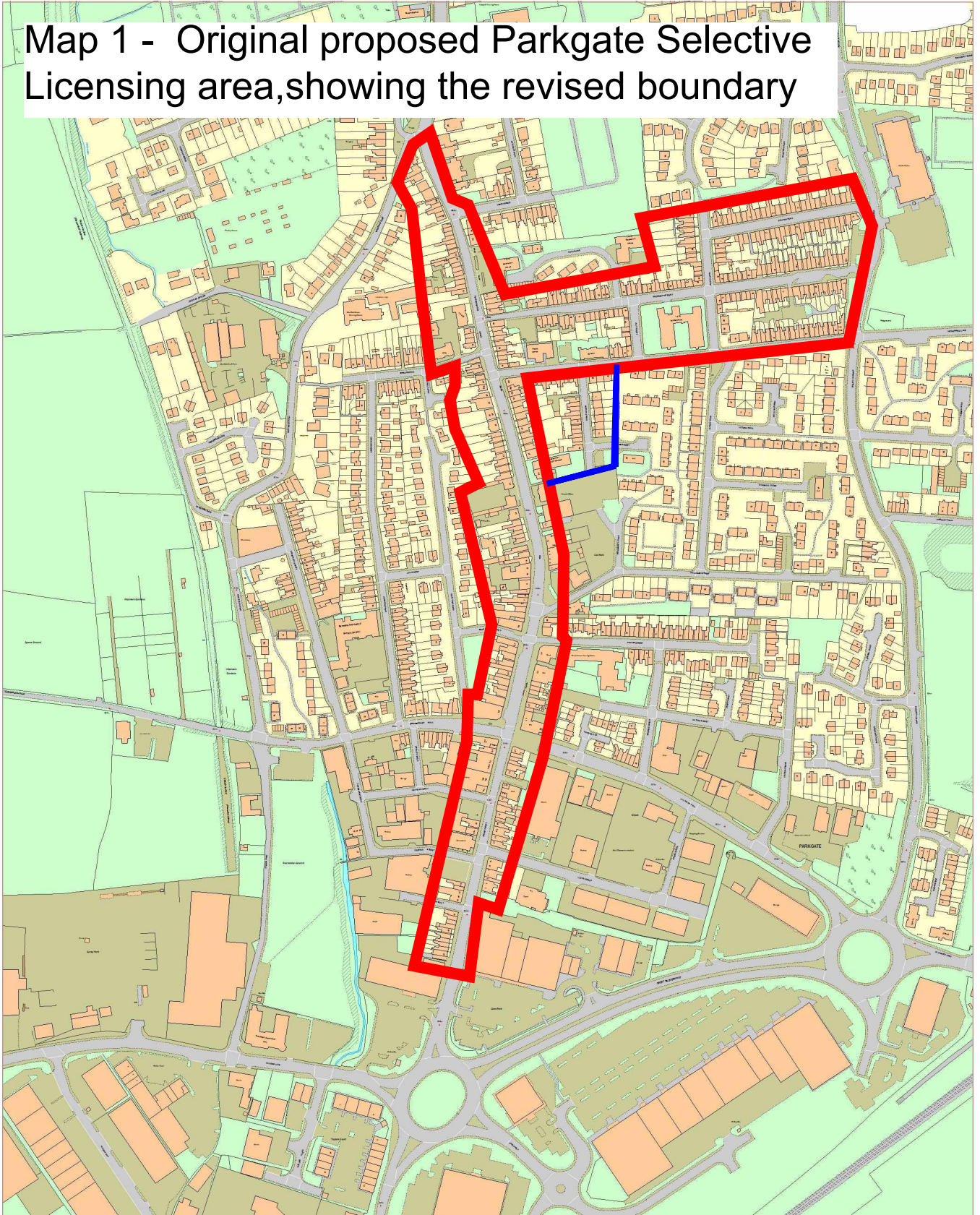
*Matthew Finn, Community Protection Manager, Regulation and Enforcement,
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This report is published on the Council's [website](#).

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Appendix 1 – Area maps showing proposed designation areas

Map 1 - Original proposed Parkgate Selective Licensing area, showing the revised boundary

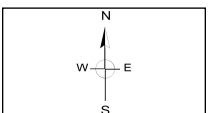
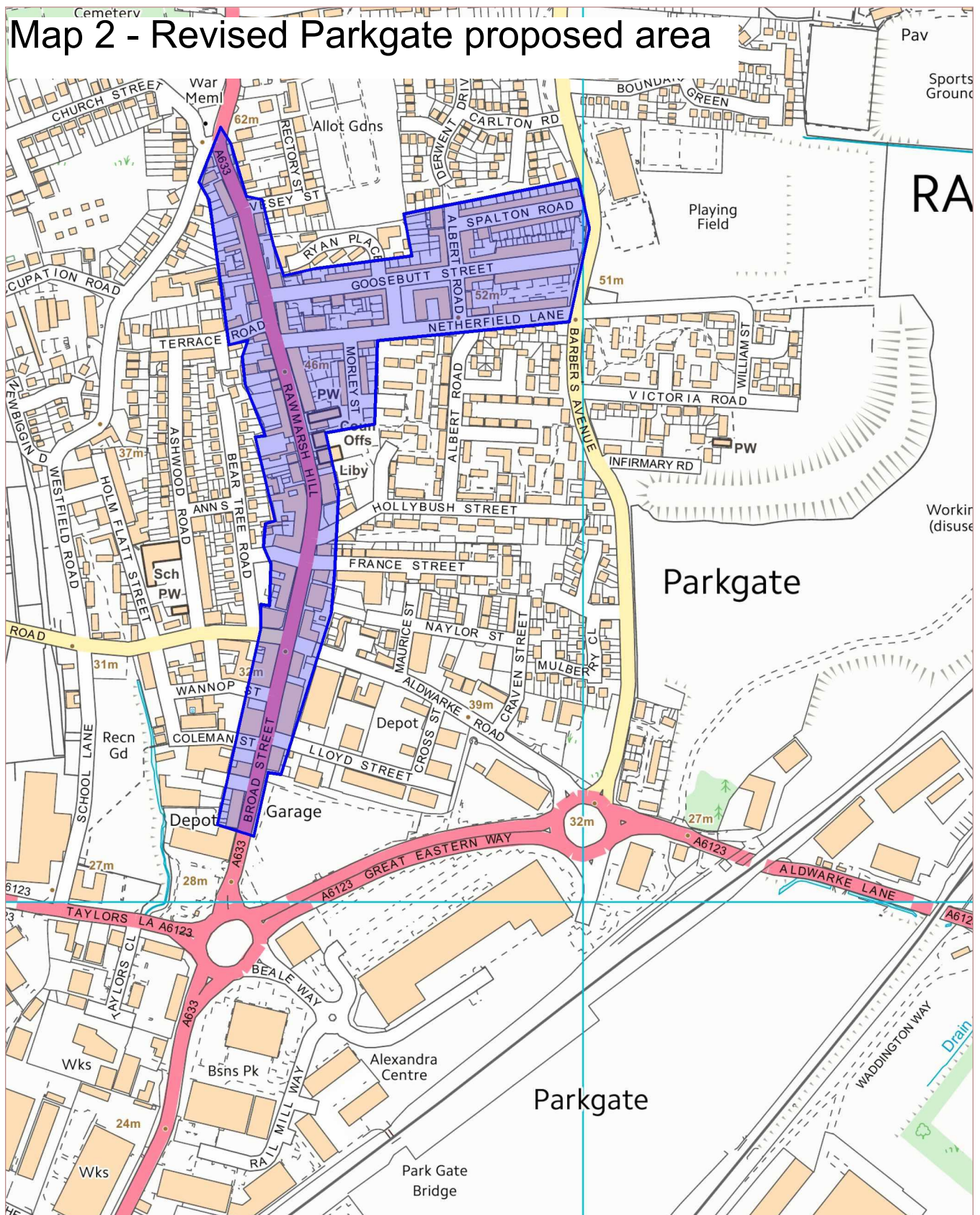


1:5000

Key:
Initial proposed boundary ———
Boundary of added property ———



Map 2 - Revised Parkgate proposed area



1:6000

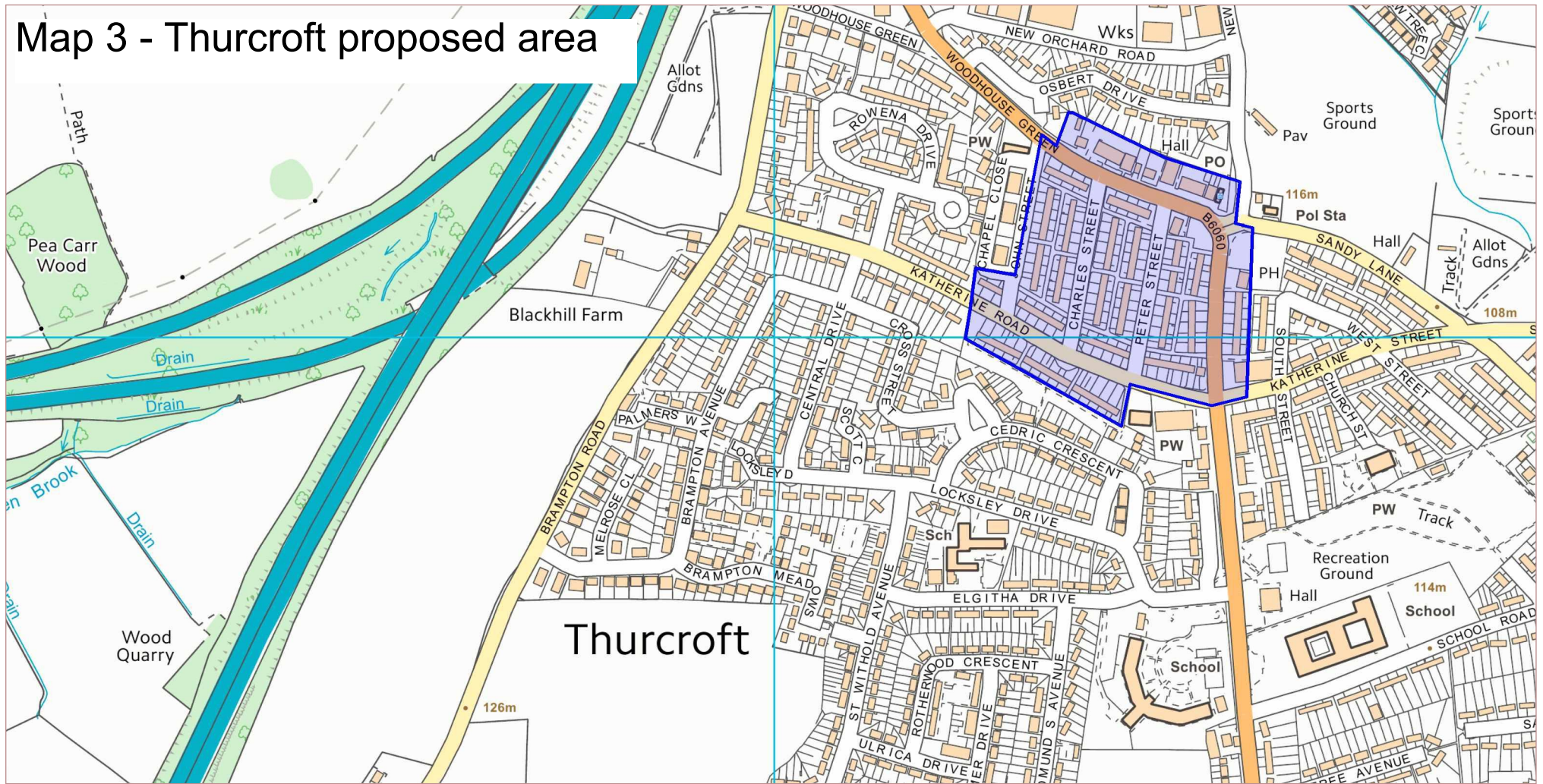
Parkgate Selective Licensing Area

The shaded area is the designation area



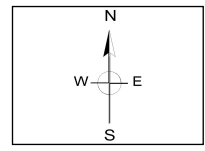
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Map 3 - Thurcroft proposed area



Thurcroft Selective Licensing Area

The shaded area is the designation area



1:6000



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Appendix 2 - Analysis of Consultation for Selective Licensing in Parkgate and Thurcroft

1. Aims and Objectives

- Consult with landlords, residents and other stakeholders on whether to designate two further areas in addition to the existing four selective licensing areas.
- Use the consultation results to inform the business case for selective licensing.

2. Background

This report examines the potential for the Council to expand the selective licensing of privately rented housing to two additional areas of the Borough to help tackle low housing demand and high levels of antisocial behaviour related to private rented tenancies.

Four areas of Rotherham containing 8,000 households, of which approximately 2,500 are private rented properties, were designated as selective licensing areas due to:

- above average numbers of private rented sector properties
- below average property values
- high numbers of empty properties
- high levels of antisocial behaviour and crime

Further analysis revealed the potential to extend selective licensing to cover two additional areas in Thurcroft and Parkgate. These areas have higher than average social, economic and environmental problems, people have worse health outcomes and there are high rates of private rented housing. Ensuring effective tenancy management and the safety of homes in the private rented sector can contribute to reducing social and environmental problems.

Selective licensing is proposed for two small areas covering a small number of streets within each community. These areas are around Broad Street and Goosebutt Street in Parkgate, and the central area of Thurcroft.

Residents, landlords and businesses were consulted using combination of on line surveys and 2,800 surveys were delivered across the two identified areas, encompassing the specific streets proposed, and a large buffer zone in the locality. All current licence holders and owners of rented housing in and around the proposed areas were contacted directly. A total of 1,700 letters were sent to landlords.

Further, public meetings and press releases were arranged with adverts and adverts in district centres to highlight the proposals.

3. Overall Response

There were 366 responses received from residents, landlords, businesses and others, 78% of the total being residents. This analysis covers responses to the questions that were asked in the survey. Some questions were asked only to landlords whilst other questions were asked only to residents and businesses. Not all respondents answered all questions so the total number answering any question may not sum to the potential total.

Type of Respondent	Parkgate	Thurcroft	Total
Landlord	27	27	54 (15%)
Private Tenant	36	24	60 (16%)
Social Tenant	28	23	51 (14%)
Owner Occupier	118	58	176 (48%)
Business or Other	20	5	25 (7%)
Total	229	137	366

The consultation response was predominantly from residents, especially owner occupiers who were almost half of the total. There were few business responses, especially in Thurcroft.

4. Landlord Responses

Landlords & Agents

Area	Landlord	Agent	Live in Rotherham	Live Elsewhere
Parkgate	24	3	17	9
Thurcroft	25	2	16	10

Property Portfolios

Area	Own property in the area	Own property elsewhere	Own 1 property	Own 2-10 properties	Own more than 10 properties
Parkgate	14	10	6	16	4
Thurcroft	23	3	12	15	0

Time as Landlord and Trade Associations

Area	Landlord under 2 years	Landlord 2-9 years	Landlord over 10 years	National Landlord Association	Residential Landlord Association
Parkgate	6	9	7	7	7
Thurcroft	5	16	5	4	3

The profile of landlords suggests that those in Thurcroft tend to have more localised and smaller scale property portfolios compared with Parkgate landlords.

Issues Encountered with Property / Properties

Issue	Parkgate	Thurcroft
Difficulty finding new tenants	2	3
Difficulty obtaining references for new tenants	2	2
Tenants in rent arrears	7	5
Problems evicting tenants	1	3
Problems in a neighbouring property affecting your property/tenants	3	4
Your tenants causing anti-social behaviour	1	2
Your tenants not looking after your property, including external areas	4	7
Your tenants suffering from poor physical and/or mental health	3	1
Problems with waste - tenants not using bins, fly tipping on your land	3	2

Tenants in rent arrears (22%) and tenants not looking after the property (20%) were the two most common issues encountered with letting properties.

Q: The following statements seek to gauge your opinion as to the effect Selective Licensing may have on the issues listed.

Selective Licensing will help to.....

Parkgate					
	Improve the Environment	Reduce ASB	Improve the Quality of Housing	Tackle poor landlords	Help good landlords
Agree	3	2	6	11	1
Neither Agree or Disagree	9	9	7	6	8
Disagree	15	16	14	10	18

Thurcroft					
	Improve the Environment	Reduce ASB	Improve the Quality of Housing	Tackle poor landlords	Help good landlords
Agree	7	3	10	13	5
Neither Agree or Disagree	8	6	8	6	7
Disagree	12	18	7	8	15

Landlords generally did not think that selective licensing would improve the environment, reduce ASB or improve the quality of accommodation. Only Thurcroft landlords offered a positive view that it would improve the quality of accommodation. Landlords were divided about whether selective licensing would help the Council to tackle poor landlords with 44% agreeing 33% disagreeing. They were far less convinced that it would help good landlords with 61% disagreeing and only 11% agreeing.

Agreement with the Selective Licensing Proposals

Parkgate (27 landlords)			
	Proposed fee structure	Conditions for selective licensing	Proposal to introduce selective licensing - Overall
Agree	0	3 (11%)	3 (11%)
Neither Agree or Disagree	3 (11%)	8 (30%)	4 (15%)
Disagree	24 (89%)	16 (59%)	20 (74%)

Thurcroft (27 landlords)			
	Proposed fee structure	Conditions for selective licensing	Proposal to introduce selective licensing - Overall
Agree	0	8 (30%)	6 (22%)
Neither Agree or Disagree	4 (15%)	10 (37%)	6 (22%)
Disagree	23 (85%)	9 (33%)	15 (56%)

Overall, 65% of landlords disagreed with the proposal to introduce selective licensing in the two areas and only 17% in agreement, with disagreement highest in Parkgate. There was more agreement with the conditions proposed (20%) but less on the proposed fee structure where no landlord agreed and 87% disagreed.

5. Questions Answered by All Respondents

Issues which are Problems in the Area

Issue	Parkgate Landlords	Parkgate Residents	Thurcroft Landlords	Thurcroft Residents
Poor housing conditions	2	108	6	49
Empty houses	2	61	2	29
A high turnover of tenants (tenants not staying long)	3	67	5	37
A high level of unemployment	8	92	12	45
People not being able to pay their bills	8	45	11	17
Problems accessing services - for example, doctors, schools	2	21	1	9
Ill health (poor physical and mental health)	2	41	1	15
Environmental issues - for example, dog fouling, fly tipping, graffiti	6	128	10	75
A high level of crime and antisocial behaviour	9	109	11	60
A poor perception of private landlords	7	42	13	27
Experienced any of the above problems	N/A	109	N/A	56

The top concerns were environmental issues raised by 219 people (60%), high crime and ASB with 189 people (52%), poor housing conditions with 165 people (45%) and high unemployment with 157 people (43%). Residents were far more likely to perceive these issues to be problems in the areas than were landlords. 53% of residents had experienced at least one of the problems listed, slightly more in Parkgate (54%) than Thurcroft (51%)

6. Resident and Business Responses

Residents and Businesses in Parkgate

Area	Private Tenant	Social Tenant	Owner Occupier	Business
Live in Parkgate	32	28	88	5
Live Elsewhere in Rotherham	4	0	26	7
Live Outside Rotherham	0	0	2	7

Half of all respondents in Parkgate were owner occupiers and 25% of these lived outside the proposed selective licencing area. Tenants made up 32% of all residential respondents and almost all lived in Parkgate. 70% of business owners lived outside the area.

Time Resident in Parkgate & Home and Intention to Stay

Area	Private Tenant		Social Tenant		Owner Occupier		Business	
	Area	Home	Area	Home	Area	Home	Area	Home
0-2 Years	6	8	3	3	3	3	0	0
3-9 years	18	19	11	11	6	8	0	0
Over 10 Years	15	5	13	13	79	76	5	5
Not Applicable	4	4	1	1	30	31	15	15
Intend to Stay for next 5 years	25		25		70		5	
Intend to Leave in next 5 years	6		3		14		0	

70% of residents who responded have lived in Parkgate for over 10 years. Owner occupiers are far more likely to be long term residents than tenants, especially private tenants. 81% of residents expressing a view intend to stay in Parkgate although this may not necessarily be through choice.

Residents and Businesses in Thurcroft

Area	Private Tenant	Social Tenant	Owner Occupier	Business
Live in Thurcroft	23	21	47	1
Live Elsewhere in Rotherham	0	0	10	1
Live Outside Rotherham	1	2	0	3

Over half of resident respondents in Thurcroft were owner occupiers (52%) and 18% of these lived outside the proposed selective licencing area. Tenants made up 43% of resident respondents and almost all lived in Thurcroft. Most business owners lived outside the area.

Time Resident in Thurcroft & Home and Intention to Stay

Area	Private Tenant		Social Tenant		Owner Occupier		Business	
	Area	Home	Area	Home	Area	Home	Area	Home
0-2 Years	5	8	0	0	1	2	0	0
3-9 years	7	9	3	5	5	4	1	1
Over 10 Years	11	6	18	16	41	40	0	0
Not Applicable	1	1	1	1	11	12	4	4
Intend to Stay for next 5 years	20		20		44		1	
Intend to Leave in next 5 years	3		1		3		0	

76% of residents who responded have lived in Thurcroft for over 10 years. 87% of owner occupiers have lived in their current home for over 10 years compared with just 26% of private tenants. 92% of residents expressing a view intend to stay in Thurcroft although this may not necessarily be through choice.

Q: How much you agree or disagree with each of the following statements?

Landlords and agents should be responsible for maintaining their properties in a safe condition

Parkgate				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Agree	35	28	116	17
Neither agree nor disagree	1	0	0	0
Disagree	0	0	2	2

Thurcroft				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Agree	24	22	58	5
Neither agree nor disagree	0	0	0	0
Disagree	0	0	0	0

98% of residents and businesses agreed that landlords and agents should be responsible for maintaining their properties in a safe condition.

Landlords and agents should be responsible for maintaining the outside of their properties in a good condition

Parkgate				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Agree	25	27	114	15
Neither agree nor disagree	4	0	2	0
Disagree	6	1	2	4

Thurcroft				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Agree	14	20	53	4
Neither agree nor disagree	7	2	4	0
Disagree	2	1	1	0

88% of residents and businesses agreed that landlords and agents should be responsible for maintaining the outside of their properties in a good condition. Private tenants were the least likely to agree but 67% still agreed with the statement.

Landlords and agents should be responsible for taking action against tenants who cause a nuisance or antisocial behaviour

Parkgate				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Agree	29	27	111	14
Neither agree nor disagree	2	1	4	2
Disagree	5	0	3	3

Thurcroft				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Agree	14	20	53	4
Neither agree nor disagree	7	2	4	0
Disagree	2	1	1	0

88% of residents and businesses agreed that Landlords and agents should be responsible for taking action against nuisance and anti-social tenants. Private tenants were the least likely to agree but 73% still agreed with the statement.

Experience of Antisocial Behaviour

Parkgate				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Have been a victim of antisocial behaviour	1	1	9	2
Have witnessed and been a victim of antisocial behaviour	7	7	19	2
Have witnessed antisocial behaviour	6	12	62	6
Have witnessed antisocial behaviour by private tenants	4	9	45	3
Have experienced and witnessed poor conditions in private rented housing	6	0	6	2
Have experienced poor conditions in private rented housing	1	2	5	2
Have witnessed poor conditions in private rented housing	5	4	40	6

Thurcroft				
	Private Tenants	Social Tenants	Owner Occupiers	Businesses
Have been a victim of antisocial behaviour	1	2	3	0
Have witnessed and been a victim of antisocial behaviour	1	3	11	1
Have witnessed antisocial behaviour	9	5	30	2
Have witnessed antisocial behaviour by private tenants	6	4	17	0
Have experienced and witnessed poor conditions in private rented housing	2	0	3	0
Have experienced poor conditions in private rented housing	7	2	1	1
Have witnessed poor conditions in private rented housing	0	5	22	2

42% of residents had witnessed antisocial behaviour with very little difference between Parkgate and Thurcroft. 6% had been a victim and 16% had been a victim and witnessed antisocial behaviour. 28% has witnessed antisocial behaviour by private tenants (30% in Parkgate and 25% in Thurcroft).

7% have experienced poor conditions in private rented housing and 26% have witnessed it. 53% of owner occupiers have witnessed poor conditions in private rented housing compared with 14% of private rented tenants which suggests that the standards expected are likely to be different.

Views of Private Tenants

	Parkgate	Thurcroft
Total	36	24
Landlord maintains home to a good standard	29	16
Landlord does not maintain home to a good standard	7	4
Landlord takes action against nuisance tenants	14	6
Landlord does not take action against nuisance tenants	6	7
Support the SL proposal if it meant that rent increased	8	4
Do not support the proposal if it meant that rent increased	24	17
Willing to pay £1 to £2 extra	1	2
Willing to pay £3 to £5 extra	6	2
Willing to pay £5 plus extra	2	1

75% of private tenants say that their landlord maintains their home to a good standard whilst 18% feel that their home is not well maintained. Views on action against nuisance tenants were less clear with 33% saying that landlords take action, 22% that they do not and 45% not knowing. Only 20% of tenants supported the selective licensing proposal if it meant their rent would increase. Most tenants did not indicate any willingness to pay extra rent with only 23% saying they were prepared to pay extra amounts.

Resident and Business Views on Selective Licensing Proposal

Parkgate					
	Private Tenants	Social Tenants	Owner Occupiers	Businesses	Total
	36	28	118	20	202
Do you agree with the two areas proposed for Selective Licensing?					
Agree	16 (44%)	17 (61%)	86 (73%)	11 (55%)	130 (64%)
Disagree	13 (36%)	3 (11%)	9 (8%)	5 (25%)	30 (15%)
Don't know	7 (19%)	8 (29%)	18 (15%)	3 (15%)	36 (18%)
Overall, how much do you agree or disagree with our proposal to introduce Selective Licensing in this area?					
Agree Strongly	10 (28%)	13 (46%)	70 (59%)	8 (40%)	101 (50%)
Agree	4 (11%)	6 (21%)	30 (25%)	1 (5%)	41 (20%)
Neither agree nor disagree	10 (28%)	6 (21%)	9 (8%)	5 (25%)	30 (15%)
Disagree	2 (6%)	1 (4%)	3 (3%)	0	6 (3%)
Strongly disagree	9 (25%)	1 (4%)	4 (3%)	5 (25%)	19 (9%)

Thurcroft					
	Private Tenants	Social Tenants	Owner Occupiers	Businesses	Total
Total	24	23	58	5	110
Do you agree with the two areas proposed for Selective Licensing?					
Agree	7 (29%)	14 (61%)	44 (76%)	5 (100%)	70 (64%)
Disagree	5 (21%)	1 (4%)	2 (3%)	0	8 (7%)
Don't know	11 (46%)	7 (30%)	10 (17%)	0	28 (25%)
Overall, how much do you agree or disagree with our proposal to introduce Selective Licensing in this area?					
Agree Strongly	2 (8%)	6 (26%)	36 (62%)	4 (80%)	48 (44%)
Agree	3 (13%)	6 (26%)	13 (22%)	0	22 (20%)
Neither agree nor disagree	14 (58%)	9 (39%)	8 (14%)	0	31 (28%)
Disagree	3 (13%)	2 (9%)	0	0	5 (5%)
Strongly disagree	2 (8%)	0	1 (2%)	0	3 (3%)

64% of residents and businesses agree with the two areas proposed for selective licensing, owner occupiers being particularly supportive with 74% in agreement. Resident and business support for selective licensing was 61% in Parkgate and 58% in Thurcroft. Landlords were least likely to support the proposed areas with only 24% in favour and 56% against. Private tenants were notably less sure than other groups with 30% disagreeing and 30% not knowing.

68% of residents agreed with the proposal to introduce selective licensing in their area with the strongest support coming from owner occupiers with 85% in agreement, 60% strongly. 11% disagreed with the proposal, particularly private tenants where 27% disagreed. 40% of private tenants expressed a neutral view.

7. Key Issues

Concerns

Residents were far more likely to perceive environmental issues, poor housing conditions, unemployment, crime, and ASB to be problems in the areas than were landlords. More than half of residents in each area had experienced at least one of these issues. Landlords did not see these as problems in the area, in many cases this could reflect the fact that they don't live in the two areas.

Management of property

Tenants in rent arrears and tenants not looking after the property were the two most common issues landlords encountered with letting properties.

Residents and businesses agreed that Landlords and agents should be responsible for maintaining the outside areas of their properties in a good condition, taking action against nuisance and anti-social tenants, and ensuring properties are safe.

26% of private tenants and 53% of owner occupiers had witnessed poor housing conditions in the private rented sector, which may demonstrate a difference in the

level of acceptable standards to each group. 18% of private tenants felt their home was not well maintained. The differences between experiences of these groups may be due to different standards each group are willing to accept

42% of residents had witnessed antisocial behaviour with similar results in Thurcroft and Parkgate.

Licensing conditions

Although landlords were generally not in favour of the licence conditions, there have been no comments on the alternatives they would like to see. Neither did this feature in the detailed representations made by landlord representative organisations.

A number of adjustments to the current conditions are considered necessary due to practical and legal considerations. The Supreme Court judgement (Brown v Hyndburn Borough Council, 2018) prohibits the imposition of discretionary conditions on Selective Licences relating to the safety of property, as these matters are effectively dealt with under primary legislation (Part 1 of the Housing Act 2004) and due to the wording of the Selective Licensing provisions relating to the management of property. This is worded differently than the mandatory House in Multiple Occupation licensing regime under the same Act. The current Licensing Conditions have therefore been reviewed to remove safety related conditions which are not mandatory conditions required by legislation. Although this impacts predominantly on the condition requiring landlords to have an Electrical Safety Certificate in place, the Government have already announced in July 2018 that all rented properties will be required to have suitable electrical certification but no date for its implementation has yet been given¹. Safety of electrical systems can until then be dealt with effectively under the provisions of Part 1 of the Act during the initial and any subsequent formal inspections.

In addition to this, a number of conditions were introduced in 2015 under the current live designations, which were included due to their apparent usefulness at other local authorities, however they have been found to be of little use in practice, causing some confusion for landlords and tenants or duplicating other activity leading to inefficiencies. These are listed in the Appendix 3 with the reasons for their removal.

Licence Fees

Landlord respondents disagreed with the proposed fee structure. The costs of licensing in addition to other cost increases they face nationally was raised as a concern by landlords, who feared they may need to increase rents to pay for licensing.

¹ Government consultation response <https://www.gov.uk/government/consultations/electrical-safety-in-the-private-rented-sector>

Landlords wanted to see more flexibility and recognition of the work that responsible and professional landlords already do.

Comments and written representations

The additional comments made in the responses were generally consistent, with key themes emerging. These are grouped into the following categories Private landlords need to manage tenants and property better,

- Anti-social behaviour and crime is bringing the areas down,
- Some businesses and landlords felt there was not a problem at all,
- Some respondents felt that the social rented sector could do more to control their tenants
- Some respondents thought that the Council was trying to make money from the scheme

The written representations outside of the consultation questionnaire raised contained the following concerns.

- The Council should use alternative approaches, coordination of services and tackling criminal landlords
- Concerns about unintended outcomes
- Support for landlords and tenants
- A concern about the data supporting the proposals

Appendix 4 contains the representations and the summary of the response to those concerns.

At the Parkgate drop in session a landlord and a resident both identified an area which had been excluded from the initial selective licensing proposals for Parkgate. This street and group of properties is of a similar nature and type to the rest of the housing within the initial proposed licensing area. As such the proposed boundary has been adjusted, as can be seen in Appendix 1.

8. Summary of Consultation Responses

The overall survey results reflect the fact that 287 residents, 54 landlords, 25 businesses or others responded to the consultation. With 78% of respondents, residents outnumber landlords by over five to one. Most landlords who responded disagreed with the proposals with 65% against overall. Landlords also felt that selective licensing would not result in the suggested benefits of selective licensing.

In contrast, residents and businesses both had a much more positive response with 68% in agreement overall. Owner occupiers were the most supportive group of residents and comprised almost half of the respondents. Private tenants had more mixed views about the proposals with many being uncertain about whether they would benefit them, which may reflect concerns about increased rents. There were few businesses taking part in the consultation but their views were broadly in line with those of residents.

Residents expressed their concerns about environmental issues, high crime and antisocial behaviour and poor housing conditions, which are key reasons behind the proposed selective licensing. Landlords did not see these as problems in the area, in many cases this could reflect the fact that they don't live in the two areas.

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Appendix 3 - Standard Condition review and revised Standard Conditions 2019

Table 1 – Standard Condition Review – amended conditions are highlighted in red

Licence Conditions	Comment/Action/Recommendation
<p>Housing Act 2004 Prescribed Conditions</p> <p>1. The licence holder must obtain a valid gas safety certificate on an annual basis, if gas is supplied to the house. This must be provided to the Council as part of the application process and on an annual basis thereafter. A copy must also be provided to the tenant.</p> <p>2. The licence holder must:</p> <p>a. keep electrical appliances and furniture made available by him in the house in a safe condition and</p> <p>b. supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.</p> <p>3. The licence holder must:</p> <p>a. ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and</p> <p>b. ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance;</p> <p>c. (i) keep each such alarm prescribed in 3a & 3b above in proper working order;</p>	<p>Licence Conditions 1-4 are Housing Act mandatory/prescribed conditions.</p>

(ii) supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm prescribed in 3a & 3b above.

4. The licence holder must provide each occupier of the house with a written statement of the conditions of the terms on which they occupy the house (tenancy agreement). The licence holder shall provide a copy of the said terms to the authority on demand. The licence holder must abide by the conditions and responsibilities contained in the tenancy agreement and carry out all landlord functions as laid down.

Conditions relating to the property

5. The Licence holder should submit an annual declaration as to the condition in relation to the hazards present in the property and the safety of the property on a copy of the form in Appendix 2 to these conditions, at the same time as the Gas Safety Certificate. The form will also be available on the Council's website.

6. The licence holder must provide prospective tenants with a copy of the Energy Performance Certificate (EPC) prior to the commencement of the tenancy.

7. The licence holder must:
a. ensure that throughout the period of the licence, that the premises are covered by a valid periodic electrical survey inspection report. Such a report should be provided by a suitably trained, experienced and

This needs adjusting to remove the specific requirement to assess under the Housing Health and safety Rating System and to focus on whether an inspection of the property has been made. Requiring an assessment to the same degree at a local authority inspector is impractical and an inspection to state that there are no items of disrepair should be sufficient. The condition should be amended to combine it with condition 16.

The Council and tenants has access to the EPC register and each property will be checked prior to or on application. A section 21 eviction notice is invalid if the landlord cannot prove to a court that they provided the EPC at the take up of the tenancy. It does not require the Council to regulate that aspect with the licence conditions.

The supreme Court judgement (Brown v Hyndburn, 2018) has clarified that discretionary conditions relating to safety are not lawful. As such they are to be removed from future licence conditions and will be disregarded where there are existing licences. These issues are regulated through inspections of the property. Also, the Government have already announced that electrical safety checks will become a mandatory requirement for private rented accommodation but no date has been given for when this will come into effect

- competent person i.e. a NICEIC or ECA member;
- b. ensure any Category 1 remedial works be recommended on the periodic electrical survey report, the licence holder must ensure that such works are completed within the timescales given by the electrical engineer and must inform the selective licensing team upon completion of such works; and
 - c. supply the authority, on demand, with a copy of the periodic inspection report.
8. The licence holder must ensure that all furniture supplied complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. A declaration to this effect must be supplied to the Council upon request.
9. Where any qualifying works are to be carried out to the house, the licence holder must ensure the appropriate consent is obtained from the Councils Building Control service prior to works commencing.
10. The licence holder will ensure that any remedial works to rectify disrepair issues identified during the 'sign up' stage are undertaken within period of time agreed with the tenant and no later than 28 days from the beginning of the tenancy.
11. The licence holder must ensure that any disrepair identified by the tenant or through periodic inspection by the licence

The supreme Court judgement (Brown v Hyndburn, 2018) has clarified that discretionary conditions relating to safety are not lawful. As such they are to be removed from future licence conditions and will be disregarded where there are existing licences. These issues are regulated through inspections of the property.

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holder, other managing agent or landlord are undertaken within the period of time agreed with the tenant, and no later than 28 days of it being identified.

12. The licence holder must ensure that all repairs to the house or any installations, facilities or equipment within it are to be carried out by competent and reputable persons and that they are completed to a reasonable standard.

13. The licence holder must ensure that the water supply and drainage system serving the house is maintained in good, clean and working order.

14. The licence holder must not unreasonably cause any service supplied to the property under the terms of the tenancy agreement to be interrupted.

15. The licence holder must provide the tenant and their household with suitable alternative accommodation where necessary if substantial remedial works are undertaken.

16. The licence holder must ensure that they carry out regular inspections of the property to ensure that at least the minimum requirements for the condition of private rented accommodation are maintained and that the property and that the tenancy is not causing nuisance or annoyance to

The supreme Court judgement (Brown v Hyndburn, 2018) has clarified that discretionary conditions relating to safety are not lawful. As such they are to be removed from future licence conditions and will be disregarded where there are existing licences. These issues are regulated through inspections of the property.

The Supreme Court judgement (Brown v Hyndburn, 2018) has clarified that discretionary conditions relating to safety are not lawful. As such they are to be removed from future licence conditions and will be disregarded where there are existing licences. These issues are regulated through inspections of the property.

Experience from existing designations shows that where there are problems so serious that urgent repairs are achievable, or properties have been prohibited following inspections. Also, The supreme Court judgement (Brown v Hyndburn, 2018) has clarified that discretionary conditions relating to safety are not lawful. As such they are to be removed from future licence conditions and will be disregarded where there are existing licences. These issues are regulated through inspections of the property.

This has been combined with condition 5. This can be removed.

neighbouring properties.

17. The licence holder shall ensure that the tenant is provided with wheeled bins of suitable capacity and type as specified by the Council at the property and that the Council's arrangements for refuse collection including recycling are issued to the tenant at the outset of the tenancy.

18. The licence holder must take steps to remove graffiti on the property within five working days of it being reported to them.

Management of the licensed property

19. The licence holder shall ensure that the occupancy level at the property is in accordance with the criteria as determined by the Rent Officer (Housing Benefit Functions) Order 1997 Schedule 2, Size Criteria.

20. The licence holder must obtain references or guarantees in respect of the person(s) who wish to occupy the property in order to make an informed decision regarding the occupancy of the property. Copies of these references must be made available to the council upon request.

21. The licence holder must provide the occupiers of the house, with details of the following:
a. Name of the licence holder
b. A contact address, daytime telephone

Combined with condition 5.

Adjusted to clarify the types of references which landlords should aim to achieve.

Conditions 21, 22, 24, 25, 26 and 28 should be replaced with the following to ensure various elements which are spread out currently are held in one place, and to reduce the complexity of the conditions:

1. Upon commencement of any tenancy, the tenant should be provided with either an electronic or paper file which includes copies or details of:

number

c. An emergency contact number and details of the arrangements in place to deal with repairs and emergencies should they arise.

22. The licence holder must provide all tenants with a copy of the licence and the licence conditions.

23. This information must be supplied within 28 days of receipt of the licence document and should be clearly displayed in a prominent position within the house. An emergency contact telephone number for the licence and/or management agency shall also be available and notified to the authority.

24. The licence holder must ensure that all monies in respect of the licence fee are paid to the authority by the terms imposed by the invoice.

25. The licence holder will make every attempt to provide each occupant of the house with copies of user manuals for any installations or equipment provided as part of the agreement for the occupation of the house.

26. The licence holder will arrange to undertake a detailed inventory to be agreed with each occupant upon commencement of their occupation of the house and kept on file

- a. All property safety certification – Gas, Electrical, EPC et
- b. Copy of tenancy agreement
- c. Copy of Selective Licence
- d. Signed statement of rent payments, updated at least quarterly
- e. Copy of receipt from tenancy deposit scheme
- f. User manuals
- g. Emergency contact details for the Landlord or his/her agent

The file should be accessible to the tenant via hard copy or electronically at all times. The file should be evidenced to any Inspecting Officer from the Council or Police; or otherwise made available on request.

This condition does not provide any advantage to the Council and should be removed to ensure the licence conditions are concise. The information requested is also contained in the application process.

by the licence holder at their business address.

27. The licence holder must provide the tenant with a written receipt for all cash rental payments received. (This does not affect the legal requirement to provide a rent book for rent paid on a weekly basis).

28. Where the rent is paid monthly, the licence holder must provide the tenant with a clear rent statement, on a six monthly basis. This must also be provided at any other time when requested by the tenant.

29. The licence holder must ensure that all new tenancy deposits are protected in a government authorised scheme within 14 days of receiving it from the tenant. The licence holder must also ensure that the tenant is given;

- a. The details of any utilities or other charges included in the rent
- b. Information and instructions on the responsibility for payment of council tax
- c. Information and instructions on the responsibility for payment of utilities and arranging provision of such

30. The licence holder will not discriminate against prospective occupiers of the house on the grounds of race, disability, gender, religion or sexual orientation.

This should be split into two conditions.

31. The licence holder must inform the Council of any change of circumstances which may affect their suitability to continue to remain the licensee. This must be done within five working days of the changes taking effect.

32. The licence holder must ensure that any person(s) who assist in the management of the property not detailed in the original licence application must be a 'fit and proper' person to do so as per the definition in the Housing Act 2004 and Appendix 1 of these conditions, and must notify the Council of these changes. Where necessary the Council will require a declaration to be signed by the person assisting in the management of the property stating that they meet the 'fit and proper' person criteria.

33. The licence holder must inform the Council, within 5 working days, if there is a change of managing agent and provide the Council with proof that they are a 'fit and proper person' to do so under the definition under the Housing Act 2004 and Appendix 1 of these conditions.

34. **Notifications of changes in accordance with the previous two conditions should be made in writing by the Licence Holder and addressed to (email address to be confirmed).**

35. The licence holder must adhere to legal requirements when seeking possession

This should be revised as there is an error in the condition as an email address has not been confirmed. The licence holder can notify the council through various methods

of the property from the tenant.

36. The licence holder must inform the council of any steps being taken to sell the licensed property including the details of any successful purchaser(s).

37. **The licence holder must be a permanent resident in the United Kingdom.**

Security

38. The licence holder will ensure that keys are provided to the tenant where window locks are provided.

39. Where previous occupants have not surrendered keys, the licence holder will arrange for a lock change to be undertaken, prior to new occupants moving in.

40. The licence holder will ensure front and rear doors are secure and fitted with good quality locking systems.

41. **The licence holder must ensure that all reasonable measures are taken to ensure that the property is made secure from unauthorised entry during periods of occupancy.**

Environmental Management / Amenity of the Neighbourhood

42. The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.

This should be adjusted to ensure licence holders actually live in the United Kingdom whilst being a licence holder.

The words “during periods of occupancy” should be removed, as empty properties are vulnerable to break ins and unauthorised occupancy.

43. The licence holder must ensure that all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in reasonable repair and ensure that the tenant is aware of their responsibility to keep them in a clean, tidy and safe condition and free from infestations.

44. The licence holder must take all reasonable and all practicable steps in keeping external areas and the curtilage of the property free from rubbish and fly tipping deposits at all times. If employing a third party to carry out any such clearances, care must be taken to ensure that they are a registered waste carrier.

Preventing and Reducing Anti-Social Behaviour

45. The licence holder must take all reasonable and all practicable steps for preventing and dealing with anti-social behaviour and undertake a thorough process of incremental steps to deal with any complaints, which have been made either directly to them, or via the Local Authority or any Police service, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes a nuisance or annoyance to other occupants of the house, to lawful visitors to the house or to persons residing in or lawfully visiting the locality of the house.

46. The licence holder is required to

provide an authorised officer of the Local Authority, a Police Officer or Police Community Support Officer, upon request, information regarding the full names and dates of birth of each occupant.

47. The licence holder will ensure that the occupants of the house are aware of the assistance available to them to deal with anti-social behaviour and how they can report nuisance and anti-social behaviour to the authority. The Council will make such information available to tenants and property owners via its website.

48. The licence holder will respond to reference requests within a reasonable timescale and provide an honest and accurate reference relating to existing or past tenants.

49. The licence holder must take steps to terminate the tenancy following advice and recommendation from the Council, should it be found that the property is being used for illegal or immoral use or where there is evidence of persistent and ongoing anti-social behaviour.

Rotherham Selective Licensing Conditions

In these conditions, "house" is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004.

Housing Act 2004 Prescribed Conditions

1. The licence holder must obtain a valid gas safety certificate on an annual basis, if gas is supplied to the house. This must be provided to the Council as part of the application process and on an annual basis thereafter. A copy must also be provided to the tenant.
2. The licence holder must:
 - a. keep electrical appliances and furniture made available by him in the house in a safe condition, and
 - b. supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.
3. The licence holder must:
 - a. ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation;
 - b. ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
 - c. (i) keep each such alarm prescribed in 3a & 3b above in proper working order;
(ii) supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm prescribed in 3a & 3b above.
4. The licence holder must provide each occupier of the house with a written statement of the conditions of the terms on which they occupy the house (tenancy agreement). The licence holder shall provide a copy of the said terms to the authority on demand. The licence holder must abide by the conditions and responsibilities contained in the tenancy agreement and carry out all landlord functions as laid down.

Conditions relating to the property

5. The Licence holder should submit an annual declaration (as per Annex 2 of these conditions) with their annual Gas Safety Certificate, providing dates of inspections in the previous 12 months and any defects they were required to resolve or any tenancy enforcement they carried out to tackle unauthorised occupation, overcrowding, waste issues, nuisances or anti-social behaviour caused by tenants identified in that visit. The form will also be available on the Council's website. These inspections should take place at least annually and more often if there have been concerns about the property or tenant behaviour.
6. The licence holder must ensure that any disrepair identified by the tenant or through periodic inspection by the licence holder, other managing agent or landlord are undertaken within the period of time agreed with the tenant, and no later than 28 days of it being identified.

7. The licence holder must ensure that all repairs to the house or any installations, facilities or equipment within it are to be carried out by competent and reputable persons and that they are completed to a reasonable standard.
8. The licence holder must not unreasonably cause any service supplied to the property under the terms of the tenancy agreement to be interrupted.
9. The licence holder shall ensure that the tenant is provided with wheeled bins of suitable capacity and type as specified by the Council at the property and that the Council's arrangements for refuse collection including recycling are issued to the tenant at the outset of the tenancy.
10. The licence holder must take steps to remove graffiti on the property within five working days of it being reported to them.

Management of the licensed property

11. The licence holder must obtain references or guarantees in respect of the person(s) who wish to occupy the property in order to make an informed decision regarding the occupancy of the property. Copies of these references must be made available to the council upon request. References can be in the form of, but not limited to:
 - a. A written reference from previous landlord, employer or government agency (e.g. probation services);
 - b. Any financial background checks the licence holder has undertaken;
 - c. A personal visit to the prospective tenants current or most recent accommodation;
 - d. A "rent in advance" arrangement or accommodation referral or placement from Rotherham Council; or
 - e. Evidence that the occupant has been placed at the address as an asylum seeker.
12. The licence holder must provide the tenant with a written receipt for all cash rental payments received. (This does not affect the legal requirement to provide a rent book for rent paid on a weekly basis).
13. Upon commencement of any tenancy, the tenant should be provided with either an electronic or paper file which includes copies or details of:
 - a. All property safety certification – Gas, Electrical, EPC et
 - b. Copy of tenancy agreement
 - c. Copy of Selective Licence
 - d. Signed statement of rent payments, updated at least quarterly
 - e. Copy of receipt from tenancy deposit scheme
 - f. User manuals
 - g. Emergency contact details for the Landlord or his/her agent

The file should be accessible to the tenant via hard copy or electronically at all times. The file should be evidenced to any Inspecting Officer from the Council or Police; or otherwise made available on request.

14. The licence holder must ensure that all new tenancy deposits are protected in a government authorised scheme within 14 days of receiving it from the tenant.

15. The licence holder must ensure that the tenant is given:
 - a. The details of any utilities or other charges included in the rent;
 - b. Information and instructions on the responsibility for payment of council tax; and
 - c. Information and instructions on the responsibility for payment of utilities and arranging provision of such.
16. The licence holder will not discriminate against prospective occupiers of the house on the grounds of race, disability, gender, religion or sexual orientation.
17. The licence holder must inform the Council of any change of circumstances which may affect their suitability to continue to remain the licensee. This must be done within five working days of the changes taking effect.
18. The licence holder must ensure that any person(s) who assist in the management of the property not detailed in the original licence application must be a 'fit and proper' person to do so as per the definition in the Housing Act 2004 and Appendix 1 of these conditions, and must notify the Council of these changes. Where necessary the Council will require a declaration to be signed by the person assisting in the management of the property stating that they meet the '**fit and proper**' person criteria.
19. The licence holder must inform the Council, within 5 working days, if there is a change of managing agent and provide the Council with proof that they are a 'fit and proper person' to do so under the definition under the Housing Act 2004 and Appendix 1 of these conditions.
20. Notifications of changes in accordance with the previous two conditions should be made in writing by the Licence Holder and sent to the address on the licence or by email to landlordlicensing@rotherham.gov.uk.
21. The licence holder must adhere to legal requirements when seeking possession of the property from the tenant.
22. The licence holder must inform the council of any steps being taken to sell the licensed property including the details of any successful purchaser(s).
23. The licence holder must be a permanent resident in the United Kingdom, must reside in the United Kingdom, and if they are likely to be or are away from the United Kingdom for more than 4 weeks, that they have in place a managing agent who has full authority for managing the property and able to pay for repairs. Where the licence holder is likely to be away from the United Kingdom for more than 90 days, they will be required to surrender their licence and apply to put in place a new licence holder.

Security

24. The licence holder will ensure that keys are provided to the tenant where window locks are provided.
25. Where previous occupants have not surrendered keys, the licence holder will arrange for a lock change to be undertaken, prior to new occupants moving in.
26. The licence holder will ensure front and rear doors are secure and fitted with good quality locking systems.
27. The licence holder must ensure that all reasonable measures are taken to ensure that the property is made secure from unauthorised entry.

Environment and anti-social behaviour

28. The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
29. The licence holder must ensure that all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in reasonable repair and ensure that the tenant is aware of their responsibility to keep them in a clean, tidy and safe condition and free from infestations.
30. The licence holder must take all reasonable and all practicable steps in keeping external areas and the curtilage of the property free from rubbish and fly tipping deposits at all times. If employing a third party to carry out any such clearances, care must be taken to ensure that they are a registered waste carrier.
31. The licence holder must take all reasonable and all practicable steps for preventing and dealing with anti-social behaviour and undertake a thorough process of incremental steps to deal with any complaints, which have been made either directly to them, or via the Local Authority or any Police service, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes a nuisance or annoyance to other occupants of the house, to lawful visitors to the house or to persons residing in or lawfully visiting the locality of the house.
32. The licence holder is required to provide an authorised officer of the Local Authority, a Police Officer or Police Community Support Officer, upon request, information regarding the full names and dates of birth of each occupant.
33. The licence holder will ensure that the occupants of the house are aware of the assistance available to them to deal with anti-social behaviour and how they can report nuisance and anti-social behaviour to the authority. The Council will make such information available to tenants and property owners via its website.
34. The licence holder will respond to reference requests within a reasonable timescale and provide an honest and accurate reference relating to existing or past tenants.
35. The licence holder must take steps to terminate the tenancy following advice and recommendation from the Council, should it be found that the property is being used for illegal or immoral use or where there is evidence of persistent and ongoing anti-social behaviour.

Other Conditions

Additional licensing conditions may be applied to licences regarding the management of the property on a case by case basis. Representations about conditions can be made through the licensing process and the normal representation period.

Annex 1

Suitability of Licence Holder

- 1) Details of any unspent¹ convictions not previously disclosed to the Local Authority, that may be relevant to the licence holder and/or the property manager and their fit and proper person status and In particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- 2) Details of any finding by a court or tribunal against the licence holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business
- 3) Details of any contravention on the part of the licence holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her
- 4) Information about any property the licence holder or manager owns or manages or has owned or managed which has been the subject of:
 - i. A control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or
 - ii. Any appropriate enforcement action described in section 5(2) of the Act
- 5) Information about any property the proposed licence holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the licence holder breaching the conditions of his/her licence
- 6) Information about any property the proposed licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;
- 7) Advertising of the property for sale;
- 8) Change in managing agent or the instruction of a managing agent;
- 9) The undertaking of any substantial works to the property including conversions and modernisations;

¹ The Rehabilitation of Offenders Act 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for a job or obtaining insurance, or when involved in criminal or civil proceedings.

Annex 2 - Annual Declaration in respect of a Selectively Licenced

Property The Licence Holder should complete this form

Name of Licence Holder: _____

Licenced property Address: _____

_____ Reference number of licence: _____

- I also enclose a copy of the current Gas Safety Certificate for the house. And
- I have, or an agent of mine has inspected the house on the following dates and these are the findings of those visits:

The following defects have been remedied in the last 12 months.

Issue	Cause (wear and tear, damage by tenant, damage by other)	Date completed

I accept that in connection with the checking of the accuracy of this declaration that the local authority may carry out an inspection of the property. Should an inspection of the property or the information identify defects which were present at the time of the declaration, and the issues were not identified in this declaration, this document may be used as evidence in any prosecution case.

Name: _____ Signed: _____

Date: _____

If signed for a company please tick box to confirm you are able to sign on behalf of the company

Guidance for agents or those confirming declarations provided by others. Please ensure that all persons working for your business who are involved in the management of licensed properties have signed up to date declarations.

Copies of all other declarations will need to be held for the duration of the relevant licence if granted.

Please note the Council has powers to require the provision of documents including any declarations. Checks will be made from time to time to make sure that agents are meeting their obligations. Failure to comply with formal requests to provide information can lead to legal action including prosecution.

Address to return form and contact details:
Tel: 01709 823118; email: landlordlicensing@rotherham.gov.uk

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Appendix 4 – Fee Structure and Payment Arrangements

1. Licensing Fees 2019-24

The following licence fees have been calculated based on the activity and costs relating to each element of the licensing process and subsequent management of the licence and scheme. These fees are consistent with the process for calculating the HMO licensing fees for 2019/20 as per the Fees and charges agreed in February 2019 by the Cabinet and Council.

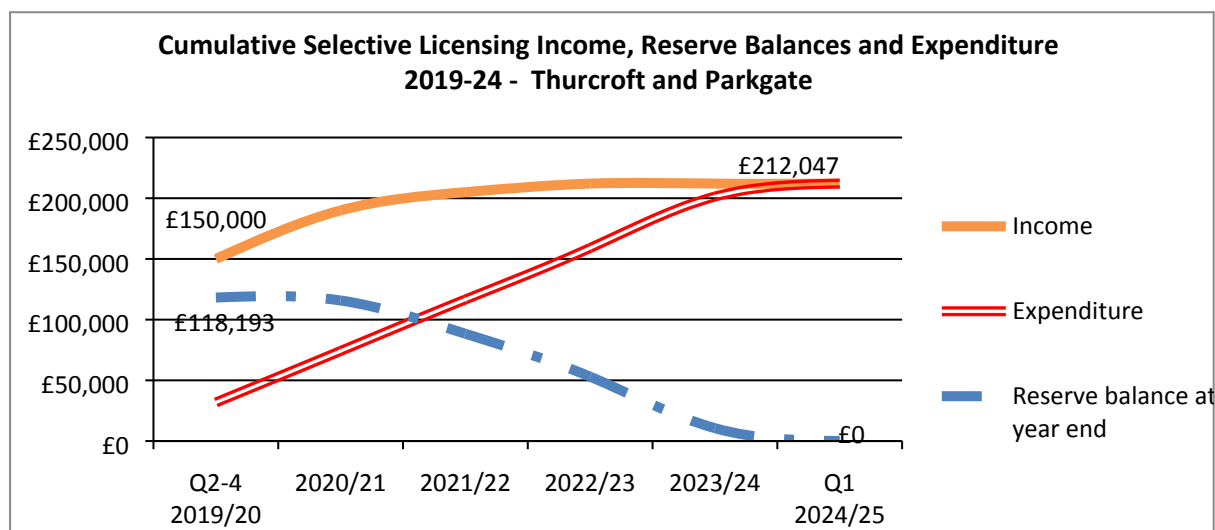
Total licence fee per house	£521	
> Application fee element	£68	<i>Non-refundable, paid with the application</i>
> Maintenance fee element	£453	<i>Paid once a draft licence has been granted, can be spread by direct debit over 12 months</i>
Additional Unit maintenance fee	£132	<i>Applicable where there is an additional letting unit in the same building/house under the same ownership</i>
Rebate for early applications with fully compliant property	£127	<i>Available if the landlord applies within 12 weeks of the property being licensable, has no hazards which warrant intervention by the Council, and are found to be fully compliant with the statutory licence conditions (conditions 1-4).</i>
Late Application penalty fee	£136	<i>Paid with application fee - non-refundable</i>

Income estimate on 407 Houses £212,047

Basic funding per financial year £42,409

2. Income and Expenditure plan

The chart below shows the income and expenditure profile for the scheme which is anticipated over the 5 year programme. The bulk of income will be received in the first financial year, with the surplus held in reserve for use in the last 4 years of the scheme. The service will operate a trading account with all costs and expenses for the provision of the services met by the licensing fees. The budget will balance to £0 at the end of the designations.



3. Payment Arrangements

- a) This is additional information describing the payment and licensing terms which accompany the licensing fee.
- b) If a property remains unlicensed for more than 12 weeks after it becomes licensable, then a late application penalty fee of would be payable in addition to the application fee and there would be no reduction in maintenance fees. The late payment penalty covers costs of investigations in order to secure licensing and the likely increased regulatory burden that property or landlord is likely to cause.
- c) Landlords may be able to benefit in full from the reductions described in the fee structure in the report if they apply within 6 months of the decision to designate the areas or within 12 weeks of purchasing a property after the scheme becomes live.
- d) The refund/reduction in the maintenance fee described in the report is only available where a licence has been applied for within 12 weeks of the property becoming licensable. The non-refundable application fee covers the cost application handling, an initial property risk assessment, a single reminder for documentation/signatures and the licensing decision process.
- e) Applications will be assessed for completeness and if incomplete applications are not resolved within 4 weeks of the applicant being notified of errors or omissions, they will be rejected without assessment. The application fee will be payable again with any resubmitted application.
- f) Where a licence is refused, the application fee will need to be paid again with any new application. Instalment arrangements for licence fees will only be available if applications are received within 12 weeks of the property becoming licensable.

**Appendix 5 – Draft Designations for Proposed Selective
Licensing Areas**

The Rotherham Metropolitan Borough Council Designation of an Area for Selective Licensing (Parkgate) 2019.

The Rotherham Metropolitan Borough Council in exercise of their powers under section 80 of the Housing Act 2004 (“the Act”) hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the Rotherham Metropolitan Borough Council Designation for an Area for Selective Licensing (Parkgate) 2019.
2. This designation is made on [date] and shall come into force on [***This date will not be earlier than three months after the decision by the Council***]
3. This designation shall cease to have effect on [***Date to be normally five years from the date the designation came into force, unless the authority has agreed for a scheme of a shorter duration***] or earlier if the Council revokes the scheme under section 84 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to the area as delineated and edged red on the map at Annex A.

APPLICATION OF THE DESIGNATION

5. This designation applies to any house¹ which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –
 - (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act²;
 - (b) the tenancy or licence of the house has been granted by a non-profit registered provider of social housing, a profit making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008), or by a body which is registered as a social landlord under Part 1 of the Housing Act 1996;
 - (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
 - (d) the house is subject to a temporary exemption under section 86 of the Act; or
 - (e) the house is occupied under a tenancy or licence which is exempt under the Act⁴ or the occupation is of a building or part of a building so exempt as defined in annex b;

¹ For the definition of “house” see sections 79 and 99 of the Act

² Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

³ Section 79 (3) of the Act.

EFFECT OF THE DESIGNATION

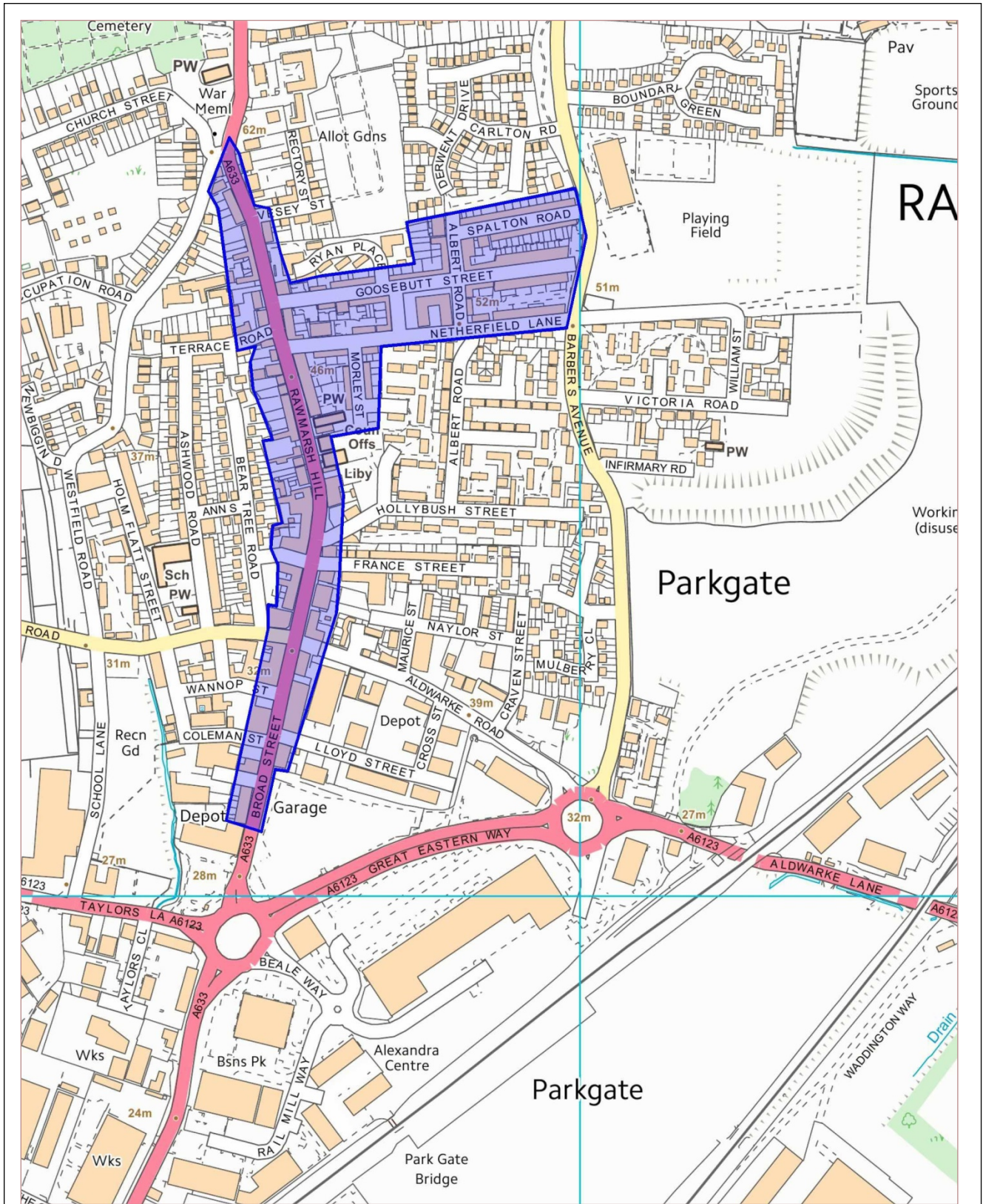
6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁵
7. The Rotherham Metropolitan Borough Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.⁶

Date and authentication by the Council. [***The date is the date the Council resolved to make the scheme***]

⁴ Section 79 (4) of the Act and SI 370/2006

⁵ Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102.

⁶ Section 232 of the Act and paragraph 11 of SI 373/2006

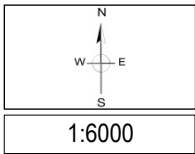


RA

Parkgate

Parkgate

Park Gate Bridge



Parkgate Selective Licensing Area
The shaded area is the designation area



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Annex b – Paragraph 5(d): Exempted Tenancies or licences¹**Prohibition of occupation by law**

1. A tenancy or licence of a house² or a dwelling³ within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 comprised in Part of Schedule 1 of the Act and which is:
 - (a) a business tenancy under Part II of the Landlord and Tenant Act 1954
 - (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises⁴
 - (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house⁵
 - (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding⁶.

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled⁷ by:
 - (a) a local housing authority
 - (b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act

¹ See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

² Sections 79 (2) and 99 of the Act

³ For the definition of a dwelling – see section 99 of the Act

⁴ See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003

⁵ For the meaning of “agricultural land” section 26 (3) (a) of the General Rate Act 1967

⁶ See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

⁷ For the definition of “person managing” and “person having control” see section 263 of the Act

- (c) a fire and rescue authority under the Fire and Rescue Services Act 2004;
- (d) a health service body within the meaning of section 9 of the National Health Service Act 2006.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:
- (a) sections 87 to 87D of the Children Act 1989 (b) section 43 (4) of the Prison Act 1952
 - (c) section 34 of the Nationality, Immigration and Asylum Act 2002 (d) The Secure Training Centre Rules 1998⁸
 - (e) The Prison Rules 1998⁹
 - (f) The Young Offender Institute Rules 2000¹⁰
 - (g) The Detention Centre Rules 2001¹¹
 - (h) The Criminal Justice and Court Service Act 200 (Approved Premises) Regulations 2001¹²
 - (i) The Care Homes Regulations 2001¹³
 - (j) The Children's Homes Regulations 2001¹⁴;
 - (k) The Residential Family Centres Regulations 2002¹⁵.

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –
- (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and

⁸ ~~SI 472/1998~~ as amended by SI 3005/2003

⁹ SI 728/1999 as amended by SI 1794/2000, SI 1149/2001, SI 2116/2002, SI 3135/2002. SI 3301/2003 and SI 869/2005

¹⁰ SI 3371/2000 as amended by SI 2117/2002, SI 3135/2002 and SI 897/2005

¹¹ SI 238/2001. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

¹² SI 850/2001

¹³ SI 3965/2001 as amended by SI 865/2001. SI 534/2003, SI 1590/2003, SI 1703/2003, SI 1845/2003, SI 664/2004, SI 696/2004, SI 1770/2004, SI 2071/2004 SI and SI 3168/2004

¹⁴ SI 3967/2001 as amended by SI 865/2002, SI 2469/2002, SI 664/2004 and SI 3168/2004

¹⁵ SI 3213/2002 as amended by SI 664/2004, SI 865/2004 and SI 3168/2004

- (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment which is a member of a specified Code of Standards or Practice¹⁶

Long leaseholders

- 6. A tenancy of a house or a dwelling within a house provided that – (i) the full term of the tenancy is for more than 21 years and
 - (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and
 - (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

- 7. A tenancy or licence of a house or a dwelling within a house where –
 - (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and
 - (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and
 - (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

- 8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

Certain lettings etc by Resident Landlord etc

- 9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Buildings Controlled or Managed by a Co-operative Society

- 10. A tenancy or licence (other than an assured, secure or protected tenancy) of a building and the person managing or having control of the building is a co-operative society, whose rules are such as to secure all the conditions set out in paragraph 2B(2) of Schedule 14 to the Housing Act 2004, are met

¹⁶ See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2012 for the list of specified bodies and code of standards or practice

Interpretation

- 11. In this annex:

- (a) a “person” includes “persons”, where the context is appropriate
- (b) a “tenancy” or “licence” includes “a joint tenancy” or “joint licence”, where the context is appropriate
- (c) “long leaseholder” in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to “tenancy” means a “long lease”
- (d) a person is a member of the family of another person if – (i) he lives with that person as a couple
 - (ii) one of them is the relative of the other; or
 - (iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple
and
 - (iv) For the purpose of this paragraph –
 - (1) “couple” means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex
 - (2) “relative” means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin
 - (3) a relationship of the half-blood is to be treated as a relationship of the whole blood and
 - (4) a stepchild of a person is to be treated as his child

The Rotherham Metropolitan Borough Council Designation of an Area for Selective Licensing (Thurcroft) 2019.

The Rotherham Metropolitan Borough Council in exercise of their powers under section 80 of the Housing Act 2004 (“the Act”) hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the Rotherham Metropolitan Borough Council Designation for an Area for Selective Licensing (Thurcroft) 2019.
2. This designation is made on [date] and shall come into force on [***This date will not be earlier than three months after the decision by the Council***]
3. This designation shall cease to have effect on [***Date to be normally five years from the date the designation came into force, unless the authority has agreed for a scheme of a shorter duration***] or earlier if the Council revokes the scheme under section 84 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to the area as delineated and edged red on the map at annex a.

APPLICATION OF THE DESIGNATION

5. This designation applies to any house¹ which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –
 - (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act²;
 - (b) the tenancy or licence of the house has been granted by a non-profit registered provider of social housing, a profit making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008), or by a body which is registered as a social landlord under Part 1 of the Housing Act 1996;
 - (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
 - (d) the house is subject to a temporary exemption under section 86 of the Act; or
 - (e) the house is occupied under a tenancy or licence which is exempt under the Act⁴ or the occupation is of a building or part of a building so exempt as defined in annex b;

¹ For the definition of “house” see sections 79 and 99 of the Act

² Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

³ Section 79 (3) of the Act.

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁵
7. The Rotherham Metropolitan Borough Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.⁶

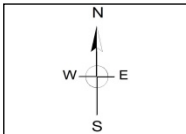
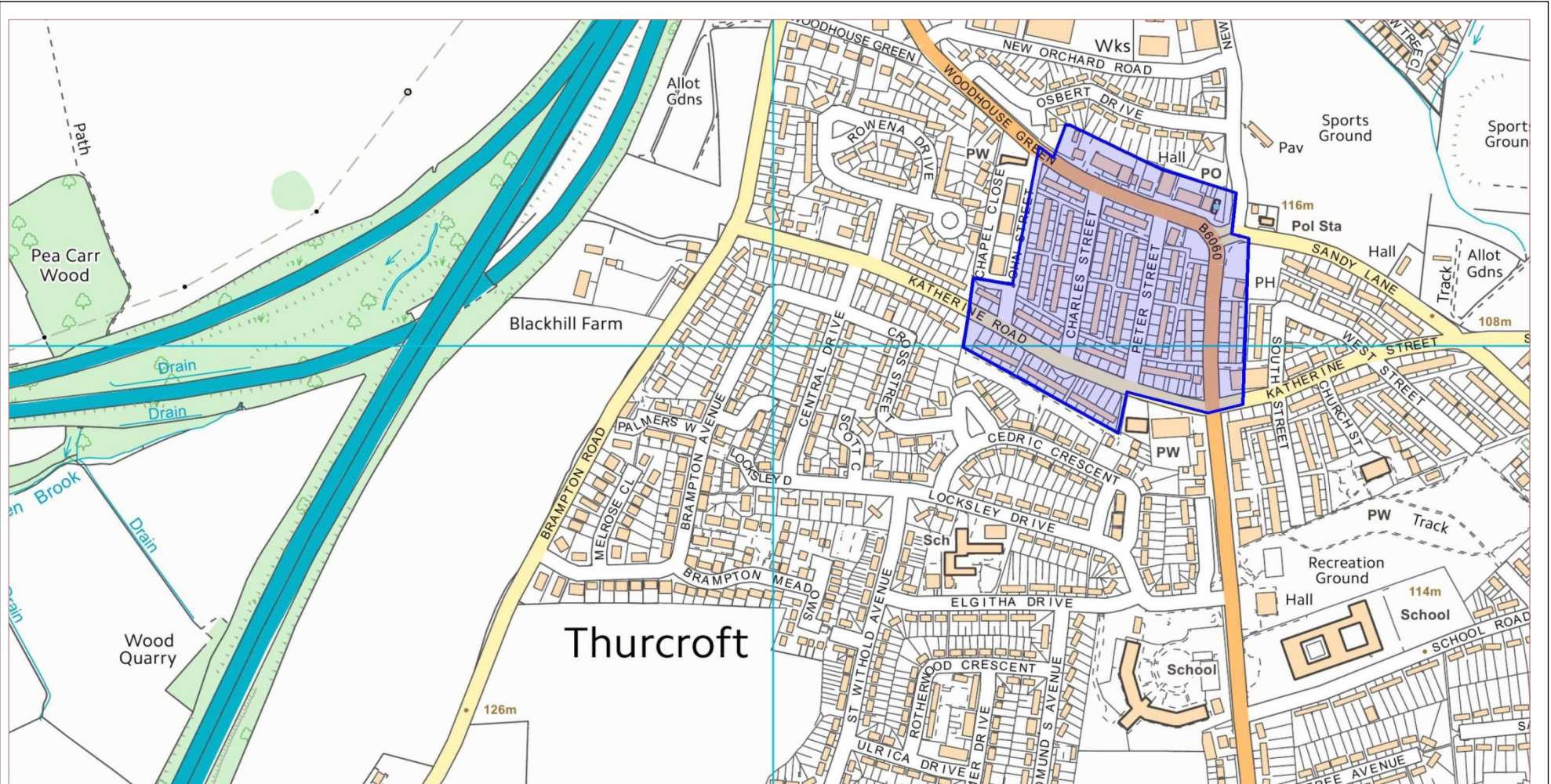
Date and authentication by the Council. [***The date is the date the Council resolved to make the scheme***]

⁴ Section 79 (4) of the Act and SI 370/2006

⁵ Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102.

⁶ Section 232 of the Act and paragraph 11 of SI 373/2006

Annex a – Paragraph 4: Map of Designated Area



Thurcroft Selective Licensing Area

The shaded area is the designation area



1:6000

Annex b – Paragraph 5(d): Exempted Tenancies or licences¹**Prohibition of occupation by law**

1. A tenancy or licence of a house² or a dwelling³ within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 comprised in Part of Schedule 1 of the Act and which is:
 - (a) a business tenancy under Part II of the Landlord and Tenant Act 1954
 - (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises⁴
 - (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house⁵
 - (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding⁶.

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled⁷ by:
 - (a) a local housing authority
 - (b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act

¹ See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

² Sections 79 (2) and 99 of the Act

³ For the definition of a dwelling – see section 99 of the Act

⁴ See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003

⁵ For the meaning of “agricultural land” section 26 (3) (a) of the General Rate Act 1967

⁶ See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

⁷ For the definition of “person managing” and “person having control” see section 263 of the Act

(c) a fire and rescue authority under the Fire and Rescue Services Act 2004;

(d) a health service body within the meaning of section 9 of the National Health Service Act 2006.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:

(a) sections 87 to 87D of the Children Act 1989 (b)

section 43 (4) of the Prison Act 1952

(c) section 34 of the Nationality, Immigration and Asylum Act 2002 (d)

The Secure Training Centre Rules 1998⁸

(e) The Prison Rules 1998⁹

(f) The Young Offender Institute Rules 2000¹⁰

(g) The Detention Centre Rules 2001¹¹

(h) The Criminal Justice and Court Service Act 200 (Approved Premises) Regulations 2001¹²

(i) The Care Homes Regulations 2001¹³

(j) The Children's Homes Regulations 2001¹⁴;

(k) The Residential Family Centres Regulations 2002¹⁵.

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –

(i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and

⁸ ~~SI 472/1998 as amended by SI 3005/2003~~

⁹ SI 728/1999 as amended by SI 1794/2000, SI 1149/2001, SI 2116/2002, SI 3135/2002. SI 3301/2003 and SI 869/2005

¹⁰ SI 3371/2000 as amended by SI 2117/2002, SI 3135/2002 and SI 897/2005

¹¹ SI 238/2001. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

¹² SI 850/2001

¹³ SI 3965/2001 as amended by SI 865/2001. SI 534/2003, SI 1590/2003, SI 1703/2003, SI 1845/2003, SI 664/2004, SI 696/2004, SI 1770/2004, SI 2071/2004 SI and SI 3168/2004

¹⁴ SI 3967/2001 as amended by SI 865/2002, SI 2469/2002, SI 664/2004 and SI 3168/2004

¹⁵ SI 3213/2002 as amended by SI 664/2004, SI 865/2004 and SI 3168/2004

(ii) the occupiers of the house or dwelling are undertaking a full time course of further or

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that – (i)
- the full term of the tenancy is for more than 21 years and
- (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and
- (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –
- (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and
- (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and
- (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Buildings Controlled or Managed by a Co-operative Society

10. A tenancy or licence (other than an assured, secure or protected tenancy) of a building and the person managing or having control of the building is a co-operative society, whose rules are such as to secure all the conditions set out in paragraph 2B(2) of Schedule 14 to the Housing Act 2004, are met

¹⁶ See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2012 for the list of specified bodies and code of standards or practice

Interpretation

11. In this annex:
- (a) a "person" includes "persons", where the context is appropriate

- (b) a “tenancy” or “licence” includes “a joint tenancy” or “joint licence”, where the context is appropriate
- (c) “long leaseholder” in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to “tenancy” means a “long lease”
- (d) a person is a member of the family of another person if – (i)
 - he lives with that person as a couple
 - (ii) one of them is the relative of the other; or
 - (iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple
 - and
 - (iv) For the purpose of this paragraph –
 - (1) “couple” means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex
 - (2) “relative” means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin
 - (3) a relationship of the half-blood is to be treated as a relationship of the whole blood and
 - (4) a stepchild of a person is to be treated as his child

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Appendix 6 – Equalities Impact Assessment

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

<p>Under the Equality Act 2010 Protected characteristics are Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity. Page 6 of guidance. Other areas to note see guidance appendix 1</p>	
<p>Name of policy, service or function. If a policy, list any associated policies:</p>	<p>Selective Licensing of Private Rented Accommodation in Thurcroft and Parkgate</p>
<p>Name of service and Directorate</p>	<p>Regulation and Enforcement, Regeneration and Environment Directorate</p>
<p>Lead manager</p>	<p>Lewis Coates, Head of Regulation & Enforcement</p>
<p>Date of Equality Analysis (EA)</p>	<p>21.2.19</p>
<p>Names of those involved in the EA (Should include at least two other people)</p>	<p>Matthew Finn, Community Protection Manager Elena Hodgson, Research Officer</p>
<p>Aim/Scope (who the Policy /Service affects and intended outcomes if known) See page 7 of guidance step 1</p> <p>The overall aim of this policy is to introduce Selective Licensing of private rented housing in specific areas of the borough to help address high levels of deprivation through ensuring higher standards of management of private rented property and securing the health of tenants in relation to housing conditions.</p> <p>Following analysis of the data relating to deprivation along with environmental, crime and anti-social behaviour indicators for the areas considered, two specific parts of Thurcroft and Parkgate have been proposed for licensing. These are indicated in the maps in Annex 1.</p>	
<p>What equality information is available? Include any engagement undertaken and identify any information gaps you are aware of. What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics? See page 7 of guidance step 2</p> <p>The demographic data available shows:</p> <p>There are 407 privately rented properties likely to be licensable across the two areas. The indices of multiple deprivation place the two Local Super Output Areas which they are within, as being of the 20% most deprived in the country.</p>	
<p>Engagement undertaken with customers. (date and group(s) consulted and key findings) See page 7 of</p>	<p>A 10 week statutory consultation took place with the following activity:</p> <ul style="list-style-type: none"> Comprehensive website with access to all the information available on the proposals along

Appendix 6 – Equalities Impact Assessment

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

<p>guidance step 3</p>	<p>with an online consultation questionnaire</p> <ul style="list-style-type: none"> • Paper questionnaires and information booklets sent to every household and business address within the proposed areas and a buffer zone around the areas. • Letters to 2,500 landlords, including all landlords who own or manage property in the proposed areas and the buffer zone around them, along with all current housing licence holders. • Press releases and social media posts • Emails to landlord and tenant representative associations and groups • A tenant and landlord drop in event in each area and a central Rotherham drop in event. <p>The consultation received 366 responses (8%) and found that most residents were in favour with the majority of landlords against the proposals.</p>
<p>Engagement undertaken with staff about the implications on service users (date and group(s) consulted and key findings) See page 7 of guidance step 3</p>	<p>Officers from across the council have been involved in the development of the policy and have been consulted as part of its development. This has included the relevant Senior Management Teams, Directorate Management Teams, and Strategic Leadership Team, the existing selective licensing officers and wider Regulation and Enforcement service.</p> <p>Reports have been submitted to local Ward members, the Cabinet and Cabinet Member as part of the decision making process to embark on the consultation.</p>
<p>The Analysis</p>	
<p>How do you think the Policy/Service meets the needs of different communities and groups? Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity . Rotherham also includes Carers as a specific group. Other areas to note are Financial Inclusion, Fuel Poverty, and other social economic factors. This list is not exhaustive - see guidance appendix 1 and page 8 of guidance step 4</p> <p>The objectives of a designation in should be based on the evidence on which the designations are made and these should be to:</p> <ul style="list-style-type: none"> • Improving the housing conditions and management of property to remove Category 1 and serious Category 2 health and safety hazards to contribute to reducing the health deprivation in each area; and 	

Appendix 6 – Equalities Impact Assessment**RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)**

- Contributing to enforcement measures to reduce environmental, problems, anti-social behaviour and crime.

Analysis of the actual or likely effect of the Policy or Service:

See page 8 of guidance step 4 and 5

Evidence from the current Selective Licensing designations in Eastwood, Masbrough, Dinnington and Maltby show that licensing can bring in significant improvements to management standards and the health and safety of rented housing and these designations are likely to have a similar effect. This effect is expected to be more immediate than previously due to better information about the private rented sector in these areas and existing management systems in place to ensure the scheme is a success.

Poor housing conditions and excessively cold and damp properties have significant health impacts on occupiers, in addition to the physical safety risks to tenants of poorly maintained property.

The private rented sector is growing in response to the demand for lower cost housing outside of the social rented sector, and the Council is committed to supporting and promoting private landlords to provide quality and affordable housing. However, there are concerns that standards within the private rented sector are falling below the minimum expected under the Housing Act 2004.

Does your Policy/Service present any problems or barriers to communities or Group? Identify by protected characteristics

There are no problems or barriers for communities or groups. Each licence fee is borne by the landlord. It is feasible that rents could increase but the Council has no evidence that this has happened under the current licensing schemes elsewhere in Rotherham. It is likely to result in some landlords choosing to leave the market and a displacement of some tenants, however there is a large private rented market in each area and it is likely to resulting tenancies in properties with better conditions.

Although there is a licence fee to pay and likely improvement works for landlords to fund, there is no impact on any protected characteristic. These issues and any defects in the properties should be managed by landlords already and this regulatory regime simply formalises the monitoring and enforcement of that duty.

Does the Service/Policy provide any improvements/remove barriers? Identify by protected characteristics

Often tenants are reluctant to come forward for help fearing eviction. The policy will support tenants in ensuring that their housing is improved where necessary without them making a complaint and putting their tenancy at risk.

What affect will the Policy/Service have on community relations? Identify by protected characteristics

Appendix 6 – Equalities Impact Assessment

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

The introduction of Selective Licensing should have a positive effect on community relations as there are a number of potential benefits for landlords, residents, tenants, businesses, and the wider community.

The potential benefits for landlords of a Selective Licensing scheme will be:

- more informed and responsible tenants,
- cheaper long term maintenance bills for properties,
- reduced crime and vandalism,
- reduced levels of fly tipping and waste issues,
- more involved landlords sharing good practice,
- more desirable communities attracting higher sale values for properties.

The benefits to the wider community, Rotherham Council and partners are:

- lower levels of deprivation in these communities,
- reductions in ASB and Crime,
- potential savings in reactive enforcement work across the Council and service partnership;
- a more “professional” landlord community in these areas.

Please list any **actions and targets** by Protected Characteristic that need to be taken as a consequence of this assessment and ensure that they are added into your service plan.

Website Key Findings Summary: To meet legislative requirements a summary of the Equality Analysis needs to be completed and published.

Appendix 6 – Equalities Impact Assessment

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

Equality Analysis Action Plan - See page 9 of guidance step 6 and 7

Time Period ...2019-20

Manager:...Matthew Finn..... Service Area: Regulation and Enforcement..... Tel:...01709 823134.....

Title of Equality Analysis:

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic.

List all the Actions and Equality Targets identified

Action/Target	State Protected Characteristics (A,D,RE,RoB,G,GI O, SO, PM,CPM, C or All)*	Target date (MM/YY)
Pre-launch review		May 2019
Annual Review through the life of the scheme		April 2020
Endeavour during the life of the scheme to compile an accurate as possible profile (including socio-economic characteristics)of tenants, landlords, licence holders and agents to advise the annual Equality Assessment review.		Ongoing and reported in annual review
Name Of Director who approved Plan	Tom Smith	Date

*A = Age, C= Carers D= Disability, S = Sex, GR Gender Reassignment, O= other groups, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage.

Appendix 6 – Equalities Impact Assessment

RMBC - Equality Analysis Form for Commissioning, Decommissioning, Decision making, Projects, Policies, Services, Strategies or Functions (CDDPPSSF)

Website Summary – Please complete for publishing on our website and append to any reports to Elected Members SLT or Directorate Management Teams

Completed equality analysis	Key findings	Future actions
<p>Directorate: Regeneration & Environment</p> <p>Function, policy or proposal name: Selective Licensing in Thurcroft and Parkgate</p> <p>Function or policy status: New (new, changing or existing)</p> <p>Name of lead officer completing the assessment: Matthew Finn</p> <p>Date of assessment:: 21/2/19</p>	<p>To introduce Selective Licensing of private rented housing in two areas of the borough suffering from high levels of deprivation in terms of health, environmental and crime statistics and to improve management and safety standards in those properties, with the aim of improving outcomes for local people</p>	<ul style="list-style-type: none"> • Pre-launch review • Annual review • Ongoing profile compilation of protected characterises and socioeconomic factors to feed into the annual review.

Committee Name and Date of Committee Meeting

Cabinet – 15 April 2018

Report Title

Rationalisation of the Property Portfolio - Land Adjacent Chislett Community Centre - Asset Transfer Request Outside of the Adopted Policy

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

Jonathan Marriott, Estates Manager
01709 823898 or jonathan.marriott@rotherham.gov.uk

Ward(s) Affected

Keppel

Report Summary

The purpose of this report is to seek approval for the granting of an Asset Transfer Lease, without break options, which is a diversion from the current adopted policy and therefore cannot be approved under the existing Officer Scheme of Delegation.

Recommendations

1. That the request for an Asset Lease agreement as detailed within the report be approved.
2. That the Acting Assistant Director – Planning, Regeneration and Transport be authorised to negotiate the terms of the request and the Assistant Director of Legal Services be authorised complete the necessary documentation.

List of Appendices Included

Appendix 1 Site Plan
Appendix 2 Location Plan

Background Papers

Rationalisation of the Property Portfolio: Schedule Of Asset Transfer Requests that are Outside of The Adopted Policy – Cabinet and Commissioner’s Decision Making Meeting (11 September 2017)

Rationalisation of the Property Portfolio: Chislett Youth and Community Centre, Kimberworth – Cabinet (7 November 2012)

Rationalisation of Property Assets – Report on the Adoption of an Asset Transfer Policy - Cabinet (20 July 2011)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

**Rationalisation of the Property Portfolio - Land Adjacent Chislett Community Centre - Asset Transfer Request Outside of the Adopted Policy Error!
Reference source not found.1. Background**

- 1.1 The Council adopted a policy to enable the transfer of Council held land and property assets to the community in an efficient and sustainable way, for the benefit of the community as a whole. This policy was adopted by Cabinet on the 21 July 2011.
- 1.2 The policy requires that assets are transferred by way of a lease or a licence rather than a freehold disposal. The length of agreement granted will be dependent upon the strength of the business case and the requirements of the Council, the Applicant, potential grant funders or a specific business case.
- 1.3 In all circumstances the agreement will require the Applicants to be responsible for the full cost of insuring, repairing, ongoing maintenance and complying with all statutory requirements in relation to the asset transferred for the duration of the agreement.
- 1.4 All agreements contain a break option in favour of the Council, in the unlikely but possible event that the asset transferred is required for wider community development directly (the asset or surrounding site itself) or indirectly (i.e. for the benefit of a capital receipt).
- 1.5 All asset transfer leases and agreements that comply with the existing Asset Transfer can be considered under the existing Officer Scheme of Delegation. However, where an asset transfer request falls outside of the adopted policy, such as a request to exclude break options, such agreement requires Cabinet consideration.

2. Key Issues

- 2.1 Chislett Community Centre - Kimberworth Park Community Partnership (KPCP) holds an Asset Transfer lease, on the youth and community centre, dated 24th February 2014 (as identified hatched red within Appendices 1 & 2). This lease was for 21 years, without break options, and therefore falls outside the Council's current Adopted Asset Transfer Policy. This was granted to allow the partnership to secure funding to extend/develop and refurbish the community centre which resulted in securing grant funding of £486,000.
- 2.2 KPCP subsequently requested that the existing term of the lease be extended to a 99 year lease to secure the long term future of the Community Centre, which was approved by Cabinet and Commissioner's on the 11 September 2017.

- 2.3 At this time KPCP also requested that the currently underutilised, former garage site to the north east of the Chislett Community Centre, as identified shaded blue within appendices 1 & 2, be transferred to them under the Adopted Asset Transfer Policy with a mutual break option which could be dealt with under the existing Officer Scheme of Delegation. KPCP propose to use this area as additional parking for the community centre, maintaining the required secondary access to the adjoining Redscope Primary School.
- 2.4 The current request, to be considered by Cabinet, relates to the lease for this part of the land. As KPCP intend to carry out major improvements to this area of land they have requested that consideration be given to an Asset Transfer Lease, without break options, in line with the existing terms of the Chislett Centre. The lease would expire at the same time as the Community Centre lease.
- 2.5 The proposal is considered acceptable as, the former garage site has very limited development opportunity, due to its size and location, and serves as the secondary access, to Redscope Primary School, which needs to be retained. Onsite parking at Chislett is restricted, and therefore without utilising this area of land users and visitors would have to park on Kimberworth Park Road, which could cause issues for neighbouring residents.
- 2.6 In order to mitigate any future maintenance liabilities to the Council, it is recommended that the access road shaded green within appendices 1 & 2 is also included within the transfer, with full rights of access reserved over both this access way and the former garage site for Redscope Primary School

3. Options considered and recommended proposal

- 3.1 The alternative option, of not granting the asset transfer without breaks options and continuing with a break inclusive lease, has been considered. It is not recommended that this is taken forward as, without the removal of the break options, KPCP would be reluctant to invest in the land for the longer term. There is also the concern that without the long term security of use of the land for car parking, then this could affect the long term viability of the community centre.

4. Consultation on proposal

- 4.1 Consultation has been carried out with the Keppel Ward Members throughout Chislett Community Centres asset transfer process and more recently on 9 January 2019. All Ward Members were consulted in writing.

5. Timetable and Accountability for Implementing this Decision

- 5.1 If approved the Estates Manager within Asset Management will issue documentation to KPCP in early May 2019 with a view to completion in June 2019.

6. Financial and Procurement Advice and Implications

- 6.1 The asset transfer lease will be on a full repair and maintenance basis and will be a rental amount of a nominal £1 per annum. There are no financial or procurement implications as a result of these proposals, other than an unquantifiable saving on future maintenance liabilities on both the former car park and access road. KPCP have agreed to reimburse the Council's professional fees in dealing with this request, which have been estimated at £250. The site has limited development value, owing to the need to retain a secondary access to Redscope Primary School, and is not included on the Council's Asset Register, as it is de-minimus.

7. Legal Advice and Implications

- 7.1 There are no direct legal implications arising from the report. The report recommends a departure from current adopted policy and sets out why it is felt such recommendation can be justified. The necessary documentation will be completed in due course by Legal Services.

8. Human Resources Advice and Implications

- 8.1 There are no human resource implications as a result of these proposals.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The proposals will secure the existing services that KPCP and its partners deliver to both young people and vulnerable adults for the long term.

10. Equalities and Human Rights Advice and Implications

- 10.1 There are no implications as a result of these proposals.

11. Implications for Partners

- 11.1 There are no implications as a result of these proposals

12. Risks and Mitigation

- 12.1 There are no implications as a result of these proposals.

13. Accountable Officer(s)

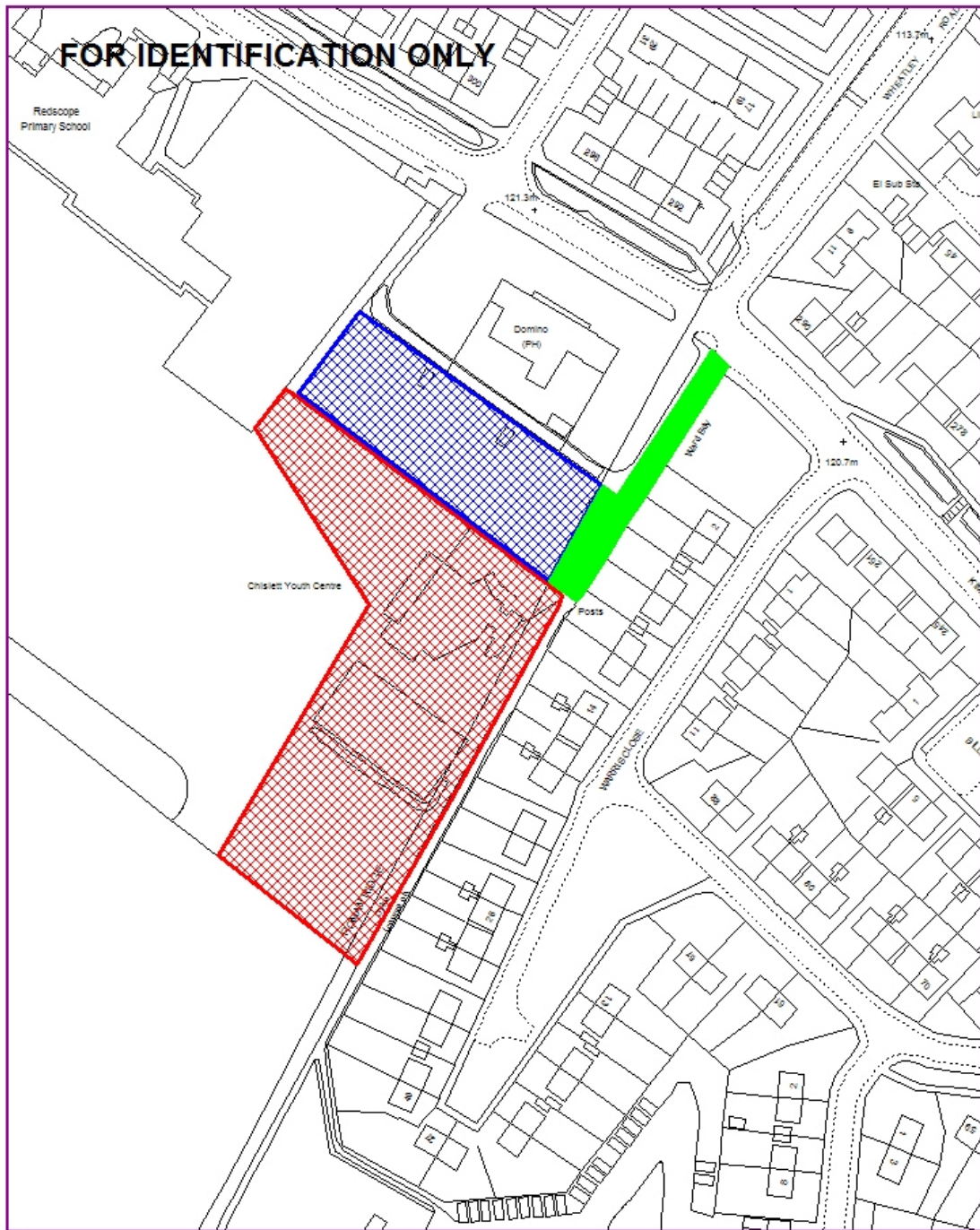
Paul Woodcock, Strategic Director of Regeneration and Environment
Bronwen Knight, Acting Assistant Director of Planning, Regeneration and Transport
Jonathan Marriott, Estates Manager, Asset Management

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	29/03/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Graham Saxton	28/03/19
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	15/01/19
Assistant Director of Human Resources (if appropriate)	John Crutchley	09/01/19
Head of Procurement (if appropriate)	Joanne Kirk	10/01/19

*Report Author: Jonathan Marriott, Estates Manager
01709 823898 or jonathan.marriott@rotherham.gov.uk*

This report is published on the Council's [website](#).

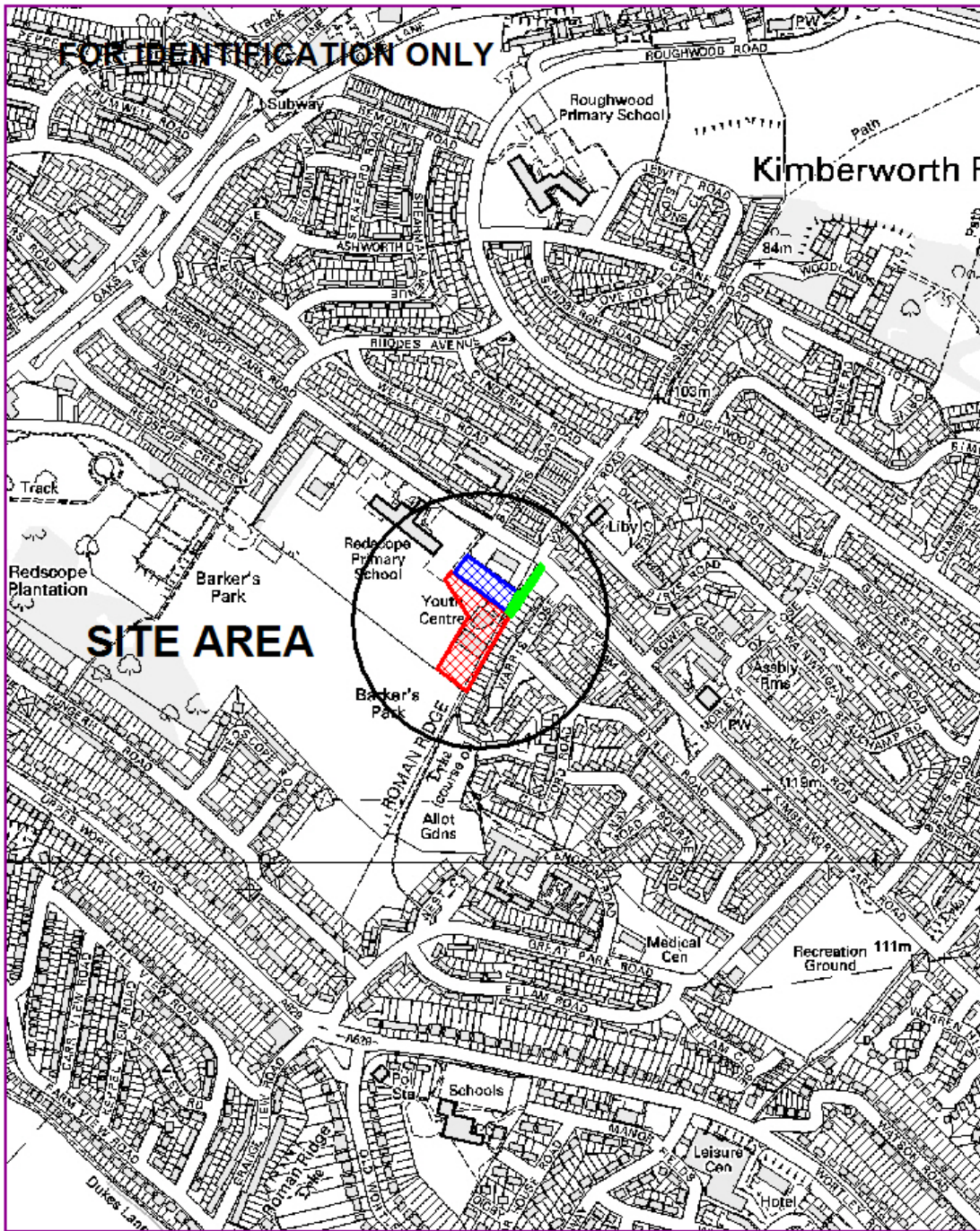


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Chislett Youth & Community Centre
Kimberworth Park Road
Rotherham
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DEED PLAN PURPOSES





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Chislett Youth & Community Centre
Kimberworth Park Road
Rotherham

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NOT TO BE USED FOR
DEED PLAN PURPOSES



Summary Sheet

Name of Committee and Date of Committee Meeting

Cabinet – 15 April 2019

Report Title

Recommendations from Overview and Scrutiny Management Board

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

James McLaughlin, Head of Democratic Services and Statutory Scrutiny Officer
01709 822477 or james.mclaughlin@rotherham.gov.uk

Ward(s) Affected

Borough-wide

Summary

- 1.1 Following the Governance Review in 2015, the Council has adopted a system of pre-decision scrutiny for non-executive members to review and influence recommendations being made to the Cabinet and Commissioners in the exercise of their executive functions.
- 1.2 Overview and Scrutiny Management Board met on 10 April 2019 to scrutinise the following two reports which would be considered at the Cabinet Meeting on 15 April 2019.
 - Homelessness and Rough Sleeper Prevention Strategy
 - February 2018-19 Financial Monitoring Report
- 1.3 Having reviewed the papers and the recommendations, the Board resolved as follows in respect of each item:-

Item	Resolutions
Homelessness and Rough Sleeper Prevention Strategy	<p>Resolved:-</p> <ol style="list-style-type: none"> 1. That Cabinet be advised that the recommendations be supported. 2. That the annual review of the strategy is submitted to the Improving Places Select Commission; reporting specifically on the strategy's financial sustainability and compliance with Homelessness Reduction Act 2017.
February 2018-19 Financial Monitoring Report	<ol style="list-style-type: none"> 1. That Cabinet be advised that the recommendations be supported.

Recommendation

That Cabinet has regard to the views of the Overview and Scrutiny Management Board when making decisions in respect of the above matters.

List of Appendices Included

None

Background Papers

Minutes of Overview and Scrutiny Management Board – 10 April 2019.